

Memorandum

To: Chair and Commissioners

Date: March 20, 2009

From: ANDRE BOUTROS
Interim Executive Director

File: Book Item 2.2c (1)
Action

Ref: **Final Environmental Impact Report – Sacramento Railyards Specific Plan Project (Resolution E-09-22)**

ISSUE: Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), Findings of Fact and Statement of Overriding Considerations to allow the Railyards Specific Plan project to be considered for future funding?

RECOMMENDATION: Staff recommends that the Commission accept the FEIR, Findings of Fact and Statement of Overriding Considerations for the Sacramento Railyards Specific Plan project (project) and approve the project to allow for future consideration of funding.

BACKGROUND: The project proposes adoption and implementation of the proposed Railyards Specific Plan and approval of related entitlements. The proposed Railyards Specific Plan is a regulatory document defining clear parameters for development and redevelopment in the Railyards Specific Plan Area. It establishes a comprehensive framework of development policies to create unique mixed-use neighborhoods consisting of high-density housing complemented by cultural opportunities, office development, hotels, entertainment and commercial uses, and parks and urban plazas. The proposed project includes the proposed Railyards Specific Plan and related approvals (e.g., Design Guidelines), related General Plan and Central City Community Plan amendments, revisions to the Railyards Specific Plan/Richards Boulevard Area Plan Facility Element, and relocation of the Union Pacific Railroad (UPRR) tracks.

Since it was likely that a specific plan and development proposal of the magnitude of the 240 acre rail yards would have a significant effect on the environment, an FEIR was prepared by the City in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures. Significant and unavoidable impacts to air quality, noise and vibration, transportation and circulation were identified during this process. On December 11, 2007, the FEIR was certified and a Statement of Overriding Considerations and mitigation monitoring program were adopted by the City Council. The City has provided written assurance that it is committed to the implementation of the air quality mitigation measures outlined in the FEIR for impacts due to emissions from diesel or other particulates and related mitigation strategies.

Several components of the Railyards Specific Plan are programmed to receive funding from the State Proposition 1B funds, including the Sacramento Intermodal Track Relocation project, the Sixth Street Overcrossing project and the Seventh Street Undercrossing project. The Sacramento Intermodal Track Relocation Project is

programmed for funding from the Trade Corridor Improvement Fund (TCIF) while the other projects are programmed for funding from the Highway Railroad Crossing Safety Account (HRCSA). As elements of the Railyards Specific Plan, these projects were included in the FEIR. The City and Caltrans provided written assurance that the scope of work included in each approved project baseline agreement is consistent with the project components addressed in the FEIR. The projects programmed by the Commission and included in the FEIR are further described as follows:

Sacramento Intermodal Track Relocation Project

The Sacramento Intermodal Track Relocation Project is located between the I Street Bridge over the Sacramento River and the existing Seventh Street Overcrossing for a distance of approximately 3,300 feet. The project consists of the realignment and straightening of the existing mainline tracks, installation of passenger platforms and facilities and construction of pedestrian and bicycle tunnels.

Construction is estimated to cost \$54,600,000. Construction is programmed with TCIF (\$25,300,000), Federal (\$19,600,000), and Local (\$9,700,000) funds. Construction is estimated to begin Fall 2009 and be completed in late 2010.

Sixth Street Overcrossing Project

The Sixth Street Overcrossing Project provides for a new segment of the street extending from H Street north to Railyards Boulevard in the Railyards development. As an alternative to an at-grade crossing of a major rail corridor, this overcrossing would support more efficient, safer and faster rail operations, improve access and traffic flow between downtown Sacramento and the Railyards and benefit air quality.

Construction is estimated to cost \$26,000,000. Construction is programmed with HRCSA (\$16,800,000) and Local (\$9,200,000) funds. Construction is estimated to begin Fall 2009 and be completed in Fall 2010.

Seventh Street Undercrossing Project

The Seventh Street Undercrossing Project will provide a pedestrian and bicycle tunnel adjacent to the existing Seventh Street in the vicinity of the new mainline rail corridor. The new pedestrian/bicycle tunnel is planned in conjunction with reconfiguration of Seventh Street to accommodate light rail transit and increased traffic.

Construction is estimated to total \$1,760,000. Construction is programmed with HRCSA (\$1,140,000) and Local (\$620,000) funds. Construction is estimated to begin Fall 2009 and be completed in late 2010.

Attachments

- Resolution No. 09-22
- Project Location
- Sacramento City Council Resolution - Approval of Statement of Overriding Considerations

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Consideration of Funding 03-SAC – Railyards Specific Plan Resolution E-09-22

- 1.1 **WHEREAS**, the City of Sacramento (City) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Railyards Specific Plan
- 1.2 **WHEREAS**, the City has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will establish a comprehensive framework of development policies including the proposed Specific Plan and related approvals (e.g., Design Guidelines), related General Plan and Central City Community Plan amendments, revisions to the Railyards Specific Plan/Richards Boulevard Area Plan Facility Element, and relocation of the Union Pacific Railroad (UPRR) tracks; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, written findings indicate that specific unavoidable significant impacts related to air quality, noise and vibration, transportation and circulation make it infeasible to avoid or fully mitigate to a level less than significant the effects associated as a result of the project; and
- 1.6 **WHEREAS**, a statement of overriding considerations was adopted and findings were made pursuant to CEQA guidelines; and
- 1.7 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the findings and statement of overriding considerations and approve the above referenced project to allow for consideration of funding.



**FIGURE 3-1
Regional Location Map**

A division of **PBS&J**

D51234.00

Railyards Specific Plan EIR

J01 SCR 181910

RESOLUTION NO. 2007-903

Adopted by the Sacramento City Council

December 11, 2007

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE RAILYARDS SPECIFIC PLAN PROJECT (P05-097)

BACKGROUND

- A. On September 11, 2007, October 2, 2007 and October 22, 2007, the City Planning Commission participated in the public hearings on the Sacramento Railyards Specific Plan at the joint meetings with the Design Commission and Preservation Commission.
- B. On November 13, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Railyards Specific Plan and the various entitlements for the Sacramento Railyards Project.
- C. On November 20, 2007, December 4, 2007, and December 11, 2007, the City Council conducted public hearings, for which notice was given accordance with Government Code Sections 65355 and 65453 and pursuant Sacramento City Code Section 16.24.097, 17.208.020(C), and 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered evidence concerning the Railyards Specific Plan and the various entitlements for the Sacramento Railyards Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds that the Environmental Impact Report for Railyards Specific Plan Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final

Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

Section 3. The City Council certifies that the EIR has been presented to the City Council, and the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Resolution.

Section 6. The City Council directs that, upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit A - CEQA Findings of Fact and Statement of Overriding Considerations for the Railyards Specific Plan Project.

Exhibit B – Mitigation Monitoring Program for the Railyards Specific Plan Project.

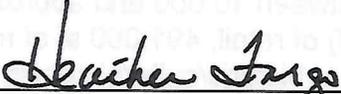
Adopted by the City of Sacramento City Council on December 11, 2007 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

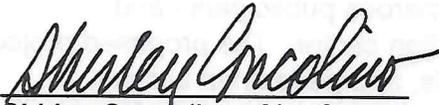
Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk