

Capitol Annex Project

California Legislature



DGS
GENERAL SERVICES

Recirculated
Draft Environmental Impact Report
for the
Capitol Annex Project

State Clearinghouse No. 2019049066

Prepared for

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LIST OF ABBREVIATIONS

AB	Assembly Bill
ADA	Americans with Disabilities Act
af	acre-feet
afy	acre-feet per year
BMP	best management practices
C&D	construction and demolition
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CAP	Capitol Area Plan
CARB	California Air Resources Board
CBC	California Building Code
CBD	Central Business District
CCR	California Code of Regulations
cfs	cubic feet per second
CHBC	California State Historical Building Code
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
City	City of Sacramento
CRHR	California Register of Historical Resources
CSGBD	California State Government Building District
CSO	Combined Sewer Overflow
CSS	Combined Sewer System
CSSIP	Combined Sewer System Improvement Plan
CWA	Clean Water Act
CWTP	Combined Wastewater Treatment Plant
DGS	California Department of General Services
Draft EIR	Draft Environmental Impact Report
EPA	U.S. Environmental Protection Agency
EV	electric vehicle
Final EIR	Final Environmental Impact Report
FWTP	Fairbairn Water Treatment Plant
GSF	gross square feet
HVAC	heating, ventilation, and air conditioning
JRC	Joint Rules Committee
kV	kilovolt
LEED v4	Leadership in Energy and Environmental Design version 4
LID	Low Impact Development
light-emitting diode	LED

LTCP	Long Term Control Plan
MCL	maximum contaminant levels
mgd	million gallons per day
MLD	Most Likely Descendant
MOU	memorandum of understanding
MTP/SCS	Metropolitan Transportation Plan/Sustainable Communities Strategy
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NHPA	National Historic Preservation Act
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OPR	Governor's Office of Planning and Research
PCC	Public Contract Code
PG&E	Pacific Gas and Electric Company
PIA	Priority Investment Area
Regional San	Sacramento Regional County Sanitation District
Regional San WWTP	Sacramento Regional Wastewater Treatment Plant
RWQCB	Regional Water Quality Control Board
SACOG	Sacramento Area Council of Governments
SDWA	Safe Drinking Water Act
SMUD	Sacramento Municipal Utility District
SOIS	Secretary of the Interior's Standards
SR	State Route
SRWTP	Sacramento River Water Treatment Plant
SWRCB-DDW	State Water Resources Control Board Division of Drinking Water
UBC	Uniform Building Code
UWMP	urban water management plan
UWMPA	Urban Water Management Planning Act
WDR	Waste Discharge Requirement

1 INTRODUCTION

1.1 BACKGROUND AND PURPOSE OF THE RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT

In September 2019, the California Department of General Services (DGS) published the Capitol Annex Project Draft Environmental Impact Report (Draft EIR), which assesses the potential environmental impacts of implementing the proposed Capitol Annex Project. The project would involve three primary components: (1) demolition and reconstruction of the existing Annex, (2) construction of a new underground visitor/welcome center on the west side of the Historic Capitol, and (3) construction of a new underground parking garage south of the Historic Capitol. DGS prepared the EIR in collaboration with the Joint Committee on Rules (JRC) of the California State Senate and Assembly, which is the entity that would implement the project.

The Draft EIR was circulated for public review and comment for a period of 45 days that began on September 9, 2019 and ended on October 24, 2019. Additionally, an informational workshop was held on September 17, 2019, and a public hearing was held on October 15, 2019. During the review period, written and oral comments were received on the Draft EIR. DGS reviewed those comments to identify specific environmental concerns and began preparation of responses to those comments. However, after the end of the Draft EIR public review period, the design of the new visitor/welcome center was further developed with an approach to the entry to the visitor/welcome center that was different from what was analyzed in the Draft EIR. This modified approach is described in detail in Chapter 3, "Project Description (Revised), of this Recirculated Draft EIR, and consists of using ramps rather than stairs and elevators to enter the welcome center. This has resulted in a substantial modification of this project component compared to what was shown in the Draft EIR (see.")

CEQA requires recirculation of an EIR when the lead agency adds "significant new information" to an EIR, regarding changes to the project description or the environmental setting, after public notice is given of the availability of a draft EIR for public review under State CEQA Guidelines, California Code of Regulations (CCR) Section 15087, but before EIR certification (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact in which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (State CEQA Guidelines CCR Section 15088.5[b]).

As noted above, since release of the Draft EIR, the project—specifically, the new visitor/welcome center—has undergone substantial modifications that are identified in Chapter 3, "Project Description (Revised)." These modifications have the potential to substantially increase the severity of an impact or create a new significant impact in three of the environmental issue areas evaluated in the Draft EIR; Utilities and Service Systems; Archeological, Historical, and Tribal Cultural Resources; and Aesthetics, Light, and Glare. Therefore, recirculation of the EIR is required.

As discussed below, DGS will consider all comments received on this Recirculated Draft EIR within the comment period and prepare written responses as required. The Final EIR will consist of the Draft EIR, Recirculated Draft EIR, written responses to comments on the Draft EIR, written responses to comments on the Recirculated Draft EIR, and any text changes in the EIR. DGS will then consider whether to certify the EIR and whether to approve the project.

1.2 CONTENT AND SUMMARY OF THE RECIRCULATED DRAFT EIR

Consistent with the requirements of Sections 15088.5(c) and 15088.5(f) of the State CEQA Guidelines, this Recirculated Draft EIR contains only those portions of the EIR in which significant new information is provided. This information is considered significant new information based on Section 15088.5(a) of the State CEQA Guidelines. No other chapters or portions of the Draft EIR are addressed in this Recirculated Draft EIR as no new information or new circumstances exist that would warrant revision of these other chapters or portions. An analysis supporting the conclusion that no other chapters or portions of the Draft EIR need be included in this Recirculated Draft EIR is provided in Appendix A, "Scope of the Recirculated Draft EIR."

This document consists of the following chapters and sections. All chapter and section numbering is consistent with the chapter and section numbering outline in the Draft EIR (released September 2019). Chapter 1, "Introduction" is unique to this Recirculated Draft EIR and does not repeat information from the Draft EIR. The same is true for Chapter 8, "References" and Chapter 9, "Report Preparers," which both reflect information specific to this Recirculated Draft EIR. All other chapters and sections replicate material from the Draft EIR but indicate areas where text has been changed to address the modified visitor/welcome center design by showing the general locations of modified text with gray shading.

Chapter 1, "Introduction." This chapter describes the purpose and organization of the Recirculated Draft EIR.

Chapter 3, "Project Description." This chapter describes the location, background, and goals and objectives for the Capitol Annex Project, and describes the project elements in detail. Revisions to the original Draft EIR chapter focus on the modified design for the visitor/welcome center and new information on the approach to providing some utility services to the project that has been developed since publication of the Draft EIR. This chapter reflects changes in text and exhibits responsive to the new project information. The chapter replaces the original Draft EIR's project description in its entirety.

Section 4.4, "Utilities and Service Systems (Revised)." This section describes the project's potential impacts related to the availability of existing utility and infrastructure systems (water, wastewater, stormwater, electricity, natural gas, and solid waste) to serve the Capitol Annex Project and the impact of the project on these systems. Revisions to the original Draft EIR section focus on the modified design to the visitor/welcome center and also reflect new information on the approach to providing some utility services to the project that has been developed since publication of the Draft EIR. Text is only modified for those utility services where effects from the modified project are substantially different from the effects described in the Draft EIR. The section replaces the original Draft EIR's utilities and service systems impact analysis in its entirety.

Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources (Revised)." This section evaluates the potential impacts of the project on known and unknown cultural resources. Cultural resources include prehistoric resources, historic-era resources, cultural landscapes, and "tribal cultural resources." Revisions to the original Draft EIR section focus on the potential effects of the modified visitor/welcome center design and new information on the approach to providing some utility services to the project that has been developed since publication of the Draft EIR. Text modifications focus on those categories of cultural resources where effects from the modified project are substantially different from the effects described in the Draft EIR. However, some edits also reflect input from Native American Tribes provided during Assembly Bill (AB) 52 consultation. The section replaces the original Draft EIR's archaeological, historical, and tribal cultural resources impact analysis in its entirety.

