



CEQA Findings of Fact and Statement of Overriding Considerations for the 1215 O Street Office Building Project

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for the
1215 O Street Office Building Project
State Clearinghouse No. 2016122026

PREPARED FOR
CALIFORNIA DEPARTMENT OF GENERAL SERVICES

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ATTACHMENT A - MITIGATION MONITORING AND REPORTING PROGRAM

ACRONYMS AND ABBREVIATIONS

The following definitions apply where the subject words or abbreviations are used in these findings:

CAP	Capitol Area Plan
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act (Public Resources Code Section 21000 et seq.)
DGS	State of California Department of General Services
Director	Director of DGS.
Draft EIR	Draft Environmental Impact Report for the proposed 1215 O Street Office Building Project
EIR	Environmental Impact Report
Final EIR	Final Environmental Impact Report for the proposed 1215 O Street Office Building Project, including the Draft EIR
MMRP	Mitigation Monitoring and Reporting Program for the proposed project, provided in Attachment A
NOP	Notice of Preparation of an EIR
Proposed Project	Proposed 1215 O Street Office Building Project

1 INTRODUCTION

These findings have been prepared on behalf of the California Department of General Services (DGS) (the lead agency) for the proposed 1215 O Street Office Building Project, for which an environmental impact report (EIR) was prepared pursuant to California Environmental Quality Act (CEQA, California Public Resources Code, Section 21000, et seq.). Approval of a project with significant impacts requires that findings be made by the lead agency pursuant to CEQA, and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) Sections 15043, 15091, and 15093. CEQA Guidelines Section 15092(b) requires that one of the following findings or actions be completed for each significant impact of a project: (1) the significant impact is mitigated to a less-than-significant level pursuant to the mitigation measures identified in the EIR; or (2) if there is a residual significant impact after implementation of mitigation measures identified in the EIR, a Statement of Overriding Consideration is completed, supported by substantial evidence in the administrative record, which includes the documents, materials, and other evidence.

These findings are organized as follows:

Findings for Less-Than-Significant Impacts and those identified as No Impact: This section provides DGS's findings associated with impacts identified as "no impact" or "less than significant" in the Final EIR.

Findings for Significant, Potentially Significant, and Cumulatively Significant Impacts Reduced to Less Than Significant through Mitigation Measures: This section provides DGS's findings with respect to impacts identified as significant or potentially significant that are reduced to less than significant through the adoption of feasible mitigation measures identified in the EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.

Findings for Significant and Unavoidable Impacts: This section provides DGS's findings with respect to impacts determined to be significant and unavoidable even with the adoption of feasible mitigation measures. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.

Findings Associated with Project Alternatives: This section sets forth DGS's findings with respect to alternatives to the project that were evaluated in the Final EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.

Statement of Overriding Considerations: This section sets forth DGS's "statement of overriding considerations" concerning the project and the acceptance of its significant and unavoidable impacts pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093.

Mitigation Monitoring and Reporting Program: This section includes the Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures proposed for adoption. In adopting these findings, DGS hereby commits to implement the MMRP pursuant to CEQA Guidelines Section 15097. The MMRP is included in Attachment A.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 state that no public agency shall approve or carry out a project for which a certified EIR identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings, which must be supported by substantial evidence in the record, include:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

- (2) Such 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.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

When making the findings required in subdivision (1), the agency shall also adopt a program for reporting on or monitoring the changes required in the project to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

The mitigation measures required of the 1215 O Street Office Building Project are listed in the MMRP (Attachment A). The MMRP is adopted concurrently with these findings, as required by CEQA Section 21081.6(a)(1), and will be implemented throughout all phases of the project, including design, construction, and operation. DGS will use the MMRP to track compliance with all mitigation measures.

These findings constitute DGS's evidentiary and policy basis for its decision to approve the proposed 1215 O Street Office Building Project in a manner consistent with CEQA. These findings are not merely informational, but constitute a binding set of obligations that will come into effect when DGS approves the project (Public Resources Code Section 21081.6(b)). The mitigation measures identified as feasible and within DGS's authority to implement for the approved project become part of the MMRP. DGS will enforce implementation of the mitigation measures. DGS, upon review of the Final EIR (which includes the Draft EIR) and based on all the information and evidence in the administrative record, hereby makes the findings set forth herein.

2 PROJECT DESCRIPTION

2.1 BACKGROUND AND NEED FOR THE PROJECT

Replacement of the vacant California Department of Food and Agriculture (CDFA) Annex at 1215 O Street in downtown Sacramento has been funded by the State of California through the State Projects Infrastructure Fund (SPIF), as administered by DGS. This project was identified in DGS's 2015 Capitol Area Plan (CAP) Progress Report and Governor Brown's 2016 Five-Year Infrastructure Plan to address the safety of the CDFA Annex as well as critical State office space deficiencies in downtown Sacramento.

The CDFA Annex office building was constructed in 1953 as an addition to the Food and Agriculture Building at 1220 N Street. The two buildings are connected via an elevated sky bridge over the alley (Neighbors Alley) between the two buildings. The CDFA Annex served as an office building for the CDFA; however, because of significant fire and life safety deficiencies, it was vacated by order of the State Fire Marshal in November 2011.

Most of the designated 1215 O Street Office Building Project site, including the CDFA Annex, the Food and Agriculture Building, CalVet surface parking, and the portion of O Street between these two sites are located on State-owned property. The entire project site is located within the Capitol Area covered by the CAP (DGS 1997, see Draft EIR Chapter 8, References), which is the statutory master plan for development on State-owned land surrounding the State Capitol, in accordance with Government Code Section 8160 et seq. The CAP envisions State offices, housing, neighborhood commercial, parking, and multimodal streets creating a vibrant urban district in the heart of Sacramento. DGS developed the CAP and is responsible for its administration. DGS implements the office and parking elements of the CAP and the Capitol Area Development Authority (CADA), a joint powers authority (JPA) between the State of California and the City of Sacramento, implements the housing and retail elements. Although redevelopment of the CDFA Annex was not specifically proposed in the CAP, the plan suggests examination of underutilized State properties, including the 1215 O Street site. The vacant CDFA Annex is an underutilized building, located one block away from the Capitol, and adjacent to other State office buildings and a Regional Transit light rail station. The vacant building provides an opportunity to consolidate State office space and address State office space deficiencies in downtown Sacramento.

Governor Brown's 2016 Five-Year Infrastructure Plan, a study of State office infrastructure in Sacramento (required by Chapter 451, Statutes of 2014 [AB 1656]), documented serious deficiencies with existing downtown buildings that require replacement or renovation. The study found deficiencies in building systems, including inadequate fire and life safety systems, electrical, and plumbing. In addition, the State heavily relies on leased space, which is flexible and necessary to meet short term fluctuation in office space needs, but is more expensive over the long term. To address office infrastructure needs, the Governor proposed a budget and identified initial projects to better use State-owned land; replacement of the CDFA Annex was identified as one of the initial projects. Furthermore, DGS completed a site study of the unoccupied CDFA Annex in 2010 to determine the highest and best use of the property and evaluate the cost to renovate the existing building. The site study concluded that it is not cost-effective to renovate the building and recommended replacing the existing structure with a new 397,400 gross square feet (GSF), 11-story office building with tenant parking, to maximize State office space on the site while maintaining compliance with the Capitol View Protection Act (DGS 2010, see Draft EIR Chapter 8, References).

2.2 PROJECT OBJECTIVES

Consistent with, and in furtherance of the CAP (DGS 1997, see Draft EIR Chapter 8, References), the 2015 CAP Progress Report (DGS 2015, see Draft EIR Chapter 8, References), and Governor Brown's 2016 Five-Year Infrastructure Plan, the objectives of the 1215 O Street Office Building Project are to:

- ▲ consolidate State office space and address State office space deficiencies in downtown Sacramento, prioritizing building on underutilized state property;
- ▲ restore functional office space at the vacant California Department of Food and Agriculture Annex at 1215 O Street, while conforming with the Capitol View Protection Act;
- ▲ accommodate staff from State-owned office buildings targeted for renovation or replacement (such as the Bateson Building at 1600 9th Street) to vacate such building(s) and allow for their eventual renovation and re-occupation while minimizing the number of disruptive moves for state agencies;
- ▲ provide a modern, efficient, and safe environment for State employees and the public they serve;
- ▲ integrate the new State development with the existing neighborhood;
- ▲ develop a sustainable and energy-efficient building;
- ▲ encourage and support the use of alternative commute modes by designing the project to have easy access to multiple transit modes (e.g., bus, light-rail); and
- ▲ maximize the effectiveness of the design-build project delivery method by maintaining sufficient flexibility in the performance criteria to support innovation in the design competition.

2.3 DESIGN-BUILD METHOD

The 1215 O Street Office Building Project would be delivered via the design-build method of project delivery. The State's goal in using this method is to provide a shorter elapsed time from project initiation to building occupancy; provide overall cost savings; provide a more efficient construction process; and promote higher quality and more innovative design solutions. In design-build, a Criteria Architect (or Master Architect) team develops performance criteria to establish the building's design characteristics. Based on the performance criteria defined for the project, DGS would issue a Request for Qualifications (RFQ) and begin a competitive selection process for design-build teams. DGS would review submittals from prospective teams, hold interviews, and then select three teams to proceed to the Request for Proposal (RFP) phase.

DGS would issue a RFP to the three short-listed design-build teams and accept detailed proposals from each. The proposals would be reviewed and scored based on best value; project features, functions, and life-cycle costs; team experience; and past performance. Selection of the winning team would be based on its response to the RFP and compliance with the performance criteria. The winning proposal would become the defining contractual document that identifies project quality, scope, cost and schedule. Final project design, and then construction, would be completed by the selected team.

The analysis in the EIR is based on the performance criteria prepared by the Criteria Architect team. This is the typical stage that CEQA review is conducted in a design-build process, in part, so that the future RFQ can include any impact avoidance and mitigation measures that arise out of the CEQA review process. This approach places the CEQA process prior to completion of a final project design. However, the performance criteria are sufficient to support the EIR impact analysis. Where the performance criteria provide a maximum limit to a project characteristic, such as the building not exceeding 150 feet in height (Draft EIR Section 3.5.3), the EIR assumes the project meets that maximum limit. If, ultimately, the selected design-build team can achieve all necessary criteria with a shorter building, the EIR will still be sufficient to support implementation of that design. If the performance criteria identify a range for a particular project characteristic, such as the building providing approximately 300,000 to 350,000 GSF of general purpose office space (Draft EIR Section 3.5.3), where applicable, the EIR impact analysis generally considers the higher value in the range. Again, if the ultimate project design provides GSF in a lower portion of the range, the EIR would be sufficient to support implementation of that design.

In some cases, to provide a sufficient CEQA impact analysis, the EIR project description identifies project features that are more specific than what is included in the performance criteria. For example, the performance criteria may identify a particular side of the building suitable for vehicle entry; however, the project development scenario evaluated in this EIR identifies a specific location for vehicle entry on that side of the building to allow an adequate analysis of traffic impacts. In this circumstance, if the design-build team ultimately selects a vehicle entry point different from the location evaluated in the EIR, DGS will need to consider whether the EIR adequately addresses the environmental effects that might result from this difference in a project feature, and determine whether the proposal from the design-build team is sufficiently different from what is analyzed in this EIR to warrant preparation of an EIR Addendum, Supplement to the EIR, or a Subsequent EIR consistent with Section 15162 of the CEQA Guidelines. As the selected design-build team completes the project design, DGS will need to consider whether any project elements differ sufficiently from the project scenario analyzed in the EIR to warrant additional CEQA review. If additional CEQA review is required, all elements of the review, including public notices and public involvement, would be implemented consistent with applicable elements of the CEQA Statute and Guidelines.

2.4 CHARACTERISTICS OF THE PROJECT

The project would involve demolition of the vacant CDFR Annex building as well as existing asphalt and concrete surrounding the building, including the O Street and 12th Street sidewalks, Neighbors Alley between the project and the Food and Agricultural Building, and portions of O Street and 12th Streets for utility connections. To protect workers and the public and reduce disposal fees, hazardous materials would be abated and removed prior to demolition. Once this process is complete and the existing building has been certified as free from hazardous materials, demolition would commence.

