

Addendum No. 1 to the
Mitigated Negative Declaration for the
**Lower American River Anadromous Fish Habitat
Restoration Project**



Prepared for:
City of Sacramento

September 2019

State Clearinghouse No.
2019069088

Prepared by:



Consulting
Engineers and
Scientists

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Abbreviations and Acronyms

City	City of Sacramento
CEQA	California Environmental Quality Act
CNEL	community noise exposure level
CVPIA	Central Valley Project Improvement Act
dB	decibels
dba	A-weighted decibels
EA	Environmental Assessment
EIR	Environmental Impact Report
IS	Initial Study
ITE	Institute of Transportation Engineers
LAR	Lower American River
Ldn	day-night average sound level
Leq	equivalent continuous sound level
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
ND	Negative Declaration
PCE	passenger car equivalents
Project	Lower American River Anadromous Fish Habitat Restoration Project
Reclamation	U.S. Bureau of Reclamation
Water Forum	Sacramento Area Water Forum

1. Introduction

1.1 Background

In partnership with the Sacramento Area Water Forum (Water Forum), the City of Sacramento (City), as lead agency under the California Environmental Quality Act (CEQA),¹ prepared an initial study (IS) and proposed mitigated negative declaration (MND) for the Lower American River Anadromous Fish Habitat Restoration Project (Project)², and distributed the IS/proposed MND on June 20, 2019 for a 30-day public review period. The State Clearinghouse No. is 2019069088. The City adopted the MND and Mitigation Monitoring and Reporting Program (MMRP) and approved the Project at its public City Council meeting held on August 20, 2019. A copy of the IS/proposed MND and the MMRP adopted in August 2019 are available for review at the Water Forum’s offices at 1330 21st Street, Sacramento, CA 95811, and online at the City’s Web site: <https://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

This addendum for the Project addresses minor technical changes or additions to the proposed Project (hereafter referred to as the Project refinements). These proposed refinements consist of a slight extension of weekday construction hours on Monday through Friday (up to 12 hours per day from 11 hours per day) and the addition of construction hours on Saturdays and Sundays (up to 11 hours per day). The proposed refinements are described in Section 2, “Project Refinements.” The proposed refinements would be conducted during the last 6 weeks of the construction season to maximize restoration efforts when recreation activities are substantially reduced from peak summer levels and construction impacts are reduced. As detailed in the IS/MND, any work anticipated to occur past September 30, 2019 would be with approval from the National Marine Fisheries Service.

1.2 Regulatory Context

If, after adoption of a negative declaration (ND) or MND, changes to the project or its circumstances occur, or new information becomes available, the State CEQA Guidelines provide the lead agency with the following options to address these changes, provided the changes do not result in new significant effects or a substantial increase in the severity of previously identified significant effects: preparation of a subsequent ND (or MND), preparation of an addendum to the ND (or MND), or no further documentation.

Pursuant to State CEQA Guidelines Section 15162(b), preparing a subsequent ND (or MND) or addendum is appropriate if the lead agency determines, on the basis of substantial evidence in light of

¹ CEQA is found at California Public Resources Code, Sections 21000 et seq., and the State CEQA Guidelines are found at California Code of Regulations, Title 14, Section 15000 et seq.

² City of Sacramento and Bureau of Reclamation. 2019 (August). *Environmental Assessment/Initial Study and Proposed Mitigated Negative Declaration for the Lower American River Anadromous Fish Habitat Restoration Project*. State Clearinghouse No. 2019069088. Available: <https://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>. Accessed: September 10, 2019.

the whole record, that none of the following conditions set forth in State CEQA Guidelines Section 15162(a) is met:

- Substantial changes are proposed in the project which will require major revisions of the previous ND (or MND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND (or MND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND (or MND) was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND (or MND);
 - Significant effects previously examined will be substantially more severe than shown in the previous ND (or MND);
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND (or MND) would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164(b) of the State CEQA Guidelines states that a lead agency may prepare an addendum to an adopted ND or MND if some changes or additions are necessary but none of the conditions described above in Section 15162 calling for the preparation of a subsequent environmental impact report (EIR) or subsequent ND or MND have occurred.

The analysis in Section 3, “Environmental Analysis,” below, demonstrates based on substantial evidence that the proposed refinements to the Project:

- would not result in any new significant environmental effects, and
- would not substantially increase the severity of previously identified significant effects.

In addition, no new information of substantial importance has become available which shows that:

- the Project would have new significant effects,
- the Project would have substantially more severe significant effects,
- mitigation measures previously found to be infeasible would in fact be feasible, or

- mitigation measures that are considerably different from those analyzed in the IS/proposed MND would substantially reduce one or more significant effects on the environment.

