



Mitigation Monitoring and Reporting Program for Incorporation of Arden Arcade

SCH No. 2007102114



Sacramento LAFCo ■ May 5, 2010



Michael Brandman Associates

2000 "O" Street, Suite 200
Sacramento, CA 95811

Mitigation Monitoring and Reporting Program for Incorporation of Arden Arcade Sacramento County, California

State Clearinghouse No. 2007102114

Prepared for:



Sacramento Local Agency Formation Commission

1112 "I" Street, Suite 100
Sacramento, CA 95814
916.874.5935

Contact: Peter Brundage, Executive Officer

Prepared by:

Michael Brandman Associates

2000 "O" Street, Suite 200
Sacramento, CA 95811
916.447.1100

Contact: Trevor Macenski, Project Manager



Michael Brandman Associates

May 5, 2010

TABLE OF CONTENTS

Introduction 1

LAFCo Adoption of the MMRP 1

Purpose of the MMRP 1

Roles and Responsibilities 2

Changes to Mitigation Measures 2

MMRP Summary Table 3

LIST OF TABLES

Table 1: Mitigation Monitoring and Reporting Table..... 4

INTRODUCTION

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines to provide for the monitoring of mitigation measures required of the Incorporation of Arden Arcade Project as set forth in the Final Environmental Impact Report (Final EIR) prepared for the project.

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the EIR for the project identified potentially significant adverse impacts related to the implementation of proposed activities. Mitigation measures have been identified to reduce those impacts to a less-than-significant level.

LAFCo ADOPTION OF THE MMRP

As lead agency, the Sacramento County Local Agency Formation Commission (LAFCo) will adopt this MMRP when they approve the project.

This MMRP will be kept on file at the Sacramento LAFCo office, located at 1112 I Street, Suite 100, Sacramento, CA 95814.

This MMRP is designed to ensure compliance during project implementation. Therefore, mitigation monitoring and reporting in accordance with this MMRP must continue until the new city has an adopted General Plan. LAFCo reserves the right to extend the MMRP if necessary.

PURPOSE OF THE MMRP

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during project implementation. The MMRP may be modified by LAFCo during project implementation, as necessary, in response to changing conditions or other refinements. Table 1: Mitigation Monitoring and Reporting Table will assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring and mitigation timing, responsible person or agency for implementing each mitigation measure, monitoring procedures, and a record of implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence used by the Draft and Final EIR.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the City of Arden Arcade is responsible for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed.

LAFCo will be responsible for monitoring implementation of the mitigation measures and for verifying that City of Arden Arcade staff or a qualified contractor has completed the necessary actions for each measure. LAFCo will designate a project manager to oversee the MMRP during the project implementation period. Duties of the project manager include the following:

- Ensure that routine inspections of the project's actions are conducted.
- Serve as liaison between the LAFCo and the project proponent regarding mitigation monitoring issues.
- Complete forms and maintain records and documents required by the MMRP.
- Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

CHANGES TO MITIGATION MEASURES

Any substantive change in the MMRP made by LAFCo staff shall be reported in writing. Reference to such changes shall be made in a monthly or annual Environmental Mitigation Monitoring Report prepared by LAFCo staff, as necessary. Modifications to the mitigation measures may be made by LAFCo staff subject to one of the following findings and documented by evidence included in the record:

1. The mitigation measure included in the Final EIR and the MMRP is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final EIR and the MMRP.

AND

3. The modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those that were considered by the responsible hearing bodies in their decisions on the Final EIR and the proposed project.

AND

4. The modified or substitute mitigation measures are feasible, and LAFCo—through measures included in the MMRP or other LAFCo procedures—can assure their implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

MMRP SUMMARY TABLE

The MMRP Summary Table that follows should guide the LAFCo in its evaluation and records of the implementation of mitigation measures.

The column categories identified in the MMRP Summary Table are:

- **Summary of Mitigation** - lists the mitigation measures by number identified in the Final EIR and provides the text of the mitigation measures identified in the Final EIR.
- **Action** - describes the type of action taken to verify implementation of the mitigation.
- **Implementing Party** - identifies the entity responsible for complying with the requirements of the mitigation measure.
- **Timing** - lists the time span in which the mitigation will take place.
- **Monitoring Party** - identifies the agency that verifies compliance.