The new office building would consist of approximately 300,000 to 350,000 GSF of general purpose office space, designed with a 50- to 100-year life expectancy (assessment of the structure based on levels of design, workmanship, maintenance, and the environment). The building is anticipated to be up to 11 stories tall, not exceeding 150 feet in height, in compliance with the 150-foot height limit of the Capitol View Protection Act (Government Code Section 8162 et seq.), which was enacted in 1992 to provide protection of views to and from the State Capitol building and Capitol Park.

The building massing is anticipated to accommodate nine building floors dedicated primarily to office space uses as well as a level below grade and additional enclosed facilities on the rooftop. The lower level (below grade) would include approximately 20 enclosed car parking spaces, approximately five parking spaces for building maintenance vehicles, bicycle parking for employees, building maintenance and staff locker room, greywater storage, fire sprinkler water storage, and mechanical and electrical rooms. Level 1, street level, would include the main pedestrian entrance on O Street, lobby and security, and a publicly-accessible food court. Other building elements anticipated to be included at the street level include an interpretive center for sustainability and zero net energy education, a meeting room for approximately 125 occupants, and the loading dock, recycling/solid waste, shipping/receiving, and mechanical and electrical space. The tenant office space would be provided on levels 2 through 10, providing approximately 1,200 workspace seats as well as break rooms, electrical rooms, and other appurtenant uses on each floor. The rooftop level is anticipated to house an employee fitness center, including showers and locker rooms, tenant storage, and mechanical rooms.

The CalVet surface parking lot across O Street from the office building site would be used as a temporary construction staging area during demolition of the CDFR Annex and construction of the new office building. During construction, the employees that normally utilize the CalVet parking lot would park in a nearby parking garage on 13th Street, which has capacity to temporarily serve these employees. Once construction of the new office building is complete, this surface parking lot would be repaved, parking spaces painted, and the parking lot would continue to serve CalVet. An array of photo-voltaic solar panels (solar panels) would be installed over the parking lot to generate energy for the new 1215 O Street Office Building.

The project's energy goal is to achieve Zero Net Energy, that is, the building and facilities produce an amount of energy annually that equals or exceeds the energy used. The project would be designed to exceed the 2016 Building Energy Efficiency Standards, to meet or exceed the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) version 4 (v4) Silver certification, and to have an Energy Use Index (EUI) of 25-30. EUI is a measure of the total energy consumed by building in a period, expressed as British thermal units (Btus) per gross square foot (calculated by dividing the total energy consumed by a building in one year by the total gross floor area of the building). For comparison, existing buildings within downtown Sacramento often have a baseline EUI score of approximately 100. Energy Star office equipment, energy efficient computer monitors, and LED (light-emitting diode) lighting would need to be used throughout the building to achieve the energy goals. Electrical metering and control systems would be installed to control systems and monitor electrical loads on a per system basis (e.g., lighting, mechanical) and on a per floor basis. Solar panels would be installed on the roof of the new office building with additional panels potentially located on the south building face; as well as the solar array installed over the CalVet parking lot mentioned above.

The office building would include water conservation and reuse measures that exceed 2016 Title 24 water efficiency requirements. All plumbing fixtures in the building would be low-flow/high-efficiency fixtures. A dual pipe water system would be installed. Domestic (potable) water piping would supply drinking fountains, sinks, showers, and ice machines. Greywater would be used for toilet and urinal flushing. Greywater is defined as all wastewater generated in households or office buildings from sources other than toilets. Sources of greywater for the building could include non-food-service sinks, drinking fountain drains, shower drains, air conditioning condensate, and rainwater (collected and stored). The greywater would be stored in an approximately 25,000-gallon cistern and would be treated/sterilized before re-use in the building.

Heating and cooling for the office building would be provided by the State's Central Plant (located on the block bordered by 6th, 7th, P, and Q Streets, see Exhibit 3-2 of the Draft EIR) in the form of steam (heating) and chilled water (cooling) delivered by existing underground pipes. Water, drainage, and wastewater services would be provided through connection to the City's water lines and combined sewer system lines. Pipelines to connect to utility systems would be constructed as part of the project.

It is anticipated that staff occupying the 1215 O Street Office Building would primarily be relocated from the State-owned Bateson Building at 1600 9th Street (Exhibit 3-2 of the Draft EIR). These include staff from the California Health and Human Services Agency, the Department of State Hospitals, and the Department of Development Services. Vacating the Bateson Building would allow the eventual renovation and re-occupation of that building. This EIR assumes that the Bateson Building would be back-filled with the capacity for approximately 1,000 employees, consistent with its current occupancy level. Because there are no details currently available regarding the timing of renovation and future re-occupation of the Bateson Building, this EIR does not evaluate in detail renovation or reconstruction of that building, nor is approval for such renovation being sought through this environmental document or process. Rather, the Bateson Building renovation, as a reasonably foreseeable indirect effect of the project is addressed herein, but at a level of detail commensurate with what is currently known about the project.

2.4.1 California Department of General Services Discretionary Approvals

The following actions are proposed and referred to collectively as the project approvals.

- ▲ Certification of the Final EIR
- ▲ Adoption of these findings, statement of overriding considerations, and the MMRP
- ▲ Approval of the project

2.4.2 Trustee and Responsible Agencies

The following agencies are acting as responsible and trustee agencies pursuant to CEQA Guidelines Sections 15381 and 15386, respectively.

STATE AGENCIES

- ▲ California Air Resources Board (ARB)
- ▲ California Highway Patrol, Capitol Protection Section (CPS)
- ▲ California State Parks, Office of Historic Preservation (OHP)
- ▲ Central Valley Regional Water Quality Control Board (RWQCB) (Region 5)

REGIONAL AND LOCAL AGENCIES

- ▲ City of Sacramento
- ▲ Sacramento Air Quality Management District (SMAQMD)

3 PROCEDURAL HISTORY

- ▲ DGS prepared and filed a Notice of Preparation (NOP) for an EIR on December 14, 2016 for the 1215 O Street Office Building Project. The NOP was sent to the California State Clearinghouse, responsible agencies, interested parties and organizations, and private organizations and individuals that could have interest in the project. The NOP was available at the Sacramento Central Library at 828 I Street and at DGS Environmental Services Section office at 707 3rd Street, West Sacramento, on the project website <http://spifostreet.com/>, and availability of the NOP was advertised in the Sacramento Bee.
- ▲ A scoping meeting was held on January 12, 2017 from 3:00 p.m. to 8:00 p.m. at the Sheraton Grand Sacramento Hotel at 1230 J Street, Sacramento, CA 95814 to provide agencies and the public with the opportunity to learn more about the project and to provide input as to the issues that should be addressed in the EIR. At the meeting, a presentation was given to describe the proposed project and to discuss key environmental issues identified in preliminary analyses, and receive input from public agencies and members of the public on the scope of issues that should be addressed in the EIR.
- ▲ DGS completed and distributed a Draft EIR for the proposed project; it was released on April 18, 2017 for public review and comment for a 45-day period, which concluded on June 2, 2017. The Draft EIR was posted at the State Clearinghouse and the Notice of Availability (NOA) of the EIR was mailed to relevant public agencies, responsible agencies, and all interested parties. The Draft EIR was available at the Sacramento Central Library at 828 I Street and at DGS Environmental Services Section office at 707 3rd Street, West Sacramento, on the project website <http://spifostreet.com/>, and availability of the Draft EIR was advertised in the Sacramento Bee.
- ▲ DGS held a public hearing on May 17, 2017 from 4:30 p.m. to 6:30 p.m. at the Sheraton Grand Sacramento Hotel at 1230 J Street, Sacramento, CA 95814 to consider the Draft EIR. Public comments on the Draft EIR were taken at this hearing.
- ▲ DGS received five written comments on the Draft EIR during the comment period from the agencies and organizations listed in Table 2-1 of the Final EIR. The Final EIR contains responses to these comments, including a summary of each comment and the complete comment letter. Based on the comments received, edits were made to the Draft EIR as set forth in Chapter 2 of the Final EIR. Responses to agency comments were provided to each commenting agency on July 11, 2017.

4 RECORD OF PROCEEDINGS

In accordance with CEQA Section 21167.6(e), the record of proceedings for DGS's decision on the proposed 1215 O Street Office Building Project includes, without limitation, the following documents:

- ▲ The NOP (December 14, 2016) and all other public notices issued by DGS in conjunction with the scoping period for the proposed project (provided in Appendix A of the Draft EIR in CD format);
- ▲ All comments submitted by agencies or members of the public during the scoping comment period on the NOP (provided in Appendix A of the Draft EIR in CD format);
- ▲ The Draft EIR (April 18, 2017) for the project (State Clearinghouse No. 2016122026);
- ▲ All comments submitted by agencies or members of the public during the comment period on the Draft EIR (provided in Chapter 2 of the Final EIR);
- ▲ Responses to agency comments on the Draft EIR provided to each commenting agency on July 11, 2017.
- ▲ The Final EIR (July 21, 2017) for the project, including comments received on the Draft EIR and responses to those comments as well as revisions to the Draft EIR;
- ▲ Documents cited or referenced in the Draft and Final EIRs;
- ▲ The Mitigation Monitoring and Reporting Program (MMRP) for the project (Attachment A to these Findings);
- ▲ All findings and resolutions adopted by DGS in connection with the project and all documents cited or referred to therein;
- ▲ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by DGS, consultants to DGS, or responsible or trustee agencies with respect to DGS's compliance with the requirements of CEQA and with respect to DGS's action on the project;
- ▲ All documents submitted to DGS by other public agencies or members of the public in connection with the project up through final consideration of project approval;
- ▲ All minutes and/or verbatim transcripts, as available, of all public meetings held by DGS in connection with the project;
- ▲ Any documentary or other evidence submitted to DGS at such public meetings;
- ▲ Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The official custodian of the documents comprising the record of proceedings is the Department of General Services, Environmental Services Section, located at 707 3rd Street, West Sacramento, CA 95605. All files have been available to the Director and the public for review in considering these findings and whether to approve the project.

5 FINDINGS REQUIRED UNDER CEQA

Sections 6.1 through 6.4 below contain DGS's findings with respect to the environmental impacts of the project pursuant to the requirements of Public Resources Code 21081 and CEQA Guidelines Sections 15091 and 15097.

The Final EIR, consisting of the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and revisions to the Draft EIR, are hereby incorporated by reference into these findings without limitation. This incorporation is intended to address 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 despite the potential for associated significant and unavoidable impacts.

5.1 LESS-THAN-SIGNIFICANT IMPACTS AND AREAS OF NO IMPACT

The Director agrees with the characterization in the Final EIR with respect to issue areas identified as “no impact” and those impacts identified as “less than significant” and finds that those impacts have been described accurately and are less than significant as so described in the Final EIR. The Director also agrees with determinations made in the Draft EIR “Issues or Potential Impacts Not Discussed Further” sections that identified issue areas or thresholds of significance either are not applicable to the 1215 O Street Office Building project and that no impact related to the issue area or threshold of significance would occur.

This finding applies to the following impacts evaluated in the Final EIR and determined to result in “no impact” or determined to be “less than significant.”