Because none of the conditions described in Section 15162(a) or (b) of the State CEQA Guidelines calling for preparation of a subsequent EIR or subsequent MND have occurred, an addendum to the MND, consistent with Section 15164 of the State CEQA Guidelines, is the appropriate CEQA document to evaluate the proposed refinements to the Project.

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2. Project Refinements

2.1 Extension of Construction Hours

The IS/MND identified that Project-related construction could occur up to 11 hours per day (7:00 a.m. to 6:00 p.m.), 5 days per week (Mondays through Fridays). After the MND was adopted, the start of construction was delayed. Due to the time necessary to acquire all necessary permits and project approvals, and subsequently secure contracts for all required specialty equipment necessary for Project work, construction began in September 2019 as opposed to July 2019, as originally contemplated in the IS/MND. Despite the 2-month delay, the City and its contractor anticipate that in-river project activities can be completed prior to annual fall-run Chinook salmon spawning activity. Therefore, to ensure timely completion of the Project within these endangered species constraints and to support continued compliance with restoration requirements specified in the Central Valley Project Improvement Act (CVPIA), the City is proposing to extend weekday construction hours to up to 12 hours per day (from 6:00 a.m. to 6:00 p.m., 5 days per week) and add Saturday and Sunday construction for up to 11 hours per day (from 7:00 a.m. to 6:00 p.m.).

The proposed Project refinements would extend construction hours for 1 additional hour on weekdays and add construction on Saturdays and Sundays, but at no point would construction extend into early morning or evening hours when the use of nighttime lighting would be required. The extension of construction hours would occur only during the last 5 weeks of the construction period, and no Project construction occurred in July and August as originally proposed.

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3. Environmental Analysis

This section of the addendum analyzes the potential effects on the physical environment from implementation of the proposed refinements to the Project. This analysis has been prepared to determine whether any of the conditions in State CEQA Guidelines Section 15162 (described in Section 1.2) would occur as a result of the proposed Project refinements.

The proposed Project refinements would not cause any new significant impacts or a substantial increase in the severity of significant effects previously identified in the IS for the topic areas listed below because the activities associated with the proposed refinements would already occur under the approved Project, were analyzed in the IS/MND, would not be affected to any greater degree than that analyzed in the IS, and actually would occur to a lesser degree than that analyzed in the IS since no construction occurred in July and August as initially contemplated in the IS:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population, Housing, and Employment
- Public Services
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The following topic areas may be affected by the proposed Project refinements and, therefore, are analyzed below:

- Noise
- Recreation
- Transportation and Traffic

3.1 Noise

As stated in Section 1.13, “Noise,” in the IS, construction noise impacts typically occur when construction activities take place during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), when construction activities occur immediately adjacent to noise sensitive land uses,

or when construction durations last over extended periods of time. Similar to impacts discussed in the IS, the proposed Project refinements would generate construction noise from equipment operating at the project site and transport of construction workers, construction materials, and equipment to and from the project site. The Project refinements would involve only temporary and short-term construction activities and would not introduce any permanent sources of noise. The proposed Project refinements would not generate operational noise beyond occasional vehicle trips for monitoring activities. Even with the extension of construction hours, there would be fewer total construction hours than originally proposed in the IS since no construction occurred in July and August.

The County's noise ordinance (Section 6.68.070 of the Sacramento County Code) sets a noise standard of 55 dB Leq between 7 a.m. and 10 p.m. However, Section 6.68.090 (Exemptions) exempts construction noise from its noise standards, provided that construction noise occurs between 6 a.m. and 8 p.m. on weekdays, or 7 a.m. and 8 p.m. on weekends. Even with a slight extension of weekday working hours and the addition of Saturday and Sunday construction, all project-related construction activities would continue to occur only within the hours specified in the County's code and would be of a shorter duration than analyzed in the IS since the construction period was shortened by 2 months as no construction occurred in July and August as originally anticipated. Additionally, the first hour of work conducted each day will not include heavy construction activities; only quiet activities such as preparation and equipment maintenance will take place from 6:00 a.m. to 7:00 a.m.

As detailed in Section 1.13, "Noise," in the IS, due to the Project's compliance with the Sacramento County Noise Ordinance, no mitigation was necessary to reduce noise impacts or restoration activities and noise impacts were found to be less-than-significant with no mitigation required. Nonetheless, in an effort to ensure consistency with information contained in previous EAs associated with the Project (Reclamation 2008³), Mitigation Measure NOI-1 was included for consistency with past documents but was not required to reduce a significant noise impact. Thus, the proposed Project refinements would not violate the County's construction noise standards, this impact would be less than significant, and no mitigation is required.