Table 1: Mitigation Monitoring and Reporting Table

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|--|--|----------------------|--|------------------|
| Section 3.1 - Air Quality | | | | |
| Refer to Mitigation Measure 3.5-2. | Approve land use development on vacant parcels that is consistent with the County of Sacramento General Plan | City of Arden Arcade | Prior to the adoption of the Arden Arcade General Plan | LAFCo |
| <p>MM 3.1-7: LAFCo shall condition the incorporation approval to require the new city to comply with applicable state law (such as SB 375) regarding a community-wide and municipal greenhouse gas emissions inventory concurrent with the development of the city's first General Plan.</p> <p>In addition, the new city will be required to cooperate with the County of Sacramento by providing emission inventory information to the County during and after the emissions inventory preparation.</p> | Comply with state law regarding greenhouse gas emissions inventory. Provide emission inventory to the County of Sacramento | City of Arden Arcade | Concurrent to development and after completion of General Plan | LAFCo |
| Section 3.3 - Hazards and Hazardous Materials | | | | |
| MM 3.3-5: Prior to the approval of specific land uses that affects an area within an airport planning boundary established by the ALUC, the new city shall refer the proposed action to the ALUC for consistency determination. Future development and/or proposed new land uses must comply with the 1992 McClellan Air Force Base CLUP development restrictions, as updated. | Refer potential land uses to Sacramento County ALUC and comply with McClellan Air Force Base CLUP, as updated | City of Arden Arcade | After incorporation | LAFCo |
| Section 3.5 - Land Use and Planning | | | | |
| MM 3.5-1: LAFCo shall condition the incorporation approval to require the new city (Arden Arcade) to consult with the County of Sacramento regarding the Mission Oaks Neighborhood Preservation Area in connection with the city's new General Plan. | Consult with the County of Sacramento | City of Arden Arcade | Prior and concurrent to the development of the Arden Arcade General Plan | LAFCo |

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|--|--|----------------------|--|------------------|
| MM 3.5-2: LAFCo shall condition the incorporation approval to require the City (Arden Arcade) to develop vacant parcels within the incorporation area to uses that are consistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the City adopts its own General Plan. | Approve land use development on vacant parcels that is consistent with the County of Sacramento General Plan | City of Arden Arcade | Prior to the adoption of the Arden Arcade General Plan | LAFCo |
| Section 3.6 - Noise | | | | |
| MM 3.6-5: As a contingency for incorporation approval, LAFCo shall require the new city to adopt requirements for new residential development that may include: (1) disclosure notices provided to prospective buyers identifying the property as residing within the McClellan Airport Planning Policy Area (APPA) and that aircraft can be expected to fly at varying altitudes below 3,000 feet above ground level in the property's vicinity; and (2) aviation easements granted to Sacramento County further ensure that future home buyers are aware of potential aircraft overflights. | Adopt and implement requirements for new residential development in relation to aviation nuisances | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| Section 3.8 - Public Services | | | | |
| MM 3.8-2: LAFCo shall condition the incorporation approval to require that the city provide law enforcement services by a contract with Sacramento County, or other public safety agency, a contract with a private company, or shall directly perform the service by an appropriate City agency. At a minimum, law enforcement services shall be maintained at existing levels. | Provide law enforcement services | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-6: LAFCo shall condition the incorporation approval to require that the city provide animal control services through the creation of a local department or on a contractual basis with other entities if legally permissible. At a minimum, animal control services shall be maintained at levels existing at the time of approval of the project EIR. | Provide animal control services | City of Arden Arcade | Prior to and after incorporation | LAFCo |