LAND USE, EIR SECTION 4.2

- ▲ Impact 4.2-1: Potential to divide an established community (no impact)
- ▲ Impact 4.2-2: Consistency with land-use plans and documents (less than significant)

POPULATION, EMPLOYMENT, AND HOUSING, EIR SECTION 4.3

- ▲ Impact 4.3-1: Population growth and housing demand during construction (less than significant)
- ▲ Impact 4.3-2: Increased employment opportunities and housing demand from project development (less than significant)

TRANSPORTATION AND CIRCULATION, EIR SECTION 4.4

- ▲ Impact 4.4-1: Impacts to intersection operations (less than significant)
- ▲ Impact 4.4-2: Impacts to freeway off-ramp queuing (less than significant)
- ▲ Impact 4.4-3: Impacts to vehicle miles traveled (less than significant)
- ▲ Impact 4.4-4: Impacts to transit (less than significant)
- ▲ Impact 4.4-5: Impacts to bicycle facilities (less than significant)
- ▲ Impact 4.4-6: Impacts to pedestrian facilities (less than significant)
- ▲ Impact 4.4-7: Construction-related impacts (less than significant)

UTILITIES AND INFRASTRUCTURE, EIR SECTION 4.5

- ▲ Impact 4.5-1: Increased demand for water supply (less than significant)
- ▲ Impact 4.5-3: Effects on the combined sewer system conveyance capacity (less than significant)
- ▲ Impact 4.5-4: Effects to CSS treatment capacity (less than significant)

- ▲ Impact 4.5-5: Increased demand for electrical service (less than significant)
- ▲ Impact 4.5-6: Increased demand for natural gas (less than significant)
- ▲ Impact 4.5-7: Result in inefficient and wasteful consumption of energy (less than significant)
- ▲ Impact 4.5-8: Potential interruption of utility service during construction (less than significant)

AIR QUALITY, EIR SECTION 4.6

- ▲ Impact 4.6-2: Long-term operational emissions of ROG, NOx, PM10, and PM2.5 (less than significant)
- ▲ Impact 4.6-3: Mobile-source CO concentrations (less than significant)
- ▲ Impact 4.6-4: Exposure of sensitive receptors to TACs (less than significant)
- ▲ Impact 4.6-5: Exposure of sensitive receptors to odors (less than significant)

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE, EIR SECTION 4.7

- ▲ Impact 4.7-1: Project-generated GHG emissions (less than significant)
- ▲ Impact 4.7-2: Impacts of climate change on the project (less than significant)

NOISE, EIR SECTION 4.8

- ▲ Impact 4.8-3: Long-term (operational) traffic-generated noise levels (less than significant)
- ▲ Impact 4.8-5: Compatibility of project with on-site noise levels (less than significant)
- ▲ Impact 4.8-6: Compatibility of land uses with on-site vibration levels (less than significant)

GEOLOGY AND SOILS, EIR SECTION 4.9

- ▲ Impact 4.9-1: Seismic hazards (less than significant)
- ▲ Impact 4.9-2: Liquefaction (less than significant)
- ▲ Impact 4.9-3: Expansive soils (less than significant)

HYDROLOGY AND WATER QUALITY, EIR SECTION 4.10

- ▲ Impact 4.10-1: Construction-related water quality impacts (less than significant)

HAZARDOUS MATERIALS AND HAZARDS, EIR SECTION 4.11

- ▲ Impact 4.11-1: Storage, use, or transport of hazardous materials (less than significant)
- ▲ Impact 4.11-2: Exposure of construction workers and others to hazardous materials (less than significant)
- ▲ Impact 4.11-3: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (less than significant)

PUBLIC SERVICES AND RECREATION, EIR SECTION 4.14

- ▲ Impact 4.14-1: Increased demand for fire protection facilities, equipment, and services (less than significant)
- ▲ Impact 4.14-2: Increased demand for fire flow (less than significant)
- ▲ Impact 4.14-3: Increased demand for police protection facilities, services, and equipment (less than significant)
- ▲ Impact 4.14-4: Increased demand for school services (less than significant)

- ▲ Impact 4.14-5: Increased demand for recreational facilities (less than significant)
- ▲ Impact 4.14-6: Increased generation of solid waste beyond the capacity of existing landfills (less than significant)

AESTHETICS, LIGHT, AND GLARE, EIR SECTION 4.15

- ▲ Impact 4.15-1: Substantially degrade existing visual character or quality (less than significant)
- ▲ Impact 4.15-2: Conflict with the provisions of the Capitol View Protection Act (less than significant)
- ▲ Impact 4.15-4: Potential for structures to cast shadows on shadow-sensitive uses (less than significant)

CUMULATIVE IMPACTS, EIR CHAPTER 5

- ▲ Cumulative land use impacts (less than significant)
- ▲ Cumulative impacts related to population, employment, and housing (less than significant)
- ▲ Cumulative impacts to intersection operations (less than significant)
- ▲ Cumulative freeway off-ramp queuing (less than significant)
- ▲ Cumulative vehicle miles traveled (less than significant)
- ▲ Cumulative impacts to transit, bicycle, and pedestrian facilities (less than significant)
- ▲ Cumulative construction traffic (less than significant)
- ▲ Cumulative demand for water supply and water delivery infrastructure (less than significant)
- ▲ Cumulative demand for wastewater conveyance and treatment (less than significant)
- ▲ Cumulative impacts related to electricity, natural gas, and energy efficiency (less than significant)
- ▲ Cumulative short-term construction-related air quality impacts (less than significant)
- ▲ Cumulative long-term operational-related air quality impacts (less than significant)
- ▲ Cumulative traffic noise impacts (less than significant)
- ▲ Cumulative long-term exposure of people or property to strong seismic shaking (less than significant)
- ▲ Cumulative long-term exposure of people or property to seismically-induced hazards (less than significant)
- ▲ Cumulative flood protection impacts (less than significant)
- ▲ Cumulative groundwater quality impacts (less than significant)
- ▲ Cumulative surface water quality impacts (less than significant)
- ▲ Cumulative hazardous materials and public health effects (less than significant)
- ▲ Cumulative effects on archeological resources (less than significant)
- ▲ Cumulative effects on biological resources (less than significant)
- ▲ Cumulative effects on public services (fire, police, solid waste, parks and recreation, and school facilities) (less than significant)
- ▲ Cumulative impacts to visual resources (less than significant)

5.2 SIGNIFICANT IMPACTS SUFFICIENTLY REDUCED THROUGH MITIGATION MEASURES

The Director agrees with the characterization in the Final EIR with respect to all impacts identified as “significant” or “potentially significant” that will be reduced to less-than-significant levels with implementation of the mitigation measures identified in the Final EIR and MMRP. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below.

5.2.1 Utilities and Infrastructure, EIR Section 4.5

Impact 4.5-2: Effects on water conveyance and treatment infrastructure

Mitigation Measures

Mitigation Measure 4.5-2: Improve water supply infrastructure capacity

DGS shall complete a water study to identify the best location for the project to connect to the City's water supply infrastructure. Potential locations include: the 12-inch main in 12th Street and the 6-inch main in Neighbors Alley. The water supply infrastructure must meet the project's estimated demand for 24 afy of water, and meet fire flow pressure requirements of 6,000 gpm (with up to a 75 percent reduction in this standard if sprinklers are installed). If water infrastructure is determined to be insufficient, the water study shall identify, and DGS shall implement, the improvements necessary to meet the project's demands and fire flow requirements. Improvements could include replacing the 6-inch cast-iron water main in Neighbors Alley with an 8-inch or 12-inch main. The water study shall be submitted to the City of Sacramento Department of Utilities prior to approval for connection to the City's water supply infrastructure. Additionally, the Sacramento Fire Department shall conduct a fire flow test prior to issuance of an occupancy permit for the building to verify that the water supply infrastructure for the building meets fire flow standards.

Finding: Implementation of Mitigation Measure 4.5-2, which has been required, will reduce the potential impact on water supply infrastructure to a less-than-significant level. Specifically, the water study required by this mitigation measure will identify the best location for new service connections for water and fire flow as well as any necessary improvements to the water supply system to confirm that the project will be adequately served and applicable requirements met. With preparation of the water study and implementation of any identified infrastructure improvements, the impact on water supply infrastructure capacity will be reduced to a less than significant level. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.5-17 and Final EIR page 2-21)

5.2.2 Air Quality, EIR Section 4.6

Impact 4.6-1: Construction emissions of criteria air pollutants and precursors (ROG, NO_x, PM₁₀, and PM_{2.5})

Mitigation Measure 4.6-1: Construction-related exhaust emission controls

To reduce construction-related exhaust emissions, and thus emissions of NO_x, DGS shall require that the following measures are adhered to by the Design-Build Team during all construction activities.

Exhaust Emissions Reduction Measures

- ▲ Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- ▲ Maintain all construction equipment in proper working condition according to manufacturer's specifications. Before delivery to the project site, the equipment must be checked by a certified mechanic and determined to be running in proper condition.
- ▲ The Design-Build Team shall submit to DGS 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 model year, and projected hours of use for each piece of equipment. The inventory shall also identify the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road 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.

- ▲ The Design-Build Team shall provide a plan for approval by DGS and SMAQMD demonstrating that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction compared to the most recent ARB fleet average. This plan shall be submitted in conjunction with the equipment inventory. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

Finding: Implementation of Mitigation Measure 4.6-1, which has been required, will reduce exhaust emissions generated by construction of the project. Implementation of exhaust control measures would reduce NO_x emissions from off-road equipment by a minimum of 20 percent. This would lower the maximum daily NO_x emissions below the 85 lb/day threshold for all years of construction, regardless of simultaneous construction phases occurring. Thus, construction-generated NO_x levels would be reduced to a less-than-significant level. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.6-15)

5.2.3 Noise, EIR Section 4.8

Impact 4.8-2: Generation of excessive short-term vibration levels

Mitigation Measures

Mitigation Measure 4.8-2a: Implement measures to reduce ground vibration

To reduce vibration and noise impacts from construction activities, DGS shall require the design-build team to implement the following measures:

- ▲ To the extent feasible, earthmoving and ground-impacting operations shall be phased so as not to occur simultaneously in areas close to sensitive receptors. The total vibration level produced could be significantly less when each vibration source is operated at separate times.
- ▲ Where there is flexibility in the location of use of heavy-duty construction equipment, or impact equipment such as jackhammers, the equipment shall be operated as far away from vibration-sensitive sites as reasonably possible.

Mitigation Measure 4.8-2b: Develop and implement a vibration control plan

DGS shall require the design-build team to implement the following measures when performing pile driving.

- ▲ Pile driving activities shall be limited to the daytime hours between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sunday. No nighttime pile driving will be permitted.

- ▲ A vibration control plan shall be developed by the design-build team to be submitted to and approved by DGS prior to initiating any pile driving activities. Applicable elements of the plan will be implemented before, during, and after pile driving activity. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient measures to prevent exposure of nearby sensitive receptors to vibration levels in excess of applicable thresholds. Items that shall be addressed in the plan include, but are not limited to, the following:
 - Identification that the maximum allowable vibration levels at nearby buildings consist of Caltrans's recommended standards with respect to the prevention of architectural building damage; 0.2 in/sec PPV for normal dwelling houses, 0.1 in/sec PPV for normal buildings. For buildings that are occupied at the time of pile driving, FTA's maximum-acceptable-vibration standard with respect to human response, 80 VdB, will also not be exceeded.
 - Pre-construction surveys shall be conducted to identify any pre-existing structural damage to nearby buildings that may be affected by project generated vibration.
 - Identification of minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving) for the purpose of preventing damage to nearby structures and preventing negative human response shall be established based on the proposed construction activities and locations and the maximum allowable vibration levels identified above. Factors to be considered include the specific nature of the vibration producing activity, local soil conditions, and the fragility/resiliency of the nearby structures. Initial setback requirements can be breached if a project-specific, site specific analysis is conducted by a qualified geotechnical engineer or ground vibration specialist that indicates that no structural damage would occur at nearby buildings or structures.
 - All pile driving generated vibration levels shall be monitored and documented at the nearest sensitive land use to confirm that applicable thresholds are not exceeded. Recorded data will be submitted on a twice-weekly basis to DGS. If it is found at any time by the design-build team or DGS that thresholds are exceeded, pile driving will cease in that location and methods will be implemented to reduce vibration to below applicable thresholds, or an alternative pile installation method will be used at that location, such as cast-in-place or auger cast piles.