As discussed in the IS, the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) previously prepared traffic noise modeling on typical roadways that would be used for gravel hauling in the project vicinity, including U.S. Highway 50, Sunrise Boulevard, Hazel Avenue, Folsom Boulevard, Mather Field Road, Sunset Boulevard, Winding Way, and Illinois Avenue (Reclamation 2008). Increased traffic noise generated by the Project ranged from less than 0.1 decibel (dB) on larger roads (including Sunrise Boulevard, Hazel Avenue, and U.S. Highway 50) to an increase of 3.9 dB on Winding Way. A Project-related noise level increase of 5 dB or greater would be significant where ambient noise levels are less than 60 dB day-night average sound level/community noise exposure level (Ldn/CNEL); an increase of 3 dB would be significant where ambient noise levels exceed 60 dB Ldn/CNEL.

Reclamation found that all incremental traffic noise increases caused by a previous 1-year project in 2008 would be less than significant. Because the volume of material and roadways that would be used for hauling during implementation of the proposed Project refinements is similar to those modeled by Reclamation in 2008, traffic noise impacts for any given year of the proposed Project refinements would similarly be less than significant. Even when carried out from 2019 through 2035, the noise impacts from the proposed Project refinements construction activities would still remain less than significant

³ U.S. Department of the Interior, Bureau of Reclamation (Reclamation). 2008. Lower American River Salmonid Spawning Gravel Augmentation and Sidechannel Habitat Establishment Project Final Environmental Assessment. August.

during the short, annual construction periods. Therefore, the Project refinements would not cause an exceedance of ambient or construction-related noise levels. Therefore, this impact would remain less than significant, as determined in the IS, and no mitigation is required.

Additionally, as detailed in the IS, the overall worst-case combined noise levels are estimated to be close to 50 A-weighted decibels (dBA) equivalent continuous sound level (Leq[h]) at the nearest residence during the peak construction activity. The proposed Project refinements would involve the use of equipment consistent with the equipment analyzed in the IS. Furthermore, activities associated with the proposed extension of weekday construction hours and the addition of Saturday and Sunday construction would not increase the frequency of truck trips on local roadways; they would only extend the hours during which truck trips may occur as analyzed in the IS. Furthermore, substantially less truck trips would occur because no construction or truck trips occurred in July and August, as originally anticipated in the IS. Therefore, this impact would remain less than significant, as determined in the IS, and no mitigation is required.

As stated in the IS, the proposed Project refinements would not involve the use of any equipment or processes that would generate potentially high levels of ground vibration, such as pile drivers or blasting. Construction operations associated with the proposed Project refinements would include the same equipment as disclosed in the IS, and no pile driving would occur. Therefore, as determined in the IS, the proposed Project refinements would have a less-than-significant impact with respect to the exposure to or generation of excessive groundborne noise or vibration levels from construction or construction traffic, and no mitigation is required.

3.2 Recreation

As stated in Section 1.12, “Recreation,” in the IS, there may be temporary, short-term impacts to recreational access and safety of recreationists due to construction-related traffic and possible road closures. Access routes have been designed to avoid heavily-used recreation areas; however, several possible restoration sites would require partial closures of certain areas, roads, and/or trails during haul and/or construction activities. Thus, this impact was potentially significant in the IS and Mitigation Measure REC-1: Prepare and Implement a Trail/Traffic Control and Road Maintenance Plan was proposed to reduce the impact to less-than-significant.

As detailed in the IS, 2019 restoration activities are occurring only at the Upper Sailor Bar site, downstream of Hazel Avenue. Due to this site’s location downstream of the Nimbus Fish Hatchery diversion weir and upstream of the boat ramp accessed from Illinois Avenue, no closures or restriction of recreational access or parking in the vicinity of the Project site is necessary. Additionally, due to the Nimbus Hatchery Weir located immediately upstream of the restoration site, and the navigation hazard posed for boaters if attempting to cross the weir, the likelihood of any boater traffic putting in upstream of the Upper Sailor Bar site and passing through the restoration site is very low. Furthermore, due to the late start of 2019 construction, boater traffic occurring during construction is much lighter than would have occurred earlier in July and August when construction was originally proposed. Consequently, the peak boater traffic from July 4 through Labor Day in September has now been avoided as Project construction has been delayed.