Section 4.15, "Aesthetics, Light, and Glare (Revised)." This section assesses the potential changes to the existing visual conditions near the Capitol Annex Project site that would occur from project implementation. Revisions to the original Draft EIR section focus on the potential effects of the modified visitor/welcome center design and new information on the approach to providing some utility services to the project that has been developed since publication of the Draft EIR. Text is only modified for those categories of visual/aesthetic resources where effects from the modified project are substantially different from the effects described in the Draft EIR. The section replaces the original Draft EIR's aesthetics, light, and glare impact analysis in its entirety.

Chapter 5, "Cumulative Impacts (Revised)." This chapter repeats the "Introduction to the Cumulative Analysis" and "Cumulative Setting" from the Draft EIR with minor modifications. The cumulative analyses for the three environmental issue areas addressed in this Recirculated Draft EIR; Utilities and Service Systems; Archaeological, Historical, and Tribal Cultural Resources; and Aesthetics, Light, and Glare are then provided, with updates as appropriate to respond to the modified project. This chapter only replaces the portions of original Draft EIR's cumulative impact analysis addressed in this Recirculated Draft EIR.

Chapter 8, "References." This chapter identifies the organizations and persons consulted during preparation of the sections included in this Recirculated Draft EIR and the documents and individuals used as sources for the analysis.

Chapter 9, "Report Preparers." This chapter identifies the Recirculated Draft EIR authors and consultants that provided analysis in support of the document's conclusions.

Appendices. Appendices contain additional materials used during preparation of the Recirculated Draft EIR or that support the analysis provided in this Recirculated Draft EIR.

1.3 ENVIRONMENTAL REVIEW PROCESS FOR THE RECIRCULATED DRAFT EIR

Consistent with the requirements of Sections 15087 and 15088.5(d) of the State CEQA Guidelines, this Recirculated Draft EIR is being made available on January 17, 2020, for public review for a period of 45 days. The public review period will end on March 2, 2020. During this period, the general public, agencies, and organizations may submit written comments on the content of the Recirculated Draft EIR to DGS. Pursuant to procedures set forth in Section 15088.5(f)(2) of the State CEQA Guidelines, reviewers are directed to limit their comments to the information contained in the Recirculated Draft EIR that was revised and recirculated. Specifically, comments should be limited to the revised project description (Chapter 3) as well as the revised discussion of the project's potential impacts related to utilities and service systems (Section 4.4); archaeological, historical, and tribal cultural resources (Section 4.12); aesthetics, light, and glare (Section 4.15); and Cumulative Impacts (Chapter 5). Reviewers need not resubmit comments on the Draft EIR. Comments received on the Draft EIR, as well as comments on the Recirculated Draft EIR, will all be responded to with the responses provided in the Final EIR.

Copies of the Recirculated Draft EIR are available for review at the Department of General Services, Environmental Services Section between 8:00 a.m. and 4:30 p.m. (at the below address); the Sacramento Central Library at 828 I Street during library hours; and online at <http://bit.ly/DGSCEQA>.

All written comments on this Recirculated Draft EIR should be addressed to:

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Department of General Services, Environmental Services Section
Mailing Address: P.O. Box 989052, West Sacramento, CA 95798
Street Address: 707 3rd Street, MS-509, West Sacramento, CA 95605
Email: environmental@dgs.ca.gov

Public notice of availability of the Recirculated Draft EIR has been published in the *Sacramento Bee*.

An informational workshop will be held on the Recirculated Draft EIR on January 22, 2020, between 4:30 p.m. and 6:30 p.m. at the Tsakopoulos Library Galleria, located at 828 I Street Sacramento, CA 95814, in the West Room. A public hearing will be held on the Recirculated Draft EIR on February 26, 2020, between 4:30 p.m. and 6:30 p.m. at the Tsakopoulos Library Galleria, located at 828 I Street Sacramento, CA 95814, in the West Room.

The following text is provided as required by Section 21189.54 of the Public Resources Code:

THIS EIR IS SUBJECT TO CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE LEAD AGENCY NEED NOT CONSIDER CERTAIN COMMENTS FILED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD FOR THE DRAFT EIR. ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21189.51 TO 21189.53, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE IS INCLUDED IN APPENDIX B TO THIS EIR.

Upon completion of the public review and comment period for the Recirculated Draft EIR, a Final Environmental Impact Report (Final EIR) will be prepared that will include both written and oral comments on the Draft EIR and Recirculated Draft EIR received during the respective public-review periods, responses to those comments, and any revisions to the Draft EIR made in response to public comments. The Draft EIR, Recirculated Draft EIR, and Final EIR will comprise the EIR for the project.

Before approving the Capitol Annex Project, the lead agency, DGS, is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency.

3 PROJECT DESCRIPTION (REVISED)

3.1 PROJECT BACKGROUND AND NEED

The historical portion of the Capitol Building, referred to as the “Capitol” or “Historic Capitol” began construction in 1860 and was completed in 1874, originally housing all branches of government: executive (Governor and other elected State officers), legislative (Senate and Assembly), and judicial (California Supreme Court), as well as the state library and archives. After many decades of alterations and departments expanding and moving to other buildings, the Capitol Annex Building (Annex) was constructed between 1949 and 1951. The six-story and roughly 325,000-square-foot Annex was connected to the west side of the Historic Capitol, resulting in the appearance of a single continuous building.

The Annex supports the Governor and executive staff, the Lieutenant Governor, and the Legislative Branch of Government, including offices for 115 of California’s 120 State Lawmakers. The other five state lawmaker offices are in the adjacent Historic Capitol. With its physical connection to the Historic Capitol, the Annex is an important public asset, as it provides a venue for California’s public to participate in deliberative, democratic governmental processes with the Governor, State Lawmakers, and their policy and other staff. However, the building’s deficiencies have become impediments to both use by the public and the efficient use of Government.

The Annex was originally constructed in accordance with the 1949 Uniform Building Code (UBC). The code in effect today is the 2016 California Building Code (CBC). While the mission of the code has largely remained the same, considerable changes have been made since the 1949 UBC edition and new regulations and standards related to building facilities and performance have been adopted. Identified deficiencies in the Annex relative to current building standards and building operations include:

- ▶ life safety/building code deficiencies (e.g., fire detection, alarm, and fire suppression systems);
- ▶ non-compliance with Americans with Disabilities Act (ADA) standards;
- ▶ non-compliance with energy efficiency standards;
- ▶ overcrowding;
- ▶ aging and failing infrastructure (e.g., plumbing, electrical, heating/cooling); and
- ▶ insufficient public and working space.

Responding to the need to replace or renovate the Annex, in 2016 the Legislature passed SB 836. SB 836 provides funding for a project to address deficiencies in the existing State Capitol Building Annex. Passage of SB 836 aligned with the need identified in the Governor’s 2016 Five-Year Infrastructure Plan to modernize the Annex. In 2018, SB 840 and AB 1826 were passed, providing further funding and authorizations for the Annex project. AB 2667 was also passed in 2018, requiring the Annex Project to reflect symbols found in the Historic Capitol representing California’s heritage and to promote education and hospitality to visitors.

3.2 PROJECT OBJECTIVES

Consistent with, and in furtherance of SB 836, SB 840, AB 1826, and AB 2667, the objectives of the Capitol Annex Project are to:

- ▶ Provide an accessible, efficient, and safe environment for State employees, elected officials, and the public they serve.
- ▶ Integrate the new State development with the existing surroundings.
- ▶ Develop sustainable and energy efficient facilities.

- ▶ Provide modern facilities that meet current construction standards and codes.
- ▶ Continue to provide secure parking for legislative and executive branch officials.
- ▶ Provide meeting space for legislative and executive functions of sufficient size to support efficient performance of State business and with modern communications technology.
- ▶ Continue to provide Annex facilities directly adjacent to the Historic Capitol.
- ▶ Promote education, hospitality, and a welcoming environment for the visiting public.