Finding: Implementation of Mitigation Measures 4.8-2a and 4.8-2b, which have been required, will prohibit pile driving during the more sensitive times of the day (i.e., late evening through early morning). These mitigation measures will require the design-build team to minimize vibration exposure to nearby receptors by locating equipment far from receptors and phasing operations. If pile driving is required, a vibration control plan that demonstrates compliance with identified performance standards will be prepared and implemented. The plan may include refined setback distances and other measures to reduce vibration to acceptable levels, and identify and implement alternative methods to pile driving, if required. These measures will achieve compliance with recommended levels to prevent structural damage and human annoyance and will reduce the potential impact to a less-than-significant level. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.8-22 and 4.8-23)

Impact 4.8-4: Long-term operational (non-transportation) noise levels

Mitigation Measures

Mitigation Measure 4.8-4: Reduce exposure of existing sensitive receptors to noise generated by loading dock activity

The project applicant shall implement one of the following measures to reduce the effect of noise levels generated by on-site stationary noise sources:

- ▲ Loading docks shall be located and designed such that noise generated by activity at the loading dock would not exceed the City's stationary noise source criteria established in this analysis (i.e., interior nighttime [10:00 p.m. to 7:00 a.m.] standards of 55 L_{max}) at any existing noise sensitive receptor. As part of the design-build process, a specialized noise study will be completed to evaluate the specific design such that City of Sacramento noise standards are met. Reduction of loading dock noise can be achieved by locating loading docks as far away as possible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study; or
- ▲ Operation of loading docks shall not be permitted between the hours of 10:00 p.m. and 7:00 a.m., seven days a week.

Finding: Implementation of Mitigation Measure 4.8-4, which has been required, will reduce operational noise levels to a less-than-significant level. Specifically, this mitigation measure requires that the loading dock and delivery area be oriented, located, and designed in such a way that noise exposure at nearby sensitive receptors will comply with City of Sacramento interior noise standards for existing sensitive receptors, and loading dock activity will not be permitted during nighttime hours (10:00 p.m. to 7:00 a.m.). DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.8-26)

5.2.4 Cultural Resources, EIR Section 4.12

Impact 4.12-1: Potential for impacts on significant historic archaeological resources

Mitigation Measures

Mitigation Measure 4.12-1: Monitoring and response measures for potential unknown historic archaeological resources

A cultural resources awareness training program will be provided to all construction personnel active on the project site during earth moving activities. The first training will be provided prior to the initiation of ground disturbing activities. The training will be developed and conducted in coordination with a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists. The program will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered.

Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists will monitor ground-disturbing activities. If evidence of any historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. If after evaluation, a resource is considered significant, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.

Finding: Implementation of Mitigation Measure 4.12-1, which has been required, will reduce potential impacts to significant historic archaeological resources to less-than-significant levels. Specifically, this mitigation measure requires cultural resources awareness training for all construction personnel active on the project site during earth moving activities, construction monitoring and, in the case of a discovery, preservation options (including data recovery, mapping, capping, or avoidance) and proper curation if significant artifacts are recovered. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.12-23 and 4.12-24)

Impact 4.12-2: Potential for impacts on significant prehistoric archeological resources and tribal cultural resources

Mitigation Measures

Mitigation Measure 4.12-2: Monitoring and response measures for potential unknown prehistoric archaeological resources and tribal cultural resources

This mitigation measure expands on the actions included in Mitigation Measure 4.12-1 to also address encountering unknown prehistoric cultural resources and tribal cultural resources.

The cultural resources awareness training program included in Mitigation Measure 4.12-1 will include a representative or representatives from culturally affiliated Native American Tribe(s) in the program development and delivery. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The program will also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.

Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists will monitor ground-disturbing activities. Native American representative(s) will be invited to observe any excavations. Interested Native American Tribes will be provided at least seven days notice prior to the initiation of ground disturbing activities. If any previously undisturbed native soil is imported to the project site for fill or other purposes, the archeologist and Native American representative(s) will also monitor handling and placement of this material to determine if archeological material may be imported with the native soil.

If evidence of any prehistoric subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist and Native American

representative can assess the significance of the find. If after evaluation, a resource is considered significant, or is considered a tribal cultural resource, all preservation options shall be considered as required by CEQA (see PRC 21084.3), including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant prehistoric archaeological resources or tribal cultural resources, they first option shall be to transferred the artifacts to an appropriate tribal representative. If possible, accommodations shall be made to re-enter the artifacts at the project site. Only if no other options are available will recovered prehistoric archeological material be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.

Finding: Implementation of Mitigation Measure 4.12-2, which has been required, will reduce potential impacts to significant prehistoric archeological resources and tribal cultural resources to less-than-significant levels. Specifically, this mitigation measure requires cultural resources awareness training for all construction personnel active on the project site during earth moving activities, construction monitoring and, in the case of a discovery, preservation options (including data recovery, mapping, capping, or avoidance) and proper curation if significant artifacts are recovered. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.12-24 and 4.12-25)

Impact 4.12-3: Potential discovery of human remains

Mitigation Measures

Mitigation Measure 4.12-3: Response protocol in case human remains are uncovered

Consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act, if suspected human remains are found during project construction, all work shall be halted in the immediate area, and the county coroner shall be notified to determine the nature of the remains. The coroner shall examine all discoveries of suspected human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign an MLD to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD, in consultation with the State, shall determine the ultimate treatment and disposition of the remains.

Finding: Implementation of Mitigation Measure 4.12-3, which has been required, will reduce potential impacts to previously undiscovered human remains to less-than-significant levels. Specifically, this mitigation measure requires work to stop if suspected human remains are found, communication with the county coroner, and the proper identification and treatment of the remains consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.12-25)

5.2.5 Biological Resources, EIR Section 4.13

Impact 4.13-1: Conflict with any local applicable policies protecting biological resources

Mitigation Measures

Mitigation Measure 4.13-1: Remove and replace trees consistent with the City of Sacramento Tree Preservation Ordinance

Prior to construction, DGS will complete a survey of trees at the project site and prepare and submit a detailed tree removal, protection, replanting, and replacement plan to the City arborist. The tree removal plan will be developed by a certified arborist. The plan shall include the following elements:

- ▲ The number, location, species, health, and sizes of all trees to be removed, relocated, and/or replaced. This information will also be provided on a map/design drawing to be included in the in the project plans.
- ▲ Planting techniques, necessary maintenance regime, success criteria, and a monitoring program for all trees planted on, or retained on the project site.

DGS will implement the tree relocation/removal/replacement plan during project construction and operation.

Finding: Implementation of Mitigation Measure 4.13-1, which has been required, will reduce potentially significant impacts associated with tree removal to less-than-significant levels by providing replacement trees and complying with the City's Tree Preservation Ordinance. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.13-7)

5.2.6 Aesthetics, Light, and Glare, EIR Section 4.15

Impact 4.15-3: Introduce new sources of light and glare that would adversely affect day or nighttime views

Mitigation Measures

Mitigation Measure 4.15-3: Direct solar panel reflection away from north facing windows on the apartment building immediately south of the CalVet surface parking lot

DGS shall prevent exposure of adjacent residents to daytime glare by designing and constructing the solar array above the CalVet surface parking lot in such a manner that the panels do not reflect sunlight into north facing windows of the apartments immediately south of the parking lot.

Finding: Implementation of Mitigation Measure 4.15-3, which has been required, will reduce the significant glare impact to a less-than-significant level by requiring that design and construction of the surface parking lot solar array does not reflect substantial light or glare into windows of adjacent land uses. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.15-20)

Cumulative impacts to water delivery infrastructure, EIR Chapter 5

Mitigation Measures

Implementation of Mitigation Measure 4.5-2 (see analysis above regarding this mitigation measure).

Finding: Implementation of Mitigation Measure 4.5-2, which has been required, will reduce the project's contribution to the cumulative condition of water delivery infrastructure to a less-than-cumulatively-considerable level. Specifically, the water study required by Mitigation Measure 4.5-2 will identify the best location for new service connections for water and fire flow and any necessary improvements to the water supply system to adequately serve the project and meet applicable requirements. With preparation of the water study and implementation of identified infrastructure improvements, the project's contribution to cumulative consumption of water supply infrastructure capacity will be reduced to a less-than-significant level. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 5-16)

Cumulative impacts to air quality, EIR Chapter 5

Mitigation Measures

Implementation of Mitigation Measure 4.6-1 (see analysis above regarding this mitigation measure).

Finding: Implementation of Mitigation Measure 4.6-1, which has been required, will reduce the project's construction-related NO_x emissions to a less-than-significant level. Specifically, implementation of exhaust control measures will reduce NO_x emissions from off-road equipment by a minimum of 20 percent. This will lower the maximum daily NO_x emissions below the 85 lb/day threshold for all years of construction, even during simultaneous construction phases. Therefore, the short-term contribution of NO_x from project construction, combined with other cumulative sources of ozone precursors in the region will not be cumulatively considerable. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 5-18)

Cumulative impacts on as-yet-undiscovered subsurface historic and pre-historic archeological resources, EIR Chapter 5

Mitigation Measures

Implement Mitigation Measures 4.12-1 and 4.12-2 (see analysis above regarding these mitigation measures).

Finding: Implementation of Mitigation Measures 4.12-1 and 4.12-2, which have been required, will reduce the project's contribution to cumulative archaeological resource impacts to a less-than-cumulatively-considerable level. Specifically, these mitigation measures require cultural resources awareness training for all construction personnel active on the project site during earth moving activities, construction monitoring and, in the case of a discovery, preservation options (including data recovery, mapping, capping, or avoidance) and proper curation if significant artifacts are recovered. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, implementation of the project would result in a less-than-significant contribution to the cumulative impact. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 5-23)

Cumulative impacts on human remains, EIR Chapter 5

Mitigation Measures

Implement Mitigation Measure 4.12-3 (see analysis above regarding these mitigation measures).

Finding: Implementation of Mitigation Measure 4.12-3, which has been required, will reduce the project's contribution to cumulative loss of undiscovered or unknown human remains to a less-than-cumulatively-considerable level. Specifically, this mitigation measure would offset the proposed project's contribution through avoidance and protection of undiscovered or unknown human remains. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 5-23)

Cumulative impacts on biological resources, EIR Chapter 5

Mitigation Measures

Implement Mitigation Measure 4.13-1 (see analysis above regarding this mitigation measure).

Finding: Implementation of Mitigation Measure 4.13-1, which has been required, will reduce the project's potentially significant impacts associated with tree removal to a less-than-significant level by providing replacement trees and complying with the City's Tree Preservation Ordinance. Because the project would result in no impact or very limited impact on biological resources after mitigation, the project would not considerably contribute to an adverse cumulative condition with respect to biological resources. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 5-24).

Cumulative light and glare impacts, EIR Chapter 5

Mitigation Measures

Implement Mitigation Measure 4.15-3 (see analysis above regarding these mitigation measures).

Finding: Implementation of Mitigation Measure 4.15-3, which has been required, will reduce the project's significant glare impact to a less-than-significant level by requiring that the design and construction of the surface parking lot solar array does not reflect substantial light or glare into windows of adjacent land uses. Furthermore, the cumulative projects listed in Table 5-2 of the Draft EIR, although located in downtown, are not located within the same viewshed as the project; the O Street Office Building and related projects would not both be visible by a viewer. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 5-26).

5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The Director agrees with the characterization in the Final EIR with respect to all impacts identified as "significant and unavoidable." For this project, the following impacts were identified as significant and unavoidable. That is, these impacts remain significant, despite the incorporation of all feasible mitigation measures to substantially lessen or avoid these impacts. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for each significant and unavoidable impact and its associated mitigation measures in the discussions below.

5.3.1 Noise, EIR Section 4.8

Impact 4.8-1: Short-term construction-generated noise levels

Mitigation Measures

Mitigation Measure 4.8-1a: Implement construction-noise reduction measures

To minimize noise levels during construction activities, the design-build team shall comply with the following measures during all daytime and nighttime construction work:

- ▲ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- ▲ Where available and feasible, construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. Self-adjusting backup alarms shall automatically adjust to 5 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels.
- ▲ Install a temporary solid barrier (e.g., plywood) around the construction site and staging area. Also, as feasible, locate trailers and materials such that they would serve as noise barriers to protect off-site noise-sensitive receptors from noise generated by on-site construction activity.
- ▲ Designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residences. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem.