Even with the extension of construction hours proposed under the Project refinements, Mitigation Measure REC-1 still provides sufficient protection for the safety of recreationists by requiring the following: limit all heavy construction work to occur only between 7:00 a.m. and 6:00 p.m. on weekdays, avoid hauling on public roads during weekends and holidays, and confine weekend/holiday

work to less disruptive tasks using materials previously hauled to the site, to ensure that most construction work occurs when recreational use of the Project area is lightest.

As described in Section 3.1, “Noise,” in compliance with Mitigation Measure REC-1, the Project refinements would exclude heavy construction activities during the first hour of work conducted each day (6:00 a.m. to 7:00 p.m.) and limit this initial hour only to quiet activities such as preparation and equipment maintenance. Additionally, as detailed in REC-1, the proposed Project refinements will not involve any hauling activities on weekends or holidays; and only work tasks that can be completed with materials previously hauled to the restoration site will occur. Recognizing that the intensity of recreational use varies widely along the Lower American River (LAR) corridor, the extension of construction hours during future construction seasons (at other restoration sites identified in the IS) will be in consultation with Sacramento County Parks. Thus, this impact will remain less than significant with mitigation incorporated, as determined in the IS and MND.

As discussed in the IS, the LAR is a river with all the hazards inherent to existing in-river hazards and swiftly flowing cold water. Thus, there is recognition that no project can be built to be completely hazard free, particularly during higher flows, and personal responsibility is involved when recreating in and around the LAR. However, due to the popularity of water-based recreation along certain portions of the LAR, impacts to boater/swimmer safety during and after construction were found to be potentially significant in the IS and Mitigation Measure REC-2: Prepare and Implement a Boater Safety Plan was proposed to reduce this impact to less-than-significant.

The possible impact to boater safety would not increase due to the proposed Project refinements because construction activities would not change from those described in the IS and would not include construction during the heavier recreation use in July and August, as originally proposed, but would be limited to September (after Labor Day) and October, when recreation activities are reduced. Additionally, continued implementation of safety measures detailed in REC-2, including posted signage alerting recreationists to upcoming work, posting in-river safety personnel upstream of each site when boater traffic is heavy, and radio communication with downstream construction equipment operators to temporarily stop in-river work until boater traffic has safely passed the restoration site will reduce the impact of Project refinements to a less-than-significant level, as determined in the IS.

3.3 Transportation and Traffic

As stated in Section 1.17, “Transportation/Traffic,” in the IS, the Project-related annual gravel placement would require a total of 3,500 one-way truck trips to transport gravel from the borrow site(s) to the gravel augmentation site over an estimated 4-week period. This would be approximately 175 trips per day, an average of less than 20 trucks per hour over a 10-hour work day. Additional traffic would occur from daily worker trips.

The Institute of Transportation Engineers (ITE) has recommended a screening criterion for assessing the effects of construction projects that create temporary traffic increases (ITE 1988⁴). To account for the large percentage of heavy trucks associated with typical construction projects, ITE recommends a threshold level of 50 or more new peak-direction truck trips during the peak-hour. Therefore, a project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system, and result in a significant effect related to traffic, if the project would result in 50 or

⁴ Institute of Transportation Engineers. 1988. *Traffic Access and Impact Studies for Site Development*. Transportation Planners Council. Washington, DC.

more new truck trips (100 passenger car equivalent [PCE] trips) during the a.m. or p.m. peak hours. This is considered an “industry standard” and is the most current guidance for significance thresholds. Construction-related activity under the proposed Project refinements would remain substantially less than the threshold of 50 heavy truck trips (or 100 PCE trips) during the peak a.m. or p.m. hour. This impact would be less than significant, as determined in the IS, and no mitigation is required.

The Jedediah Smith Memorial Trail provides bicycle, pedestrian, and equestrian access along the American River from downtown Sacramento to Folsom. Potential effects on users of the Jedediah Smith Memorial Trail, including bicycle and pedestrian users, are addressed in Section 3.2, “Recreation,” above.

4. Conclusions

As described in the preceding sections, the proposed Project refinements consist of a slight extension of construction hours on Mondays through Fridays (up to 12 hours per day from 11 hours per day) and the addition of construction on Saturdays and Sundays (up to 11 hours per day).

Based on the analysis in Section 3, “Environmental Analysis,” the proposed Project refinements as described in this addendum would not result in any of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a Subsequent EIR, ND, or MND. In summary, the proposed Project refinements:

- would not result in any new significant environmental effects,
- would not substantially increase the severity of previously identified significant environmental effects,
- would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible, or
- would not result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the physical environment.

These conclusions confirm that a Subsequent EIR or MND is not required, and this addendum to the MND pursuant to State CEQA Guidelines Section 15164 is the appropriate CEQA document to evaluate the proposed refinements to the Project.

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