3.3 PROJECT LOCATION

The proposed project site is located in downtown Sacramento on the Capitol grounds, bounded by 10th Street on the west, N Street on the south, L Street on the north, and 12th Street on the east (roughly following the alignment of the eastern edge of 12th Street across Capitol Park) (Figures 3-1 and 3-2). The site encompasses portions of the western half of Capitol Park, but most of the park is located east of the project site between 12th Street and 15th Street.

As described further below, the project consists of three primary components: an underground visitor/welcome center on the west side of the Historic Capitol between the Capitol Building and 10th Street, the Annex replacement on the east side of the Historic Capitol, and new underground parking on the south side of the Historic Capitol between the Capitol Building and N Street (Figure 3-3 shows generalized facility envelopes).

3.4 CHARACTERISTICS

3.4.1 Existing Land Uses and Land Use Designation

The Capitol Building and Annex are surrounded by Capitol Park. The entire Capitol Park, including the Historic Capitol and Annex, is on land owned by the State. Monuments, memorials, other points of interest, landscaping, and ornamental trees are located throughout the park and on all sides of Capitol Building and Annex. Walkways within the park surround the Capitol and Annex building on all sides. The *Capitol Area Plan* (CAP) (DGS 1997) designates landscaped portions of Capitol Park as "Parks and Open Space," but designates walkways, hardscape, and the Capitol Building and Annex as "Other Existing Use." Land uses surrounding the project site consist of the State-owned Jesse Unruh Office Building and the Library and Courts Building across 10th Street to the west; a City of Sacramento operated parking structure with ground floor retail and "The Senator" office building across L Street to the north; Capitol Park to the east; and the LOB, the Lewis Apartments, and Caltrans Headquarters building across N Street to the south (Figure 3-2).

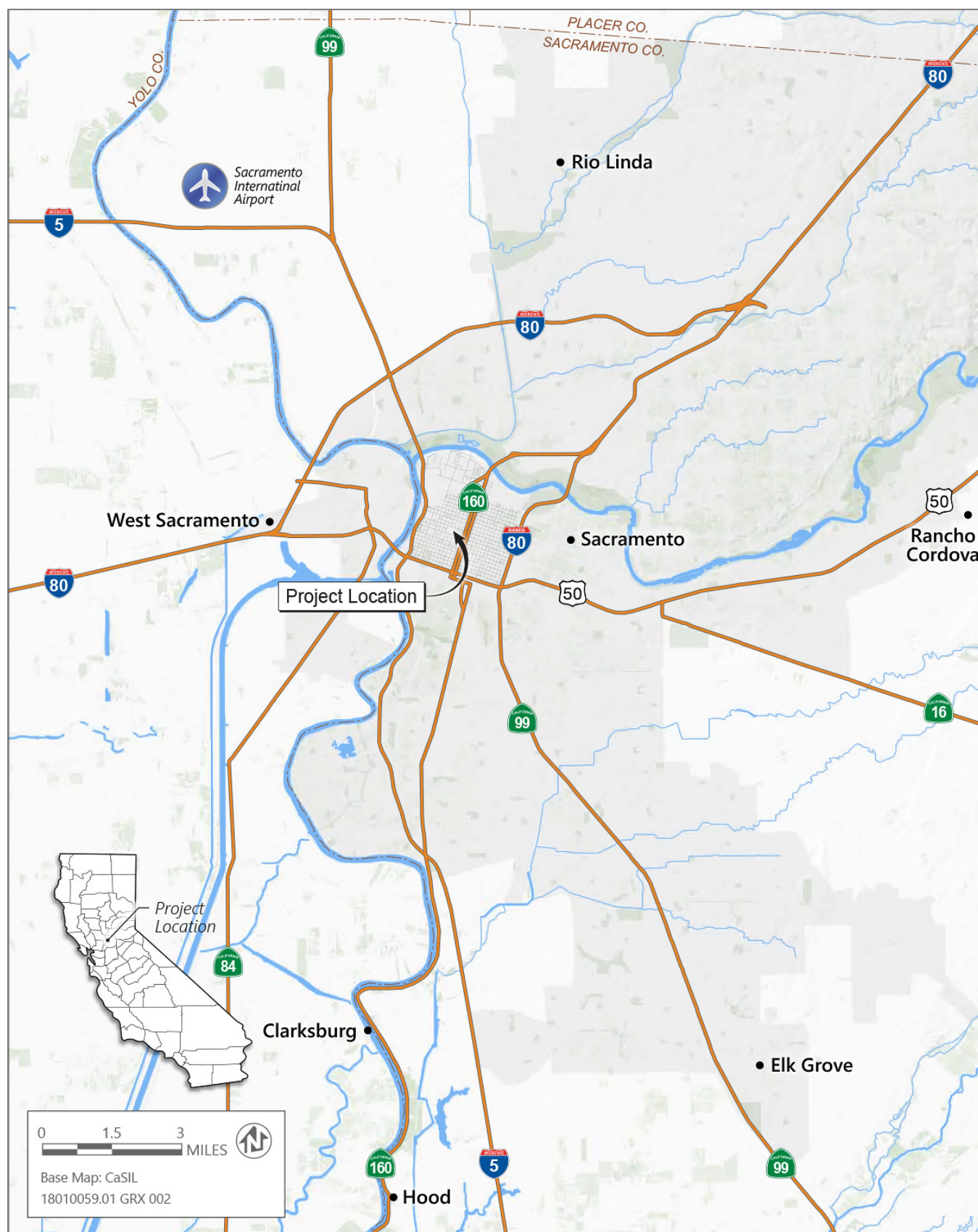
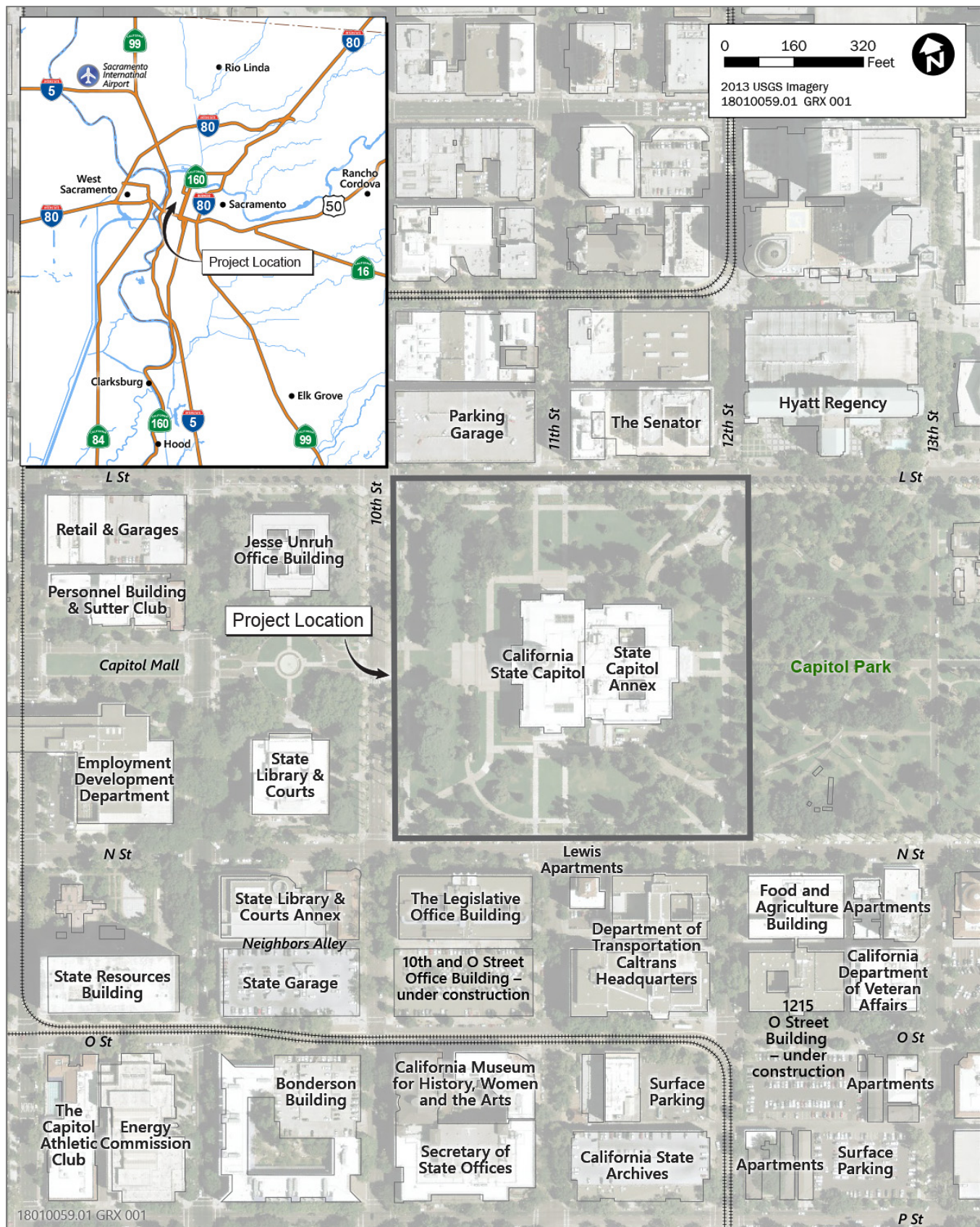
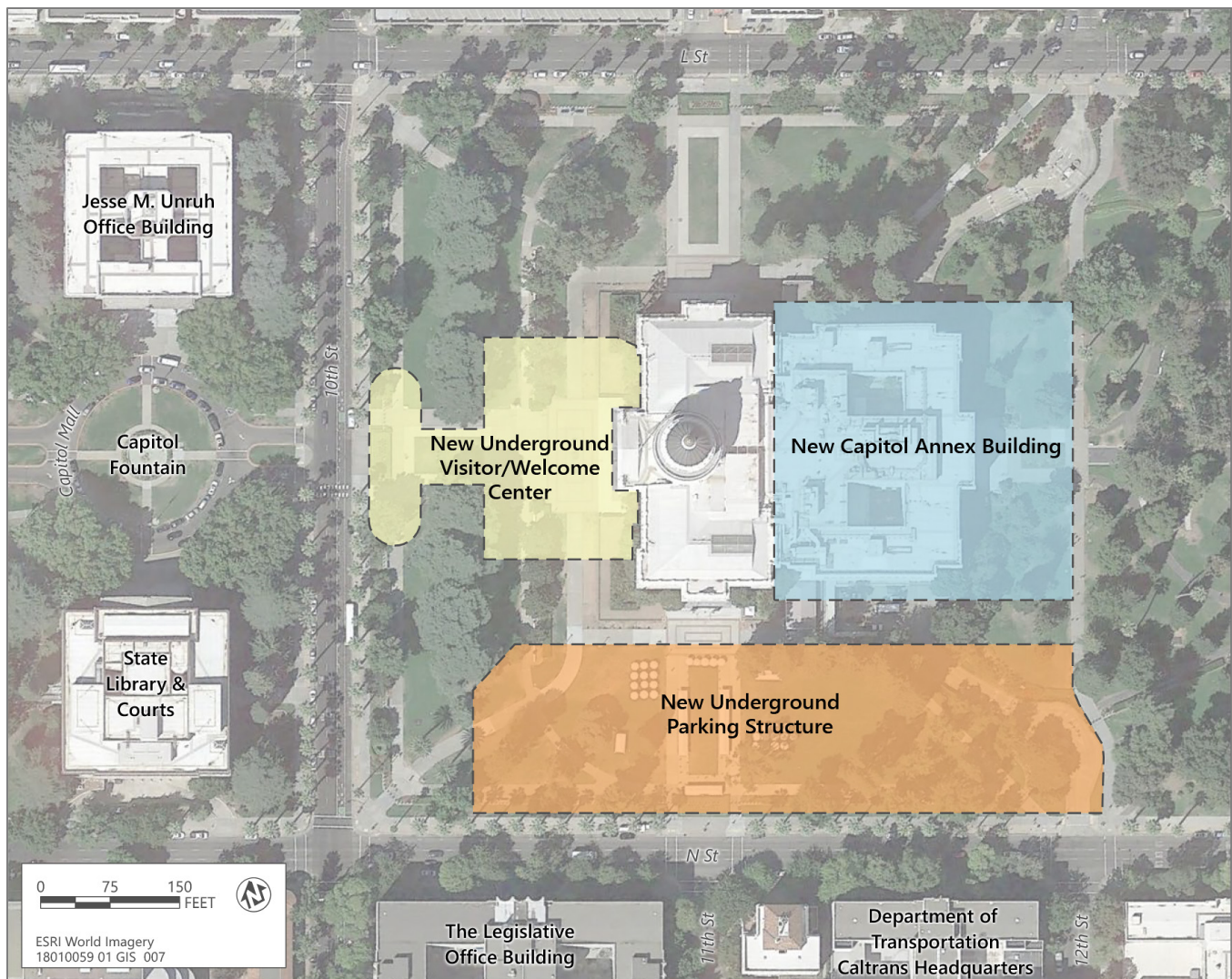