Mitigation Measure 4.8-1b: Implement additional measures to reduce exposure to construction noise reduction during noise-sensitive time periods

For all outdoor construction activity that is to take place outside of the City of Sacramento construction noise exception timeframes (i.e., 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday), and that is anticipated to generate interior noise levels at sensitive receptors that exceed the City Noise Control Ordinance interior noise standard of 45 L_{eq} for residential land uses, the design-build team shall comply with the following measures:

- ▲ Consistent with Section 8.68.080 Exceptions of the City Noise Control Ordinance, obtain an exception to Article II, Noise Standards for nighttime construction through the director of building inspections. An exception may be obtained for work to be performed outside the exempt hours in the case of urgent necessity and in the interest of public health and welfare for a period not to exceed three days. Application for this exemption may be made in conjunction with the application for the work permit or during progress of the work.
- ▲ Install temporary noise curtains as close as possible to the noise-generating activity such that the curtains obstruct the direct line of sight between the noise-generating construction activity and the nearby sensitive receptors. Temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious, material with a surface weight of at least one pound per square foot.

- ▲ Noise-reducing enclosures and techniques shall be used around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors).
- ▲ Operate heavy-duty construction equipment at the lowest operating power possible.
- ▲ Provide a minimum of one week of advanced notice to owners of all residential located within 350 feet of where nighttime construction activity would take place. This noticing shall inform the recipients of when and where nighttime construction would occur and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator.
- ▲ Offer hotel accommodations to residents within 350 ft of the project site who would temporarily be exposed to nighttime interior noise levels that exceed the interior noise standard of 45 L_{eq} . Alternative overnight accommodations should be in a location that is not adversely affected by nighttime construction noise.

Finding: Implementation of Mitigation Measures 4.8-1a and 4.8-1b, which have been required, will substantially reduce construction noise and noise exposure at noise-sensitive receptors by requiring proper equipment use; locating noise-generating equipment away from sensitive land uses; requiring a temporary solid barrier around the project site and staging area; and requiring the use of enclosures, shields, and noise curtains (noise curtains typically can reduce noise by up to 10 dBA [EPA 1971]). Although noise reduction would be achieved with implementation of these measures, reductions of up to 17 dBA would be required during more intensive nighttime construction (if necessary), to comply with the City of Sacramento's nighttime interior standard of 45 L_{eq} . Reductions of this magnitude may not be achieved under all circumstances with implementation of Mitigation Measures 4.8-1a and 4.8-1b. Because it cannot be assured that nighttime construction will not be needed, and if needed that applicable noise standards can be met at all times, DGS finds that although changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental impact, this impact would remain significant and unavoidable. (Draft EIR pages 4.8-19 and 4.8-20)

5.3.2 Cultural and Tribal Cultural Resources, EIR Section 4.12

Impact 4.12-4: Potential for impacts on historic architectural resources

Mitigation Measures

Mitigation Measure 4.12-4: Preparation of a salvage report and documenting the historical resource

A precedent for mitigation of the loss of a contributing feature to the California State Government Building Complex historic district was set in 1998-1999 for the demolition of the Legislative Annex Building, formerly located at 1021 O Street, and similar to the CDFA Annex Building. The mitigation included a salvage report identifying architectural features of the building that could be salvaged and reused in the immediate area. The SHPO, City of Sacramento, and local preservation groups would be consulted in development of the salvage report and plan.

In addition, the project applicant will arrange for the preparation of historical resource documentation of the CDFA Annex Building (1215 O Street). This documentation will be prepared by a qualified architectural historian and modeled on the National Park Service's Historic American Buildings Survey (HABS) program and prepared along the lines of a HABS Level III treatment. This will include large-format black-and-white photographs that provide exterior views of the significant portion of the building, a short physical description of the significant portion of the building, and a photo index that describes each of the photographic views and compositions. These will be provided along with a short

report that contains a brief physical description of the building, a brief narrative that explains its historical significance, and a location map. The photographic views will be prepared as 8- by 10-inch, machine-printed black-and-white archival prints; the accompanying photo index and other written data will be printed on archival paper. The completed HABS-like documentation packages will be archived for public access at the California History Room of the California State Library, the Center for Sacramento History, and the Sacramento Room at the Sacramento Central Public Library.

Finding: Implementation of Mitigation Measure 4.12-4, which has been required, will reduce the impact caused by the demolition of the CDFA Annex Building on the California State Government Building Complex historic district, but because demolition is unavoidable, would not reduce it to a level less than significant level. The CDFA Annex building will still be removed and an adverse change to the California State Government Building Complex historic district will still occur. DGS, finds that although changes or alterations have been required in, or incorporated into, the project to substantially lessen the significant environmental impact identified in the Final EIR, this impact would remain significant and unavoidable. (Draft EIR pages 4.12-28)

Cumulative impacts on historic structures, EIR Chapter 5

Mitigation Measures

Implement Mitigation Measure 4.12-4 (see analysis above regarding this mitigation measures).

Finding: Although there are various laws and regulations directed at the protection of historic structures, significant historic structures have been, and will continue to be damaged or removed over time. Even with implementation of Mitigation Measure 4.12-4 and compliance with existing policies and regulations, the proposed project, and presumably some reasonably foreseeable future projects, would contribute to an ongoing significant cumulative loss and degradation of historic structures. Because implementation of the project would result in the demolition of an existing historic structure, the project makes a significant incremental contribution to the significant cumulative impact of the loss and degradation of historic structures. DGS, finds that although changes or alterations have been required in, or incorporated into, the project to substantially lessen the significant environmental impact identified in the Final EIR, this impact would remain significant and unavoidable. (Draft EIR page 5-24)

5.4 FINDINGS REGARDING PROJECT ALTERNATIVES

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they

determine that specific considerations make the alternative infeasible, or if the alternative does not meet the objectives for the project.

All of the environmental impacts associated with the project would be substantially lessened or avoided with the adoption of the mitigation measures set forth in these findings, with the exception of Impact 4.8-1 (Short-term construction-generated noise levels) and Impact 4.12-4 (Potential for impacts on historic architectural resources). DGS' goal in evaluating the project alternatives was to select an alternative that feasibly attains the project objectives, while further reducing the project's significant and unavoidable impacts.

CEQA Guidelines require that an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly obtain the basic objectives of the project..." (CEQA Guidelines Section 15126.6[a]). The lead agency has the discretion to determine how many alternatives constitute a reasonable range and that an EIR need not present alternatives that are incompatible with fundamental project objectives. Additionally, CEQA Guidelines Section 15126.6(a) provides that an EIR need not consider alternatives that are infeasible. CEQA Guidelines Section 15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." CEQA Guidelines Section 15126.6(f) states that the range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR analysis considered a reasonable range of alternatives.

5.4.1 Alternatives Considered but not Evaluated Further

The EIR disclosed that there were three alternatives considered by DGS, but rejected during the planning or scoping process (see discussion in Draft EIR in Chapter 7, "Project Alternatives"). DGS considered renovation and reuse of the existing building at 1215 O Street in lieu of demolition and construction of a new building. The building, which was vacated by order of the State Fire Marshal in November 2011, would require major interior renovation to address shortcomings relative to fire and life safety systems, energy efficiency, electrical and plumbing systems, and other deficiencies. Impacts associated with total demolition of the structure would be avoided, including noise impacts, air emissions, generation and disposal/recycling of construction debris, temporary loss of parking at the CalVet surface parking lot, and potential impacts to soil and groundwater from exposure or contamination. However, renovation of the existing building would be costly, and would not meet several important objectives of the project. First, because the existing building is a four-story structure of approximately 115,000 square feet, it would not provide the additional office space needed to better address State office space deficiencies. The existing building does not have sufficient space to accept all of the Bateson Building employees, requiring current Bateson Building staff to be split among different locations for this building to be fully vacated for eventual renovation. Second, renovation of the existing CDFA Annex would require a reduction in available office space in the building to accommodate desired amenities, such as food service, interpretive center, bicycle parking, and employee fitness center. Third, renovation of the existing building would limit, or make more difficult and expensive, implementation of several proposed sustainability features such as promoting better entry of daylight into the building and utilizing gray water. Because the existing office building is aged, uninhabitable, and would require extensive reconstruction to meet State codes and standards, DGS concluded that renovation would not be a cost-effective approach. In addition, reuse of the existing building would not as effectively achieve the State's objectives to address office space deficiencies; provide a modern, efficient, and safe workplace for State employees; and develop a sustainable and energy-efficient building. For these reasons, this alternative was rejected.

DGS also considered construction of a new building on an alternative site in the downtown area. While this alternative could avoid impacts of building demolition, assuming an alternative site is unoccupied, a fundamental goal of the project as proposed is to achieve the highest and best use of State-owned property, including the CDFA Annex site. Construction of a new office building in an alternative location would not address use of the now vacant, underutilized CDFA Annex, which would still need to be renovated or

demolished and repurposed. Importantly, an alternative location may not be near transit, as is the CDFA Annex. As such, an alternative location may not allow the State to achieve the objective of encouraging and supporting the use of alternative transportation through easy access to multiple transit modes (e.g., bus, light rail). For these reasons, this alternative was rejected.

Finally, DGS considered a project similar to the proposed project, but with one or more additional basement levels. This approach would increase the total interior square footage for the building, or allow for a smaller above-ground building while maintaining the total square footage assumed for the proposed project. However, as identified in Section 4.9, "Geology and Soils," of the Draft EIR, depth to groundwater in the downtown Sacramento area varies seasonally and groundwater can be less than 10 feet below the ground surface. Data collected as part of geotechnical studies at the project site showed groundwater being encountered at a depth of approximately 17 feet below the ground surface at the time data was collected. A second or third basement level would encounter groundwater, requiring dewatering during construction, special-engineering techniques to minimize groundwater intrusion into the lower basement levels, and continuous collection and pumping of groundwater away from the basement levels. Additional basement levels would substantially increase construction costs and require ongoing monitoring, maintenance, and costs to pump groundwater away from the lower basement levels as part of ongoing building operations. Project objectives can be achieved without the complexities associated with additional basement levels. Additional basement levels would not result in the avoidance of any significant impacts, and could result in greater environmental effects, such as a higher potential of encountering previously undisturbed native soils that could contain historic or pre-historic archeological resources. For these reasons, this alternative was rejected.

5.4.2 Alternatives Evaluated in the EIR

The following three alternatives were analyzed in the Draft EIR to determine whether they could meet the project's objectives while avoiding or substantially lessening any of its significant impacts:

- ▲ **Alternative 1: No Project–No Development Alternative** assumes no demolition of the existing structure or construction of a new building. The project site would remain in its current condition.
- ▲ **Alternative 2: Reduced Building Size/No Basement Excavation Alternative** assumes project elements and features that are the generally the same as the proposed project, albeit reduced in size because there would be no below-grade level. With no below-grade (basement) level, it is less likely that earth moving or excavations during construction would encounter native soils that could contain cultural resources.
- ▲ **Alternative 3: Capitol Area Plan Housing Alternative** assumes project elements and features that are the same as the proposed project, with the exception that after the office building is constructed and operational, the CalVet surface parking lot would be developed with approximately 100 housing units. Housing development at this site would be consistent with the CAP Implementation Program, which proposes construction of a high-density residential development (approximately 100 housing units) on the site of the current CalVet surface parking lot (identified in the CAP Implementation Program as "Block 222, along O Street").

In compliance with CEQA, these Findings examine these three alternatives and the extent to which they lessen or avoid the project's significant environmental effects while meeting the project objectives.

In addressing the No Project Alternative, DGS followed the direction of the State CEQA Guidelines which provide that the no project analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126[d][4]).

The Director finds that a good faith effort was made to evaluate all reasonable alternatives to the project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or might be more costly. The Director also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the Final EIR and the ultimate decision on the project.

ALTERNATIVE 1: NO PROJECT – NO DEVELOPMENT ALTERNATIVE

Description: Under Alternative 1, the No Project–No Development Alternative, no action would be taken by DGS and the project site would remain unchanged from current conditions. The CDFA Annex building would remain vacant and in its current condition. The current program of ongoing building inspections and maintenance would continue. No solar panels would be installed over the CalVet parking lot. The segment of O Street in front of the CDFA Annex and the alley behind the CDFA Annex would not be changed. Although the State’s CAP identifies the CDFA Annex site for office and the surface parking lot for housing, this alternative assumes that no development would occur and the project site would remain in its current state. If the Bateson Building were to be vacated to support some future renovation, the existing Bateson Building staff would be relocated to some currently unidentified building or buildings.