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|---|---|----------------------|----------------------------------|------------------|
| MM 3.8-7a: LAFCo shall condition the approval of the incorporation to require the new City to coordinate with public and private water purveyors in water service planning. | Coordinate with public and private water purveyors | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-7b: LAFCo shall condition the approval of the incorporation such that the city becomes a signatory to the Water Forum Agreement. | Arden Arcade to become a signatory to the Water Forum Agreement | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-9a: LAFCo shall condition the incorporation approval to require the new city to accept ownership and maintenance responsibility of the existing drainage system serving the incorporation area (including pump stations, channels, pipes, detention basins, and other pump stations located in the public rights of way, recorded and prescriptive easements and other such instruments, and owned or operated by the County of Sacramento or the Sacramento County Water Agency); develop standards for construction, operation, and maintenance of drainage facilities and to adopt and enact a Stormwater Utility (SWU) program similar to, and levying the same SWU fee as, the County of Sacramento Stormwater Utility; and continue to have SWU services provided by the County of Sacramento, including the collection and retention of the new incorporation SWU fee to fund those services for one year after incorporation, with subsequent continued service provided by the County through a long-term agreement. | Accept ownership and maintenance responsibility of the existing drainage system serving the incorporation area; develop standards for construction, operation, and maintenance of drainage facilities and to adopt and enact a Stormwater Utility program; continue to have SWU services provided by the County of Sacramento | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-9b: LAFCo shall condition the incorporation approval to continue to receive services provided by Zone 13 of the SCWA. Further, Zone 11B services and programs will no longer be carried out in the incorporation area and the incorporation area will be detached from Zone 11B upon incorporation.. | Cessation of Zone 11B services and detachment from Zone 11B upon incorporation.. | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-9c: LAFCo shall condition the incorporation approval to require the new city to participate and eventually become a co-permittee under the existing countywide NPDES permit. | Become a co-permittee under the countywide NPDES permit | City of Arden Arcade | Prior to and after incorporation | LAFCo |

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|---|--|-----------------------------|---|------------------|
| <p>MM 3.8-11: LAFCo shall condition the incorporation approval to require the new city to contract waste collection services through the County of Sacramento’s Department of Waste Management and Recycling Services, or competent public or private hauler to maintain current service levels, at a minimum.</p> | <p>Contract and maintain solid waste collection services</p> | <p>City of Arden Arcade</p> | <p>Prior to and after incorporation</p> | <p>LAFCo</p> |
| <p>MM 3.8-14a: LAFCo shall condition the incorporation approval to require that existing transportation fee impact programs be continued at a level necessary to adequately fund approved road construction projects.</p> | <p>Continue implementation of existing transportation fee impact programs</p> | <p>City of Arden Arcade</p> | <p>Prior to and after incorporation</p> | <p>LAFCo</p> |
| <p>MM 3.8-14b: LAFCo shall condition the incorporation approval to require the transfer of ownership, maintenance, and financial responsibility for Watt Avenue (Auburn Boulevard to Longview Drive), Auburn Boulevard (Park Road to Howe Avenue), Winding Way (Auburn Boulevard to 1000 feet east), and Bell Street (between the easterly and westerly legs of Auburn Boulevard) to the new city.</p> | <p>Assume ownership, maintenance, and financial responsibility of referenced streets</p> | <p>City of Arden Arcade</p> | <p>Prior to and after incorporation</p> | <p>LAFCo</p> |

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|--|--|----------------------|---|------------------|
| MM 3.8-14c: LAFCo shall condition the incorporation approval to require that existing transportation fee impact programs to be continued at levels necessary to adequately fund approved road construction projects. | Continue existing transportation fee impact programs at levels necessary to adequately fund approved road construction projects. | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-15: LAFCo shall condition the incorporation approval to require that the new city shall provide street lighting maintenance either by contract with the County, by contract with a private company, or by directly performing the maintenance. At a minimum, street lighting and roadway conditions shall be maintained at existing levels, and close coordination between city and county staff will be required. In addition, LAFCo shall condition the incorporation approval to require the new city to enter into a joint lighting maintenance agreement with Sacramento County for public streets that define common boundaries. | Ensure implementation of street lighting maintenance | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-16a: LAFCo shall condition the incorporation approval to require that the new city shall petition SACOG for inclusion in its Joint Powers Agreement as a member city. | Implementation of petition | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| MM 3.8-16b: LAFCo shall condition the incorporation approval to require that the new city shall petition Sac RT for inclusion in its Board of Directors as a member city, or to enter into an agreement to provide transit services within the new city's incorporated boundary. | Implementation of petition or agreement | City of Arden Arcade | Prior to and after incorporation | LAFCo |
| Section 3.9 - Traffic and Transportation | | | | |
| Implement Land Use Mitigation Measure MM- 3.5-2 | Approve land use development on vacant parcels that is consistent with the County of Sacramento General Plan | City of Arden Arcade | Prior to the adoption of the Arden Arcade General Plan. | LAFCo |

| Summary of Measure | Action | Implementing Party | Timing | Monitoring Party |
|---|---|----------------------|----------------------------------|------------------|
| Implement Public Services Mitigation Measure: MM- 3.8-16b | Implementation of petition or agreement | City of Arden Arcade | Prior to and after incorporation | LAFCo |