Figure 3-1 Regional Location



Source: Sacramento County 2015. Adapted by Ascent Environmental in 2019.

Figure 3-2 Site Location



Source: Adapted by Ascent Environmental 2019

Figure 3-3 Project Components (Revised)

3.4.2 Project Phasing

Implementation of the Capitol Annex project would be completed in a sequence of steps. These steps are identified here, then described in more detail below.

1. Before Annex demolition and construction can begin, the Annex building must be vacated and its occupants and functions moved to a different location. During project construction, the Legislature and executive branch offices and related facilities would be temporarily located in the new 10th and O Street Office Building, currently under construction. Limited legislative functions, such as caucus offices, would be temporarily moved to existing rooms on the second floor of the Historic Capitol, and functions and staff currently in those rooms would be moved to the 10th and O Street Office Building.
2. Existing public entry/security checkpoints at the Capitol are provided at the north, south, and east sides of the Annex. When the Annex is closed for demolition, these entries/security checkpoints would be closed. To provide continued safe and efficient public entry to the Capitol while the Annex replacement is underway, and after completion of the project, the project includes the new underground visitor/welcome center on the west side of the Capitol that would provide access from the west to the Capitol (Figure 3-3). The new visitor/welcome center must

be complete and operational before demolition of the existing Annex begins so that access to the Capitol from the west can be provided. Additionally, a publicly accessible entry on the north side of the Historic Capitol is proposed to facilitate entry during Annex construction. Legislators and staff moving between the Historic Capitol and the 10th and O Street Office Building may use the south entrance to the Historic Capitol once the Annex is vacated. Both entries will have temporary ramps installed over the existing stairs to provide ADA compliant access.

3. The objective is to complete the visitor/welcome center before, or concurrently with, the Legislature and executive staff moving to the 10th and O Street Office Building so that abatement and demolition of the Annex may begin immediately after it is vacated.
4. After abatement and demolition of the existing Annex, construction of the new Annex may begin, although some work outside the footprint of the existing annex (e.g., in utility alignments) may begin before demolition being completed.
5. Either concurrently with visitor/welcome center construction, or during the Annex abatement, demolition, and construction process, the underground parking garage south of the Capitol Building would be excavated and constructed.

3.4.3 Temporary Office Space During Annex Demolition and Reconstruction

Before initiating demolition of the existing Annex, the Legislature and executive branch offices and related facilities would be temporarily located in the new 10th and O Street Office Building, which is currently under construction. The building site is located on the north side of O Street between 10th Street and 11th Street. After the new Annex is complete, the Legislature and executive staff would return to the Annex and the 10th and O Street Office Building would be used as general State office space.