Summary of Impacts: Alternative 1, the No Project – No Development Alternative, would avoid the project’s significant mitigable impacts and significant unavoidable impacts, and overall, the environmental impacts would be less than those that would occur with the project because no development would occur. Because this alternative would not demolish the vacant CDFA Annex and would not involve any construction, it would avoid the project’s significant and unavoidable short-term construction-generated noise impact (Impact 4.8-1) and the potential for impacts on historic architectural resources (Impact 4.12-4). However, the No Project–No Development Alternative would not be consistent with the objectives of the CAP because it would not meet the State offices objective to provide office space and related services to meet present and future space requirements for the State of California near the State Capitol. In addition, the No Project-No Development Alternative would not support the Sacramento Region Blueprint, 2016 MTS/SCS, City of Sacramento 2035 General Plan, and Central City Community Plan, which like the State’s CAP, call for infill development in downtown Sacramento, intensifying uses on underutilized sites near transit, increased opportunities for pedestrian and bicycle use, prioritizing energy and water-efficient buildings and reduction of carbon emissions, and locating jobs closer to housing. In comparison, the proposed project would be consistent with the objectives and purposes of the CAP, the 2015 CAP Progress Report, Governor Brown’s 2016 Five-Year Infrastructure Plan, and with local land use plans. Replacement of the vacant CDFA Annex with a new, larger State office building would not result in any conflicts with environmental plans, goals, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the land use impacts of the No Project–No Development Alternative would be greater than those of the proposed project.

Finding: Under Alternative 1, the No Project – No Development Alternative, the project would not be approved, and no development would occur. This would avoid all environmental effects of the project. Accordingly, Alternative 1 is the environmentally superior alternative. (CEQA Guidelines, § 15126.6; see Draft EIR, p. 6-20.) However, the No Project – No Development Alternative would not meet the project objectives because it would not restore functional office space at the vacant CDFA Annex site, consolidate and address State office space deficiencies in downtown Sacramento, increase use of underutilized state property, develop an energy-efficient office building near transit lines, or allow for relocation of State employees from other downtown buildings that are in need of renovation or replacement (such as the Bateson Building at 1600 9th Street). The No Project-No Development Alternative would also result in greater land use impacts than the project because it would not be consistent with the objectives of the CAP or local land use plans. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the Director finds that because Alternative 1 would not meet the project objectives, the Director rejects Alternative 1.

CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the “No Project” alternative, the EIR must also identify an environmentally superior alternative among the other

alternatives; here, that would be Alternative 2: Reduced Building Size/No Basement Excavation Alternative, which is addressed below.

ALTERNATIVE 2: REDUCED BUILDING SIZE/NO BASEMENT EXCAVATION ALTERNATIVE

Description: Alternative 2, the Reduced Building Size/No Basement Excavation Alternative is the same as the proposed project in several respects. The Reduced Building Size/No Basement Excavation Alternative includes demolition of the CDFA Annex, construction of a new office building, rooftop solar on the new office building, implementation of the same energy efficiency programs, use of the CalVet parking lot for construction staging and a solar array, and relocation of employees from the Bateson Building and other locations consistent with the proposed project. Where the Reduced Building Size/No Basement Excavation Alternative differs from the proposed project is that the office building would not include a below-grade level. This alternative was selected for analysis because with no below-grade (basement) level, it is less likely that earth moving or excavation during construction would encounter native soils that could contain cultural resources or human remains. Therefore, this alternative could have a reduced construction timeframe and reduce or avoid significant impacts on cultural resources identified for the proposed project.

Under the Reduced Building Size/No Basement Excavation Alternative, it is assumed that the new office building would not exceed 150-feet in height, in compliance with the Capitol View Protection Act. It is also assumed that the new office building would cover roughly the same footprint as the proposed project. Therefore, the above-ground floors would have approximately the same square footage as those of the proposed project. Facilities and uses that may have been placed in the approximately 34,000 gross square foot (GSF) basement under the proposed project would either need to be moved to the above-ground floors, or not included in the building under the Reduced Building Size/No Basement Excavation Alternative. With a fixed amount of above-ground square footage and former basement uses needing to be moved to above-ground floors, The Reduced Building Size/No Basement Excavation Alternative would result in some reduction in the available office space compared to the proposed project. It would be speculative to attempt to characterize what adjustments would be made to the types, locations, and sizes of building uses. However, for the purposes of this analysis, it is assumed that there would be a reduction in available office space under the Reduced Building Size/No Basement Excavation Alternative compared to the proposed project, which would result in a maximum employee capacity of approximately 1,100 seats compared to the 1,200 seats evaluated for the proposed project.

Summary of Impacts: Alternative 2, the Reduced Building Size/No Basement Excavation Alternative, would be the environmentally superior action alternative because although the environmental impacts would be similar to the proposed project, and no significant impacts or significant and unavoidable impacts would be completely avoided, the reduced degree of construction, excavation, and reduced building size would reduce the potential to encounter native soils that could contain cultural resources and reduce the emissions of criteria air pollutants and GHGs generated by the construction and operation of the project.

Finding: The Director finds that implementing Alternative 2, the Reduced Building Size/No Basement Excavation Alternative, would restore functional office space at the vacant CDFA Annex site, consolidate and address State office space deficiencies in downtown Sacramento, increase use of underutilized state property, develop an energy-efficient office building near transit lines, and allow for relocation of State employees from other downtown buildings that are in need of renovation or replacement (such as the Bateson Building at 1600 9th Street). Because Alternative 2 would demolish the CDFA Annex and develop a new office building at 1215 O Street, as would the project as proposed, the Reduced Building Size/No Basement Excavation Alternative would result in similar impacts to the project, but the reduction in building size would reduce to some degree the severity of the impacts for all resources affected by the project. However, Alternative 2 would not avoid the project's significant and unavoidable short-term construction-generated noise impact (Impact 4.8-1) and the potential for impacts on historic architectural resources (Impact 4.12-4). Additionally, although Alternative 2 would meet the basic project objectives, it would not fulfill those objectives to the extent to which the project would. Specifically, the alternative would not make maximum use of the site, falling short as compared to the proposed project of the State's goal to increase

use of underutilized State property. The project would accommodate approximately 100 fewer employees and contain fewer amenities. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the Director finds that because Alternative 2 would not avoid the project's significant and unavoidable impacts and would not fulfill the project objectives to the extent to which the project would, the Director rejects Alternative 2.

ALTERNATIVE 3: CAPITOL AREA PLAN HOUSING ALTERNATIVE

Description: Alternative 3, the Capitol Area Plan Housing Alternative, includes the same office building at 1215 O Street as the proposed project. All aspects of building construction, operation, staffing, and other factors would be the same as the proposed project. Where the Capitol Area Plan Housing Alternative differs from the proposed project is in the treatment of the CalVet parking lot. After construction of the 1215 O Street Office Building is complete and the CalVet parking lot is no longer needed as a construction staging area, the parking lot would be removed and developed with approximately 100 housing units. This housing development would be consistent with the CAP Implementation Program, which proposes construction of a high-density residential development (approximately 100 housing units) on the site of the current CalVet surface parking lot (identified in the CAP Implementation Program as "Block 222, along O Street").

The solar panels that would be placed on the solar array in the parking lot as part of the proposed project would instead be placed on the rooves of the housing units. These solar panels would supply electricity to the 1215 O Street Office Building to support the Zero Net Energy (ZNE) objective. Therefore, it is assumed that there would not be space for rooftop solar to serve the housing units under this alternative.

Summary of Impacts: Because Alternative 3 would include residential development in addition to the office building, the Capitol Area Plan Housing Alternative would increase the severity of many environmental impacts as compared to the project as proposed. The project would require more construction activity over a longer duration, and would result in greater operational impacts (traffic, noise, air pollutant and GHG emissions). Alternative 3 would result in the same significant and unavoidable impacts relative to short-term construction-generated noise (Impact 4.8-1) and historic architectural resources (Impact 4.12-4), and would potentially increase the severity of short-term construction noise. The increased degree of construction, excavation, and increased building area would increase the potential to encounter native soils that could contain cultural resources and increase the emissions of criteria air pollutants and GHGs generated by the construction and operation of the project.

Finding: The Director finds that Alternative 3 would meet the objectives of the project and would provide housing units in downtown Sacramento consistent with the CAP Implementation Program. However, development of housing is not funded nor authorized. Further, Alternative 3 is not environmentally superior to the project, but rather would result in the same significant and unavoidable impacts and would increase the severity of some of the project's environmental impacts. Also, installation of solar panels over the CalVet parking lot as part of the proposed project would not preclude removing or relocating the solar panels and constructing housing on the site at some future date. The Director rejects Alternative 3 because it is not environmentally superior to the project.

6 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA section 21081 and CEQA Guideline 15093, the Director hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the project, as set forth below, independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the project. Any one of the reasons for approval cited below is sufficient to justify approval of the project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Director specially finds that there are significant benefits of the project to support approval of the project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations.

Two significant and unavoidable environmental impacts resulting from the project were identified. (1) Because it cannot be assured at this time that nighttime construction will not be needed, and if needed that applicable noise standards can be met, construction noise impacts are considered significant and unavoidable (Impact 4.8-1). (2) Demolition of the California Department of Food and Agriculture (CDFA) Annex (the existing 1215 O Street office building), which is assumed in the EIR to qualify as a historic resource under CEQA, is considered a significant and unavoidable impact on cultural resources (Impact 4.12-4).

Although the Director finds that the project will result in these significant and unavoidable impacts, the Director also finds that the project benefits outweigh these impacts.

The Director finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the project have been eliminated or substantially lessened, where feasible. All mitigation measures proposed in the Final EIR that are applicable to the project are adopted as part of this approval action. Furthermore, the Director has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations. Any alternatives proposed by the public are rejected for the reasons set forth in the EIR and the reasons set forth herein.

Project benefits include the following:

- ▲ The project will consolidate State office space and address State office space deficiencies in downtown Sacramento, prioritizing building on underutilized State property.
- ▲ The project will restore functional office space at the CDFA Annex at 1215 O Street, which was vacated by order of the State Fire Marshal in November 2011 due to significant fire and life safety deficiencies.
- ▲ The project will intensify office space on the underutilized (vacant) CDFA Annex site while being integrated into downtown by providing publicly-accessible ground-floor food court, human-scale outdoor spaces, a public art element, and maintenance of publicly accessible sidewalks and the street tree canopy.
- ▲ The project is consistent with the objectives and purposes of the Capitol Area Plan, the 2015 Capitol Area Plan Progress Report, Governor Brown's 2016 Five-Year Infrastructure Plan, and with local land use plans. Replacement of the vacant CDFA Annex with a new, larger State office building will not result in any conflicts with environmental plans, goals, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project will also conform with the Capitol View Protection Act.
- ▲ The project will accommodate staff from State-owned office buildings targeted for renovation or replacement (such as the Bateson Building at 1600 9th Street) to vacate such building(s) and allow for

their eventual renovation and re-occupation while minimizing the number of disruptive moves for state agencies.

- ▲ The project will provide a modern, efficient, and safe environment for State employees and the public they serve.
- ▲ The project will include on-site photo-voltaic solar panels for electricity and any additional energy from SMUD (e.g., during nighttime hours) would be from 100 percent renewable resources. While the project would increase the overall energy demand at the project site, the project will reduce per capita energy use compared to other similar projects through implementation of energy efficiency measures that meet LEED v4 Silver standards and exceed Title 24 requirements, thereby providing an energy-efficient office and commercial project. The project will not result in an inefficient or wasteful consumption of energy.
- ▲ The project is located near multiple transit options, including the Blue, Gold, and Green Line light rail lines, which all serve a station located approximately one block from the project site (Archives Plaza Station). Multiple RT bus lines also serve the study area, including RT Route 6 and Route 38, as well as the multitude of commuter bus routes that have stops within a ¼ mile of the project site.
- ▲ The project is located near Class II bicycle lanes along 5th Street, 9th Street, 10th Street, 11th Street, and 13th Street in the north/south directions and along T Street, Capitol Mall, and Capitol Avenue in the east/west directions. The 13th Street route, one block from the project site, is a major bikeway and is the only route through Capitol Park. The project will provide bicycle parking, showers and locker rooms for employees, which will support bicycle commuting.