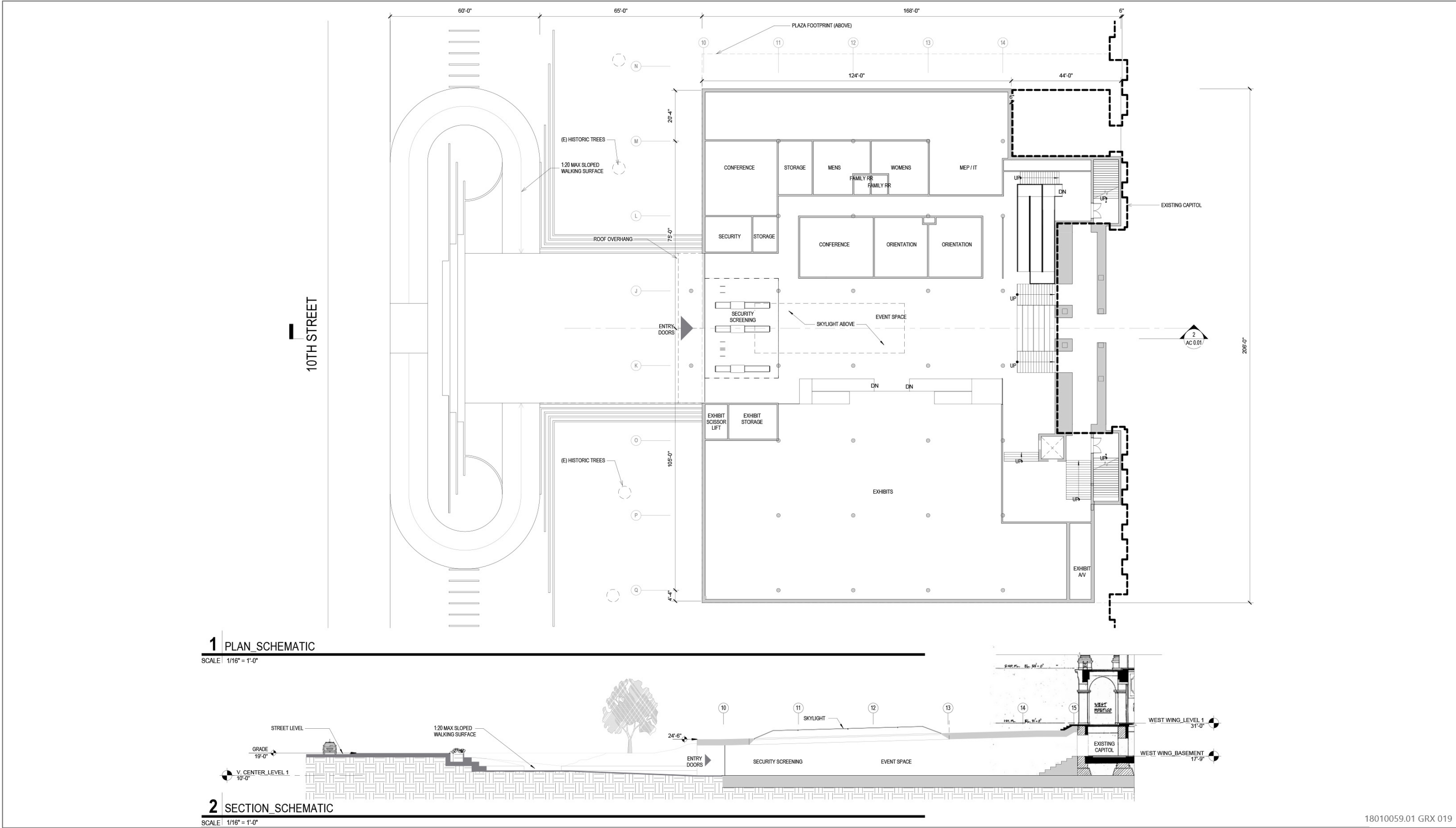
3.4.4 Temporary Adjustments to Historic Capitol Operations

Portions of the existing Annex are used to support functions critical to operation of the Legislature when it is in chambers, such as Assembly and Senate Caucus offices and space for the Assembly Chief Clerk. Space for these functions must be located near the Assembly and Senate Chambers so that they are easily accessible from these locations. When the Annex is closed for demolition, these functions would be moved to several existing rooms on the second floor of the Historic Capitol. Office furnishings and partitions within these rooms may be modified to better serve these temporary uses while the Annex project is completed; however, no historic elements, corridors, or hallways would be altered. Functions and staff currently in those rooms would be moved to the 10th and O Street Office Building.

In addition, before closure of the existing Annex in preparation for its demolition, the existing north and south entrances of the Historic Capitol will be established as temporary entrances/exits. Temporary ramps will be constructed at the steps to provide ADA access and portable security screening equipment may be placed near the doorways. These entrances would be intended primarily for use by elected officials, their staff, and those conducting business at the Capitol, and for emergency exits if needed. The visitor/welcome center would be the primary entrance for visitors to the Capitol. After the construction of the new Annex is complete, the temporary modifications to the north and south entrances would be removed.

3.4.5 Visitor/Welcome Center

The new visitor/welcome center would be approximately 40,000 square feet of interior space and would be located between 10th Street and the west steps of the Capitol (Figure 3-4). The new visitor/welcome center would be substantially below grade (i.e., mostly below exiting ground level) in order to minimize visual impact, particularly from the Capitol Mall corridor view facing east. The entrance to the visitor welcome center would face 10th Street and



Source: Mark Cavagnero Associates Architects 2019

Figure 3-4 Visitor/Welcome Center Conceptual Sketches (Revised)

would consist of a gentle and universally accessible (ADA compliant) walkway/ramp leading down to doorways below ground level. Two curving walkway/ramps would begin near 10th Street, one to the north and one to the south. These two, curving walkway/ramps would “loop” 180 degrees and lead to the wider central walkway/ramp. The walkways/ramps would be “open air” and would be part of a lower plaza (Figure 3-4) integrating the walkways/ramps with the surrounding landscape. In addition to these ramps, the lower plaza would have stairs, as well as stair step seating areas incorporated into the landscape. At the east end of the central walkway/ramp would be doors leading to the below grade enclosed portion of the visitor/welcome center. At this location visitors would move through a security checkpoint before moving further into the visitor/welcome center. The east end of the visitor/welcome center would connect to the basement of the Historic Capitol allowing visitors to move directly from the visitor/welcome center into the Historic Capitol building.

The interior of the visitor/welcome center would include educational resources supporting civic engagement and improved understanding of California and its government. The visitor/welcome center would integrate with education and hospitality elements already located in the basement of the Historic Capitol such as the bookstore and restaurant. Conference rooms, classroom teaching spaces, restrooms, storage space, and space for security personnel will also be included in the visitor/welcome center. There will also be stairwells leading from the east end of the visitor/welcome center to the planter areas immediately north and south of the portico and abutting the Historic Capitol. These stairwells will act as emergency exits from the below ground visitor/welcome center and may also contain ventilation flues. Metal fencing would be installed around the emergency exits in the planter areas in front of the Historic Capitol to prevent unauthorized access to the emergency exits from the ground surface. The design, materials, and color for the fencing would be consistent with the current setting and historic nature of Capitol.

The visitor/welcome center could also act as an event space, “after hours,” when the Historic Capitol is closed to the public and the visitor/welcome center is not needed as a public entrance. Currently, various locations in the Capitol, such as the Eureka Room, are used to host events such as dinners and social gatherings. The visitor/welcome center could provide another option for these types of uses.