Having considered these benefits, the Director finds that the benefits of the project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. The Director further finds that each of the above considerations is sufficient to approve the project. For each of the reasons stated above, and all of them, the project should be implemented notwithstanding the significant unavoidable adverse impacts identified in the EIR.

7 MITIGATION MONITORING AND REPORTING PROGRAM

DGS has prepared a Mitigation Monitoring and Reporting Program (MMRP) for the project. The Director, in adopting these findings, also approves the MMRP. DGS will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to and incorporated into the proposed project and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact. In the event of any conflict between these findings and the MMRP with respect to the requirements of an adopted mitigation measure, the more stringent measure shall control, and shall be incorporated automatically into both the findings and the MMRP.

Attachment A

Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
for the
1215 O Street Office Building Project
State Clearinghouse No. 2016122026**

**PREPARED FOR
CALIFORNIA DEPARTMENT OF GENERAL SERVICES**

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July 2017

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Appendices

- A Mitigation Measure Implementation Plan
- B Mitigation Monitoring and Reporting Program Reporting Form

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1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to adopt a mitigation reporting or monitoring program for all projects for which an environmental impact report has been prepared (Public Resources Code, Section 21081.6; State CEQA Guidelines, Section 15091). This is intended to ensure the implementation of all mitigation measures adopted through the CEQA process. Specifically, Section 21081.6(a)(1) of the Public Resources Code requires a lead or responsible agency to "... adopt a reporting or monitoring program for changes made to the project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment."

The California Department of General Services (DGS) proposes to demolish the existing vacant four-story State-owned office building at 1215 O Street, Sacramento, California and construct a new, larger office building at the same location. Solar panels would also be installed over the existing surface parking lot across O Street from the office building.

DGS is the lead agency for this project under CEQA. A Final Environmental Impact Report (Final EIR) for the project was certified; Findings of Fact, a Statement of Overriding Considerations, and this mitigation monitoring and reporting program (MMRP) were adopted; and the project was approved on July 21, 2017, by the Director of DGS. DGS also filed a Notice of Determination with the State Clearinghouse on July 21, 2017.

This MMRP includes all mitigation measures adopted in the Final EIR.

2 PROGRAM MANAGEMENT

The MMRP for the 1215 O Street Office Building Project will be in place through all phases of the project including design, construction, and operation. As lead agency under CEQA, DGS is responsible for the overall implementation and management of the MMRP, including those measures applicable to the project design and construction phases of work, and the long-term operation and maintenance of the project.

DGS is responsible for ensuring that the following procedures and measures are implemented by the appropriate entities. Where noted, DGS shall include appropriate mitigation measures or conditions in contracts to which the agency is party.

1. An implementation plan has been prepared for each mitigation measure that identifies the responsible party for implementation; the timing of compliance, including the applicable project phase(s) and monitoring frequency; and specific details about compliance verification. The mitigation measure implementation plan is attached as Appendix A of this MMRP. A MMRP Reporting Form will be prepared for each mitigation measure. A sample form is attached as Appendix B.
2. A qualified specialist(s) will perform or monitor mitigation activities requiring particular expertise or professional licenses and certifications.
3. Mitigation measures will be included as appropriate in applicable design-build bid packages.
4. The MMRP Reporting Forms will be distributed to appropriate parties so that specific actions can be developed to carry out the necessary mitigation.
5. The DGS Director or an assignee will approve by signature and date the completion of each item identified on the MMRP Reporting Form.
7. All MMRP Reporting Forms for an impact issue requiring no further monitoring will be signed off as completed by the DGS Director or an assignee, at the bottom of the MMRP Reporting Form.
8. Unanticipated circumstances requiring the modification or addition of mitigation measures may arise. The DGS Director or an assignee will be responsible for approving any such modifications or additions. A MMRP Reporting Form will be completed for any such modifications. The completed form will be provided to the appropriate design, construction, or operations personnel for implementation.
10. The DGS Director has the authority to stop the work of contractors if compliance with any aspects of the MMRP is not occurring after appropriate notifications have been issued.

All active and completed MMRP Reporting Forms will be kept on file at the DGS headquarters. Forms will be available upon request at the following address:

Department of General Services
707 3rd Street, MS-509
West Sacramento, California 95605
Contact: Stephanie Coleman

3 PROGRAM PHASES

This MMRP is intended to provide focused yet flexible guidelines for monitoring the implementation of the mitigation measures discussed in the EIR and adopted by DGS. Appendix A lists, by number, each mitigation measure adopted for the project. Table 1 correlates each measure by its assigned number to the specific phase of the project (i.e., design, construction, and/or operation) to which the measure applies. An MMRP Reporting Form (Appendix B) will be completed by the DGS Director or an assignee for each mitigation measure identified in Appendix A.

3.1 DESIGN PHASE

The design phase includes preparation of engineering design, architectural design, and construction drawings by project design engineers and architects. Bid packages are also compiled for release to prospective construction contractors. Prior to initiation of design phase activities, the measure(s) applicable to each design phase activity are identified by the DGS Director or assignee and reviewed with the design engineer, architect, or other responsible parties. If the DGS Director or assignee determines that there is noncompliance with any of the mitigation measures to be implemented during the design phase, corrective actions are required and a follow-up review is conducted after the design documents are modified in response to the DGS comments. Reporting Forms are completed after each activity is performed.

3.2 CONSTRUCTION PHASE

A pre-construction meeting will be held with each contractor prior to the initiation of any construction activity for which a mitigation measure is required. The DGS Director or assignee will attend the meeting to explain the MMRP, roles and responsibilities, and implementation requirements. Construction activities will be monitored as conditions dictate to ensure that required mitigation measures are implemented. Applicable measures will be discussed with construction contractors periodically as needed to facilitate their implementation.

3.3 OPERATIONAL PHASE

After project construction, the operational aspects of the MMRP will be the sole responsibility of DGS in coordination with building occupants/management. The DGS Director or assignee will review the MMRP annually to confirm compliance of the project operation with mitigation measures.

Table 1 Applicable Project Phases for Implementation of Mitigation Measures

Mitigation Measure	Applicable Phase		
	Design	Construction	Operation
MM 4.5-2 - Utilities and Infrastructure	X	X	
MM 4.6-1 - Air Quality	X	X	
MM 4.8-1a - Noise	X	X	
MM 4.8-1b - Noise	X	X	
MM 4.8-2a - Noise	X	X	
MM 4.8-2b - Noise	X	X	
MM 4.8-4 - Noise	X		X
MM 4.12-1 - Cultural and Tribal Cultural Resources	X	X	

Table 1 **Applicable Project Phases for Implementation of Mitigation Measures**

Mitigation Measure	Applicable Phase		
	Design	Construction	Operation
MM 4.12-2 - Cultural and Tribal Cultural Resources	X	X	
MM 4.12-3 - Cultural and Tribal Cultural Resources		X	
MM 4.12-4 - Cultural and Tribal Cultural Resources	X		
MM 4.13-1 - Biological Resources	X	X	X
MM 4.15-3- Aesthetics, Light, and Glare	X	X	

Appendix A

Mitigation Measure Implementation Plan

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments	
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date		
Utilities and Infrastructure														
4.5-2	Improve water supply infrastructure capacity. DGS shall complete a water study to identify the best location for the project to connect to the City's water supply infrastructure. Potential locations include: the 12-inch main in 12th Street and the 6-inch main in Neighbors Alley. The water supply infrastructure must meet the project's estimated demand for 24 afy of water, and meet fire flow pressure requirements of 6,000 gpm (with up to a 75 percent reduction in this standard if sprinklers are installed). If water infrastructure is determined to be insufficient, the water study shall identify, and DGS shall implement, the improvements necessary to meet the project's demands and fire flow requirements. Improvements could include replacing the 6-inch cast-iron water main in Neighbors Alley with an 8-inch or 12-inch main. The water study shall be submitted to the City of Sacramento Department of Utilities prior to approval for connection to the City's water supply infrastructure. Additionally, the Sacramento Fire Department shall conduct a fire flow test prior to issuance of an occupancy permit for the building to verify that the water supply infrastructure for the building meets fire flow standards.	DGS to include appropriate provisions in design-build contract. Contractor to implement measures during construction. DGS to confirm compliance during construction. City of Sacramento Department of Utilities Sacramento Fire Department			X				Once during development of draft design-build contract. Once at time of design-build contract execution. As needed during construction. Receive water study prior to approval for connection to the City's water supply infrastructure. X X Fire flow test prior to issuance of occupancy permit					

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California Department of General Services, Director or Assignee

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Air Quality													
4.6-1	<p>Construction-related exhaust emission controls. To reduce construction-related exhaust emissions, and thus emissions of NO_x, DGS shall require that the following measures are adhered to by the Design-Build Team during all construction activities.</p> <p>Exhaust Emissions Reduction Measures</p> <ul style="list-style-type: none"> ▲ Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. ▲ Maintain all construction equipment in proper working condition according to manufacturer's specifications. Before delivery to the project site, the equipment must be checked by a certified mechanic and determined to be running in proper condition. ▲ The Design-Build Team shall submit to DGS 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 model year, and projected hours of use for each piece of equipment. The inventory shall also identify the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road 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. ▲ The Design-Build Team shall provide a plan for approval by DGS and SMAQMD demonstrating that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction compared to the most recent ARB fleet average. This plan shall be submitted in conjunction with the equipment inventory. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. 	<p>Contractor to submit off-road construction equipment inventory and NO_x reduction plan to DGS and SMAQMD.</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X				At least 4 business days prior to use of subject heavy-duty off-road equipment.				
					X				Once during development of draft design-build contract.				
							X		Update and submit inventory monthly during construction.				
							X		As needed during construction.				

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California Department of General Services, Director or Assignee

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Noise													
4.8-1a	<p>Implement construction-noise reduction measures. To minimize noise levels during construction activities, the design-build team shall comply with the following measures during all daytime and nighttime construction work:</p> <ul style="list-style-type: none"> ▲ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. ▲ Where available and feasible, construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. Self-adjusting backup alarms shall automatically adjust to 5 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels. ▲ Install a temporary solid barrier (e.g., plywood) around the construction site and staging area. Also, as feasible, locate trailers and materials such that they would serve as noise barriers to protect off-site noise-sensitive receptors from noise generated by on-site construction activity. ▲ Designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residences. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. 	<p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X				Once during development of draft design-build contract.				
						X			As needed during construction.				
						X			As needed during construction.				

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Noise													
4.8-1b	<p>Implement additional measures to reduce exposure to construction noise reduction during noise-sensitive time periods. For all outdoor construction activity that is to take place outside of the City of Sacramento construction noise exception timeframes (i.e., 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday), and that is anticipated to generate interior noise levels at sensitive receptors that exceed the City Noise Control Ordinance interior noise standard of 45 Leq for residential land uses, the design-build team shall comply with the following measures:</p> <ul style="list-style-type: none"> ▲ Consistent with Section 8.68.080 Exceptions of the City Noise Control Ordinance, obtain an exception to Article II, Noise Standards for nighttime construction through the director of building inspections. An exception may be obtained for work to be performed outside the exempt hours in the case of urgent necessity and in the interest of public health and welfare for a period not to exceed three days. Application for this exemption may be made in conjunction with the application for the work permit or during progress of the work. ▲ Install temporary noise curtains as close as possible to the noise-generating activity such that the curtains obstruct the direct line of sight between the noise-generating construction activity and the nearby sensitive receptors. Temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious, material with a surface weight of at least one pound per square foot. ▲ Noise-reducing enclosures and techniques shall be used around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ▲ Operate heavy-duty construction equipment at the lowest operating power possible. ▲ Provide a minimum of one week of advanced notice to owners of all residential located within 350 feet of where nighttime construction activity would take place. This noticing shall inform the recipients of when and where nighttime construction would occur and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator. ▲ Offer hotel accommodations to residents within 350 ft of the project site who would temporarily be exposed to nighttime interior noise levels that exceed the interior noise standard of 45 Leq. Alternative overnight accommodations should be in a location that is not adversely affected by nighttime construction noise. 	<p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X				Once during development of draft design-build contract.				
									As needed during construction.				
									As needed during construction.				