The ground above the visitor/welcome center would be landscaped as an upper plaza, with the surface elevation even with the bottom of the first set of remaining original (i.e., west portico) steps to the Historic Capitol west entrance (Figure 3-4). The existing bronze “Great Seal of California,” “California Indian Seal,” and “Spanish-Mexican Seal” currently located just west of the west portico steps would be removed and preserved during construction of the visitor/welcome center. These bronze seals are planned to be re-set into the upper plaza near their current location. The upper plaza would include two large diameter planters, each containing a single tree surrounded by low growing vegetation. The planters would be separated by a sufficient distance so that the trees would not obstruct the view of portico when viewed from Capitol Mall. The planter height, thickness, and material would be appropriate for the edge of the planter to be used as seating. The upper plaza would also include a large glass skylight providing light to the underground portion of the visitor/welcome center and allowing individuals in the visitor/welcome center to have a clear view of the Historic Capitol dome as they move through the center. The skylight glass on the upper plaza would extend above ground level and would be constructed to prevent individuals from walking on the skylight surface, including the potential for a railing surrounding the skylight. A safety railing would also be located on the west edge of the upper plaza to prevent individuals from falling from the upper plaza down to the lower plaza. Although trees within the visitor/welcome center footprint will need to be removed during construction, the mature Deodar Cedars in the area will be protected and retained.

The lower plaza and associated landscape modifications, the below grade visitor/welcome center, and the upper plaza and associated landscape modifications, would be designed to be deferential to the Historic Capitol, and would maintain the west façade of the Historic Capitol as a focal point of Capitol Mall. The top of the visitor center roof (ground-level) would be located even with, or just below, the base of the west portico steps and would provide full visibility to the Historic Capitol. The only visitor/welcome center elements that would extend above the base of the west portico steps would be the safety railing along the west edge of the upper plaza, the railing around the skylight, the planters with trees on the north and south sides of the upper plaza, and the fencing around the emergency exits by the planters. These are the only project elements that would obscure views of the Historic Capitol when viewed

from the west at street level. Only the safety railing and railing around the skylight would obstruct views of the portico, and only the steps and small portion of the portico just above the base of the steps would be affected.

As part of the modified visitor/welcome center design, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane on 10th Street (also known as a bulb-out). The intent of the bulb-out is to provide greater separation between pedestrians congregating near the visitor/welcome center and vehicles on 10th Street and to maintain unobstructed views of the Historic Capitol, which are often blocked, albeit temporarily, by buses and vehicles parking directly in front of the Capitol on 10th Street. The sidewalk bulb-out would result in the loss of approximately five to seven existing parking spaces but would not affect the dedicated bicycle lane or vehicle travel lanes on 10th Street.

As described above, existing public entry/security checkpoints at the Capitol are provided at the north, south, and east sides of the Annex. When the Annex is closed for demolition, these entries/security checkpoints would be closed. The new visitor/welcome center would provide continued safe and efficient public entry to the Capitol while the Annex replacement is underway and after completion of the project.

Ground disturbance for construction of the visitor/welcome center would be primarily in the area between 10th Street and the west steps of the Capitol. Excavation would reach a depth of approximately 20 feet. Construction methods for all project components are described further below in Section 3.4.14, "Construction Methods and Equipment."

Upon completion of the visitor/welcome center, any temporarily disturbed portions of Capitol Park not part of the new lower plaza and upper plaza and associated landscaping would be restored to existing or very similar conditions.

3.4.6 Demolition of the Existing Annex

The existing Annex is a six story, approximately 325,000 square foot building, with vehicle parking in a basement level. The first step in demolition would be removal of any historically significant items and other features incorporated into the physical structure of the building that the State wishes to save (e.g., the metallic relief panels on the east facade). The next step would be removal of hazardous materials from the existing building such as any lead-based paint, asbestos pipe insulation, and similar materials frequently found in older buildings. After the hazardous materials abatement is complete, excavators and other heavy equipment would be used to dismantle the building. Materials would be hauled off-site and disposed of in an approved landfill or other facility authorized to accept the material. Material suitable for recycling would be separated and transported to a suitable recycling facility. Further details on the overall construction process are provided below in Section 3.4.14, "Construction Methods and Equipment."

Concurrent with the overall Capitol Annex project, the City of Sacramento may abandon a right-of-way it holds through Capitol Park following the alignment of 12th Street. The right-of-way abandonment would primarily be a real estate procedure undertaken between the City and the State. However, there may be abandoned and non-operating utility infrastructure within the right-of-way such as pipelines or electrical conduits. Because the right-of-way alignment falls within the project site (Figure 3-2), as demolition of the existing Annex and construction of the new Annex proceeds, abandoned underground utilities in the 12th Street right-of-way through Capitol Park may be removed, capped, or simply left in place. Abandoned utility infrastructure would be left in place if removal would result in substantial damage to trees, tribal cultural resources, or Capitol Park facilities that would not otherwise be disturbed by project activities.

3.4.7 New Annex Program Elements

The new Annex would serve the same purpose as the existing Annex, providing office space, hearing rooms, conference rooms, and supporting facilities for the Legislature and executive branch. Approximately 1,700 personnel (i.e., combined elected officials, their staff, and other employees in the Capitol) work in the Annex. The number of employees would not change as a result of development of the new Annex, although some employees currently located in the LOB may move to the Annex, and vice versa. Like the existing Annex, the new Annex would be physically connected to the Historic Capitol.

The new Annex would provide approximately 525,000 gross square feet of space, compared to the 325,000 square feet in the existing Annex. The new Annex would support more and larger hearing rooms and conference rooms, more consistently sized office spaces, and more efficiently designed facilities. For example, the design and configuration of the new Annex would;

- ▶ provide more convenient public access to all committee rooms and legislator offices;
- ▶ align the floors of the Annex with the West Wing to improve wayfinding and circulation;
- ▶ allow Committee Chairs better proximity to their committee work areas;
- ▶ allow staff to be in closer proximity to the elected officials they serve;
- ▶ enlarge corridors to improve flow and access;
- ▶ allow equipment currently placed in hallways to be moved into dedicated offices;
- ▶ provide workspaces and facilities to better allow California Highway Patrol (CHP) and Sergeants at Arms staff to fulfill their security functions; and
- ▶ improve the flow of both employee and visitor traffic.

Although the new Annex would support more square footage than the existing building, the functions, activities, and personnel associated with the Annex would not change.

The new Annex would meet all current building codes, ADA standards, and energy efficiency standards. The building would meet or exceed LEED v4 Silver certification.

The existing loading dock serving the Annex is on the south side of the building and is accessed from N Street at the same entry/exit point serving the basement parking under the Annex. The loading dock would be reconfigured as part of the new Annex construction to support more efficient use by delivery vehicles.

3.4.8 Annex Height, Massing, and Architectural Treatments

The new Annex building height would be no taller than parapet of the historic capitol and/or the base of the existing Capitol dome. The anticipated height would be approximately 125 feet, which is lower than the current colonnade level and well below the base of the dome. The new Annex would be approximately the length of the Historic Capitol and would extend east toward the existing 12th Street walkway. There would be a below grade level for public meeting spaces. The aesthetics and materials of the new Annex would be developed to be consistent and sympathetic with the Historic Capitol to create a 'One Building' feel for the Capitol. Building materials for the Annex would be selected for durability, quality, and consistency with the Historic Capitol.

3.4.9 Landscaping, Lighting, and Memorials

The existing landscaping and lighting in the vicinity of the visitor/welcome center, Annex, and underground parking would be maintained and protected as much as possible during construction. As many existing trees as possible would be retained during project construction (including the mature Deodar Cedars in the vicinity of the visitor/welcome center mentioned above in the description of that project element). However, it is estimated that approximately 20-30 trees would need to be removed to implement the project. California Department of Parks and Recreation tree protection guidelines would be implemented to protect trees that are retained within the construction activity area. Landscaping surrounding the new Annex and underground parking garage would generally be consistent with existing character. However, the visitor/welcome center would include recontouring of the existing slopes to accommodate the walkways/ramps and development of the lower and upper plazas, which deviates from the existing three level plaza with two sets of stairs between sidewalk level and the west portico steps. In any locations where landscaping may deviate from existing conditions, vegetation would favor drought tolerant and California native plants.

Any statues, memorials, plaques, and similar items that must be temporarily or permanently moved as a result of the project would be catalogued and stored in a secure location during construction. For trees, statues, or other features that have been dedicated to, recognize, or honor a particular individual or group, the State would send a letter to that person, or representative of that person or group, notifying them that the statue, plaque, or memorial would be temporarily removed during project construction, then returned to Capitol Park when construction is complete. All statues would be returned to Capitol Park in a setting similar to their original location. All plaques and memorials would be replaced and attributed to the same type of feature it was originally attributed to. For example, a plaque attributed to a redwood tree would then be returned to a redwood tree included in the post construction landscaping plan. As stated above in the description of the visitor/welcome center, the existing bronze "Great Seal of California," "California Indian Seal," and "Spanish-Mexican Seal" currently located just west of the west portico steps are planned to be re-set into the upper plaza of the visitor/welcome center near their current location.

New landscaping and lighting installed in the construction disturbance area after building construction is complete would be consistent in character with what is currently present at the Historic Capitol Building and the surrounding Capitol Park. Exterior lighting would strike a balance between the minimization of "light pollution" and preservation of night sky views and the need for security and safety for the Annex, Historic Capitol, and Capitol Park. No new lighting would interfere with the current lighting of the Historic Capitol that focusses light on that building and reinforces the prominence of the structure in the park.

3.4.10 Parking Garage

The existing parking in the Annex basement would be abandoned and replaced with new underground parking on the south side of the Capitol (Figure 3-3 shows the general facility envelope being considered). Ground disturbance would primarily be in the area between N Street and south of the south steps of the Capitol. The underground parking would be on one level, with excavations up to approximately 25 feet deep. After the underground parking is complete, the temporarily disturbed portions of Capitol Park would be restored to as close as possible to existing conditions (as described above in the discussion of landscaping, lighting, and memorials).

The new underground parking would accommodate up to 200 parking spaces. The current Annex basement parking can accommodate approximately 150 vehicles. Electric vehicle (EV) charging stations would be available in numbers that exceed minimum building code standards. The current Annex basement parking has entries/exits with security checkpoints on both L Street and N Street. Entry and exit from the new underground parking would be provided on N Street only, with one entry/exit point east of the N Street/11th Street intersection and one entry/exit point west of N Street/11th Street intersection. Both entry/exit points would have security checkpoints. Additionally, the new Annex parking would be designed for maximum flexibility and convertibility to meeting space versus parking if needed in the future. For example, the floor to ceiling height would be such that the space can meet building codes for a use other than parking.

3.4.11 Project Utilities

WATER

Water supply connections would continue from the existing City of Sacramento pipelines serving the Historic Capitol and Annex located on the west side of the Capitol. As stated previously, the Capitol Annex Project would not result in a change in the number of employees at the Annex; therefore, water demand would not change and existing delivery pipelines connecting the City pipelines to the building would have sufficient volume to meet demand. However, building codes size water lines based on both the number of people served by the line and the square footage of the structure the line connects to. Because the new Annex and visitor/welcome center add building square footage compared to existing conditions, it is anticipated that larger water lines connecting the buildings to the City pipelines would need to be installed to meet current building codes. New water lines may follow the alignments of existing water lines. However, if existing lines pass under large trees intended for

preservation during project construction, the existing water line would be abandoned in place and the new water line would be routed to avoid damage to the tree.

The Annex building and visitor/welcome center 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. Additionally, any new landscaping introduced in the project area (i.e., landscaping that is not a direct replacement of trees or other vegetation specifically intended to return the project site to pre-project conditions) would include drought tolerant native planting as another water-saving design measure of the project.

Fire protection for the Annex would comply with the California code for high-rise buildings and the City of Sacramento High-Rise Ordinance (as determined to be applicable by the State Fire Marshall), including fire pumps tied to a fire water storage tank, a sprinkler system throughout the building, and breathing air systems provided in the building. Fire protection for the visitor/welcome center and underground parking would also meet applicable standards for these facilities.

WASTEWATER

Connections to the City's Combined Sewer System (CSS) would be made at the existing CSS main currently serving the Historic Capitol and Annex. Sewer cleanouts would be installed at the point of service. The CSS in downtown Sacramento transports both rainwater and stormwater to the Sacramento Regional County Sanitation District's wastewater treatment plant for treatment before discharge to the Sacramento River.

As described above for potable water, because the Capitol Annex Project would not result in a change in the number of employees at the Annex, demand for sewer service would not change and existing sewer lines would have sufficient volume to meet demand. However, building codes size sewer lines based on both the number of people served by the line and the size and characteristics of the structure the line connects to. Because the new Annex and visitor/welcome center add building square footage compared to existing conditions, it is anticipated that larger sewer lines connecting the buildings to the CSS would need to be installed to meet current building codes. New sewer lines may follow the alignments of existing lines. However, if existing lines pass under large trees intended for preservation during project construction, the existing sewer line would be abandoned in place and the new sewer line would be routed to avoid damage to the tree.

STORMWATER AND DRAINAGE

The existing stormwater/drainage features on the site and connections to the CSS would be maintained, with upgrades installed as needed per code and project requirements (e.g., amount of impermeable surface area on the project site).

HEATING AND COOLING

For the purposes of this EIR, it is assumed that the new Annex and visitor/welcome center would connect to the State-owned and -operated Central Plant, located at 6th and Q Streets, for chilled water (cooling). The Central Plant currently provides heating and cooling services to the Historic Capitol and Annex, and this EIR assumes that this would continue. However, to improve building efficiency and meet or exceed sustainability goals, it is possible that building heating would be electrically powered, with electricity provided by 100 percent renewable sources via an existing contract between the State and Sacramento Municipal Utility District (SMUD). Because provision of heating from the Central Plant would have greater environmental effects than electricity delivered by SMUD from 100 percent renewable sources (e.g., burning of natural gas to power Central Plant boilers to generate steam), obtaining heating services from the Central Plant is evaluated here so as to be appropriately conservative.

ENERGY USE

The State has a 20-year contract (signed in 2018) with SMUD to provide electricity from 100 percent renewable sources to State buildings in downtown Sacramento, including the Historic Capitol and the Annex. This contract would be applied to the new Annex building, visitor/welcome center, and underground parking garage. The project would be designed to meet modern building standards, including the 2019 Building Energy Efficiency Standards. The project would also achieve a minimum LEED v4 Silver certification. 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 monitor and balance electrical loads on a per system basis (e.g., lighting, mechanical) and on a per floor basis.

Electrical service to the new Annex would be similar to the existing service provided to the existing Annex and West Wing by SMUD. Electrical service currently enters the site from N Street with transformers serving both buildings on State property adjacent to the existing Annex. The existing transformers adjacent to the Annex would be replaced with new transformers on the project site. Additional electrical service equipment may also be placed in the new mechanical equipment vault described below.

Natural gas would not be used directly, but it is assumed for this analysis that heating would continue to be provided by steam from State's Central Plant, which uses natural gas for the boilers that generate the steam.

TELECOMMUNICATIONS

Telecommunications would be provided to the new building via existing feeds. Minor trenching would be required to establish the connection.

NEW MECHANICAL EQUIPMENT VAULT

During construction of the visitor/welcome center a new underground mechanical equipment vault would be constructed near the northwest corner of the Historic Capitol building. This roughly 8,600 square foot room would house various utility and other equipment to increase the efficiency of operation of the Historic Capitol and support operation of the new Annex and visitor/welcome center. Excavation for the new vault is estimated to reach a depth of approximately 20 feet. The vault will be connected to the basement of the Historic Capitol to allow personnel and equipment to move between the two buildings. After construction is complete, the disturbed area will be restored to match pre-project conditions.

3.4.12 Modifications at the Historic Capitol

Implementation of Capitol Annex Project would require minor modifications to the Historic Capitol (beyond any modifications to connect the new Annex to the Historic Capitol). For example, the foundation would be "penetrated" to allow the visitor/welcome center, the underground parking garage, and the new mechanical equipment vault to connect to the Historic Capitol basement. There is currently a basement connection between the existing Annex and the Historic Capitol and a similar basement connection would be provided for the new Annex. Some existing facilities in the basement, such as the gift shop and interpretive features, may be moved or enhanced to better integrate with the visitor/welcome center displays and educational functions. As excavations and construction in and around the Historic Capitol foundation are undertaken, the opportunity to implement seismic retrofits or other actions to reinforce the Historic Capitol foundation may be completed. Other activities at the Historic Capitol could include minor repairs, cleaning, adjustments to mechanical functions such as heating/cooling/ventilation systems and elevators.