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	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Noise													
4.8-2a	<p>Implement measures to reduce ground vibration. To reduce vibration and noise impacts from construction activities, DGS shall require the design-build team to implement the following measures:</p> <ul style="list-style-type: none"> ▲ To the extent feasible, earthmoving and ground-impacting operations shall be phased so as not to occur simultaneously in areas close to sensitive receptors. The total vibration level produced could be significantly less when each vibration source is operated at separate times. ▲ Where there is flexibility in the location of use of heavy-duty construction equipment, or impact equipment such as jackhammers, the equipment shall be operated as far away from vibration-sensitive sites as reasonably possible. 	<p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X				Once during development of draft design-build contract.				
						X			As needed during construction.				
						X			As needed during construction.				

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	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Noise													
4.8-2b	<p>Develop and implement a vibration control plan. DGS shall require the design-build team to implement the following measures when performing pile driving.</p> <ul style="list-style-type: none"> ▲ Pile driving activities shall be limited to the daytime hours between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sunday. No nighttime pile driving will be permitted. ▲ A vibration control plan shall be developed by the design-build team to be submitted to and approved by DGS prior to initiating any pile driving activities. Applicable elements of the plan will be implemented before, during, and after pile driving activity. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient measures to prevent exposure of nearby sensitive receptors to vibration levels in excess of applicable thresholds. Items that shall be addressed in the plan include, but are not limited to, the following: <ul style="list-style-type: none"> ➤ Identification that the maximum allowable vibration levels at nearby buildings consist of Caltrans's recommended standards with respect to the prevention of architectural building damage; 0.2 in/sec PPV for normal dwelling houses, 0.1 in/sec PPV for normal buildings. For buildings that are occupied at the time of pile driving, FTA's maximum-acceptable-vibration standard with respect to human response, 80 VdB, will also not be exceeded. ➤ Pre-construction surveys shall be conducted to identify any pre-existing structural damage to nearby buildings that may be affected by project generated vibration. ➤ Identification of minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving) for the purpose of preventing damage to nearby structures and preventing negative human response shall be established based on the proposed construction activities and locations and the maximum allowable vibration levels identified above. Factors to be considered include the specific nature of the vibration producing activity, local soil conditions, and the fragility/resiliency of the nearby structures. Initial setback requirements can be breached if a project-specific, site specific analysis is conducted by a qualified geotechnical engineer or ground vibration specialist that indicates that no structural damage would occur at nearby buildings or structures. ▲ All pile driving generated vibration levels shall be monitored and documented at the nearest sensitive land use to confirm that applicable thresholds are not exceeded. Recorded data will be submitted on a twice-weekly basis to DGS. If it is found at any time by the design-build team or DGS that thresholds are exceeded, pile driving will cease in that location and methods will be implemented to reduce vibration to below applicable thresholds, or an alternative pile installation method will be used at that location, such as cast-in-place or auger cast piles. 	<p>Contractor to prepare/submit Vibration Control Plan</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X			Once during development of draft design-build contract.					
					X			Once during development of draft design-build contract.					
						X		Monitor, record, and submit data twice weekly during any pile driving.					
						X		As needed during construction.					

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	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments	
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date		
Noise														
4.8-4	<p>Reduce exposure of existing sensitive receptors to noise generated by loading dock activity. The project applicant shall implement one of the following measures to reduce the effect of noise levels generated by on-site stationary noise sources:</p> <ul style="list-style-type: none"> ▲ Loading docks shall be located and designed such that noise generated by activity at the loading dock would not exceed the City's stationary noise source criteria established in this analysis (i.e., interior nighttime [10:00 p.m. to 7:00 a.m.] standards of 55 L_{max}) at any existing noise sensitive receptor. As part of the design-build process, a specialized noise study will be completed to evaluate the specific design such that City of Sacramento noise standards are met. Reduction of loading dock noise can be achieved by locating loading docks as far away as possible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study; or ▲ Operation of loading docks shall not be permitted between the hours of 10:00 p.m. and 7:00 a.m., 7 days a week. 	<p>DGS to include appropriate provisions in design-build contract.</p> <p>DGS to confirm compliance during operations.</p>			X				Once during development of draft design-build contract.					
								X	As needed during operations.					

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Cultural and Tribal Cultural Resources													
4.12-1	<p>Monitoring and Response Measures for Potential Unknown Historic Archaeological Resources. A cultural resources awareness training program will be provided to all construction personnel active on the project site during earth moving activities. The first training will be provided prior to the initiation of ground disturbing activities. The training will be developed and conducted in coordination with a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists. The program will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered.</p> <p>Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists will monitor ground- disturbing activities. If evidence of any historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. If after evaluation, a resource is considered significant, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.</p>	<p>DGS to confirm compliance prior to and during construction.</p> <p>DGS to retain qualified archaeologist and coordinate with SHPO.</p> <p>Contractor to halt work as stipulated and notify DGS.²</p>			X				Once prior to construction.				
						X			Monitoring as needed during construction.				
						X			As needed during construction.				

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Cultural and Tribal Cultural Resources													
4.12-2	<p>Monitoring and Response Measures for Potential Unknown Prehistoric Archaeological Resources and Tribal Cultural Resources. This mitigation measure expands on the actions included in Mitigation Measure 4.12-1 to also address encountering unknown prehistoric cultural resources and tribal cultural resources.</p> <p>The cultural resources awareness training program included in Mitigation Measure 4.12-1 will include a representative or representatives from culturally affiliated Native American Tribe(s) in the program development and delivery. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The program will also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.</p> <p>Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists will monitor ground-disturbing activities. Native American representative(s) will be invited to observe any excavations. Interested Native American Tribes will be provided at least seven days notice prior to the initiation of ground disturbing activities. If any previously undisturbed native soil is imported to the project site for fill or other purposes, the archeologist and Native American representative(s) will also monitor handling and placement of this material to determine if archeological material may be imported with the native soil.</p> <p>If evidence of any prehistoric subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist and Native American representative can assess the significance of the find. If after evaluation, a resource is considered significant, or is considered a tribal cultural resource, all preservation options shall be considered as required by CEQA (see PRC 21084.3), including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant prehistoric archaeological resources or tribal cultural resources, the first option shall be to transfer the artifacts to an appropriate tribal representative. If possible, accommodations shall be made to re-inter the artifacts at the project site. Only if no other options are available will recovered prehistoric archeological material be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.</p>	<p>DGS to confirm compliance prior to and during construction.</p> <p>Contractor to halt work as stipulated and notify DGS.²</p> <p>DGS to retain qualified archaeologist and Native American monitors, if needed.</p>			X				Once prior to construction.				
						X			As needed during construction.				
						X			Monitoring as needed during construction.				

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Cultural and Tribal Cultural Resources													
4.12-3	Response protocol in case human remains are uncovered. Consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act, if suspected human remains are found during project construction, all work shall be halted in the immediate area, and the county coroner shall be notified to determine the nature of the remains. The coroner shall examine all discoveries of suspected human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign an MLD to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD, in consultation with the State, shall determine the ultimate treatment and disposition of the remains.	Contractor to halt work as stipulated and notify DGS and Coroner.				X		As needed during construction.					

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Cultural and Tribal Cultural Resources													
4.12-4	<p>Preparation of a salvage report and documenting the historical resource. A precedent for mitigation of the loss of a contributing feature to the California State Government Building Complex historic district was set in 1998-1999 for the demolition of the Legislative Annex Building, formerly located at 1021 O Street, and very similar to the CDFA Annex Building. The mitigation included a salvage report identifying architectural features of the building that could be salvaged and reused in the immediate area. The SHPO, City of Sacramento, and local preservation groups would be consulted in development of the salvage report and plan.</p> <p>In addition, the project applicant will arrange for the preparation of historical resource documentation of the CDFA Annex Building (1215 O Street). This documentation will be prepared by a qualified architectural historian and modeled on the National Park Service's Historic American Buildings Survey (HABS) program and prepared along the lines of a HABS Level III treatment. This will include large-format black-and-white photographs that provide exterior views of the significant portion of the building, a short physical description of the significant portion of the building, and a photo index that describes each of the photographic views and compositions. These will be provided along with a short report that contains a brief physical description of the building, a brief narrative that explains its historical significance, and a location map. The photographic views will be prepared as 8- by 10-inch, machine-printed black-and-white archival prints; the accompanying photo index and other written data will be printed on archival paper. The completed HABS-like documentation packages will be archived for public access at the California History Room of the California State Library, the Center for Sacramento History, and the Sacramento Room at the Sacramento Central Public Library.</p>	<p>Contractor shall consult with SHPO, City of Sacramento, and local preservation groups and shall prepare a salvage report and plan.</p> <p>Contractor shall have a qualified architectural historian prepare historic resource documentation.</p> <p>DGS to confirm compliance prior to construction.</p>			X			Once prior to construction.					
					X			Once prior to construction.					
					X			Once prior to construction.					

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Biological Resources													
4.13-1	<p>Remove and replace trees consistent with the City of Sacramento Tree Preservation Ordinance. Prior to construction, DGS will complete a survey of trees at the project site and prepare and submit a detailed tree removal, protection, replanting, and replacement plan to the City arborist. The tree removal plan will be developed by a certified arborist. The plan shall include the following elements:</p> <ul style="list-style-type: none"> ▲ The number, location, species, health, and sizes of all trees to be removed, relocated, and/or replaced. This information will also be provided on a map/design drawing to be included in the in the project plans. ▲ Planting techniques, necessary maintenance regime, success criteria, and a monitoring program for all trees planted on, or retained on the project site. <p>DGS will implement the tree relocation/removal/replacement plan during project construction and operation.</p>	<p>DGS to include appropriate provisions in design-build contract.</p> <p>City Arborist to approve plan.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p> <p>DGS to confirm compliance during operation.</p>			X				Complete survey of trees and prepare/submit tree removal, protection, replanting, and replacement plan to City arborist during development of draft design-build contract.				
						X			As needed during construction.				
						X			As needed during construction.				
								X	As needed during operation.				

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Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design ¹	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
Aesthetics, Light, and Glare													
4.15-3	Direct solar panel reflection away from north facing windows on the apartment building immediately south of the CalVet surface parking lot. DGS shall prevent exposure of adjacent residents to daytime glare by designing and constructing the solar array above the CalVet surface parking lot in such a manner that the panels do not reflect sunlight into north facing windows of the apartments immediately south of the parking lot.	DGS to include appropriate provisions in design-build contract. Contractor to implement measures during construction.			X				Once during development of draft design-build contract. As needed during construction.				

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Appendix B

Mitigation Monitoring and Reporting Program and Reporting Form

California Department of General Services
MITIGATION MONITORING AND REPORTING PROGRAM
REPORTING FORM

PROJECT:

DATE:

Location: Onsite
 Offsite
(give location)

Project Phase: Design
 Construction
 Operation

Impact Issue(s):

- | | |
|---|---|
| <input type="checkbox"/> Utilities and Infrastructure | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Aesthetics, Light, and Glare |

Applicable Mitigation Measure(s):

Description of Implementation Activity:

Specialist: _____
 Name Discipline Firm

Specialist: _____
 Name Discipline Firm

Implementation Action Items:	Scheduled for Completion	Completion Date	Approved by
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Disposition:

- Mitigation measure(s) implemented. No further action required.
- Mitigation measure(s) partially implemented. Further action required.
Explain below; attach additional sheets if necessary.
- Mitigation measure(s) partially implemented. No further action required.
Explain below; attach additional sheets if necessary.
- Noncompliance with mitigation measures. Further action required.
Explain below; attach additional sheets if necessary.
- Mitigation unnecessary. No further action required.
Explain below; attach additional sheets if necessary.
- Verification of environmental compliance for project.

Comments/Revisions:

Completed by:
 Name _____
 Title _____
 Date _____

Approved by:
 Name _____
 Title _____
 Date _____