3.4.13 Construction Schedule

Construction of the visitor/welcome center is anticipated to begin in fall 2020. Construction of the entire project would take approximately 5 years and would be completed before the end of 2025, with the Legislature and executive branch occupying the new Annex by the end of 2025. The proposed approximate phasing of the project is as follows:

- ▶ Visitor/Welcome Center Construction – Second Quarter 2020 to Fourth Quarter 2021,
- ▶ Annex Abatement and Demolition – First Quarter of 2022 to Third Quarter 2022,
- ▶ Annex Construction – Fourth Quarter 2022 to Fourth Quarter 2025, and
- ▶ Underground Parking Construction – Second Quarter 2024 to Third Quarter 2025.

The construction labor force would fluctuate depending on the phase of work. However, it is estimated that during peak construction periods approximately 250-300 workers would be on the project site.

3.4.14 Construction Methods and Equipment

The following construction equipment is anticipated to be used during project construction:

- | | |
|--------------------------------|--------------------------|
| ▶ concrete/industrial saw, | ▶ boom lift, |
| ▶ rubber-tired or track dozer, | ▶ construction elevator, |
| ▶ tractors/loaders/backhoes, | ▶ scissor lift, |
| ▶ excavators, | ▶ forklift, |
| ▶ bobcats, | ▶ concrete trucks, |
| ▶ drill rig, | ▶ concrete pump trucks, |
| ▶ off-highway trucks, | ▶ roller/compactor, |
| ▶ grader, | ▶ generator set, |
| ▶ scraper, | ▶ welding machine, |
| ▶ crane, | ▶ compressor, |
| ▶ tower crane, | ▶ haul trucks, and |
| ▶ man-lift, | ▶ painting equipment. |

Before activities begin on any project component, temporary fencing would be installed around the construction area and other security measures such as cameras and lighting would be installed to prevent unauthorized access and promote site safety. For construction of the visitor/welcome center, fencing would be limited to the west side of the Historic Capitol. The construction exclusion area would include the sidewalk along 10th Street between L Street and N Street and a portion of the east side of the 10th Street travel corridor in this area. It is expected that parking on both sides of 10th Street between L Street and N Street would be removed during construction and the State would re-stripe 10th Street to provide two vehicle travel lanes and maintain the dedicated bicycle lane. The exclusion fencing would be removed, and 10th Street returned to pre-project conditions, at completion of the visitor/welcome center and before establishing the temporary construction exclusion area for the Annex and underground parking.

Before demolition of the Annex begins, temporary fencing would be installed around the eastern and southern portions of the project area. The construction exclusion area would include the sidewalk and parking lane along the north side of N Street between 10th Street and 12th Street. The sidewalk along L Street between 11th Street and 12th Street would also be closed; however, the temporary construction exclusion area would not encroach onto L Street. The eastern edge of the construction exclusion area would not extend beyond the line of where the eastern edge of 12th Street would cross Capitol Park. During this phase of construction (i.e., Annex demolition, new Annex construction, underground parking construction) access to the entrance of the visitor/welcome center at 10th Street would be maintained, as would a pedestrian pathway from the entry at the north side of the Historic Capitol to L

Street. A pedestrian pathway from the south side of the Historic Capitol to N Street may also be maintained for members of the Legislature, Executive, and their staff to move between the Historic Capitol and the 10th and O Street Office Building. To facilitate the safe movement of members of the Legislature, executive branch, and their staff across N Street, during this phase of construction, N Street would be closed to vehicle traffic during the day. The closures would begin no earlier than after the end of the morning peak hour traffic period on N Street and end no later than the beginning of the evening peak hour traffic period.

Available space within each temporary construction exclusion area may be used as a staging area. The available space would be limited as necessary to accommodate the protection of trees and any other features of Capitol Park to be preserved during construction. The staging areas would house construction trailers for temporary office space and would be used for storage of construction equipment and construction materials. Temporary heating/ventilation/air conditioning (HVAC) units would also be located in the staging area to serve the Historic Capitol. HVAC units currently serving the Historic Capitol are located on the roof of the Annex. When the Annex is demolished these units would no longer be operational and temporary units would be needed until the new Annex is completed.

Where feasible and available, diesel construction equipment would be powered by Tier 3 or Tier 4 engines as designated by the California Air Resources Board (CARB) and U.S. Environmental Protection Agency. In addition, if available for on-site delivery, diesel construction equipment would be powered with renewable diesel fuel that is compliant with California's Low Carbon Fuel Standards and certified as renewable by the CARB executive officer.

It is estimated that there could be up to approximately 15,000 total haul trips for all phases of construction. This includes trips for delivery of material, removal of excavated fill, and removal of material generated by demolition of the existing Annex. Construction is estimated to generate 200,000–300,000 cubic yards of solid waste. This is based on an estimated volume of non-recyclable materials generated by demolition of the existing Annex, excavation depths for the visitor/welcome center, and underground parking of approximately 25 feet below grade, with an additional 10 feet of depth in limited areas, such as for elevator pits. Trucks would enter and exit the fenced construction area at designated gated points.

DGS and the JRC would prepare a construction traffic control plan, consistent with Section 12.20.20 of the Sacramento City Code, that illustrates the location of the proposed work area; identifies the location of areas where the public right-of-way would be closed or obstructed, and the placement of traffic control devices necessary to perform the work; shows the proposed phases of traffic control; and identifies the time periods when the traffic control would be in effect and, although not expected, the time periods when work would prohibit access to private property from a public right-of-way. The traffic control plan would also provide information on access for emergency vehicles to prevent interference with emergency response.

Measures, including ground vibration monitoring and response, would be implemented during construction to prevent damage to the Historic Capitol and other nearby buildings and site features. Screening or other methods would be used as necessary to prevent flying debris (e.g., material released while demolishing concrete) from damaging the Historic Capitol. Impact pile driving would be avoided; an alternative approach, such as the use of drilled auger cast piles or drilled displacement piles, would be used during construction of the new facilities. During excavation, dewatering may be necessary. The treatment and disposal of any water removed from the excavation would meet Central Valley Regional Water Quality Control Board requirements.

Periods of nighttime outdoor construction may be needed. Indoor construction activities, such as installing wiring, drywall, and carpet, which would occur after walls and windows are in place, would be permitted during nighttime hours. However, the contractors would be permitted to conduct outdoor construction during the nighttime hours only if there are no other reasonable options. For example, some foundation designs require that after the pouring of concrete is initiated, the pour must continue without pause until it is complete. In some instances, such a concrete pour may take 20 or more hours, requiring work to occur during the nighttime hours. It is unknown at this time whether the final project design would have any elements that require outdoor nighttime construction. Therefore, to ensure a comprehensive evaluation of potential environmental effects, this EIR assumes the potential for limited outdoor nighttime construction activity.

3.5 POTENTIAL PERMITS AND APPROVALS REQUIRED

For the purposes of CEQA, the term “Responsible Agency” includes all public agencies other than the Lead Agency that have discretionary approval power over the project (CEQA Guidelines Section 15381). Discretionary approval power may include such actions as issuance of a permit, authorization, or easement needed to complete some aspect of the proposed project. Approval from various City of Sacramento departments would be required to complete construction of the Capitol Annex Project. Where city approval may constitute a discretionary decision, such as potential approvals related to street abandonments or utility connections, the City would use the EIR for the Capitol Annex Project to support these decisions. Agencies whose approval may be required for the project include, but may not be limited to:

- ▶ State Historic Preservation Officer,
- ▶ City of Sacramento,
- ▶ Central Valley Regional Water Quality Control Board,
- ▶ Sacramento Metropolitan Air Quality Management District, and
- ▶ Sacramento Municipal Utility District.

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4.4 UTILITIES AND SERVICE SYSTEMS (REVISED)

This section evaluates the availability of existing utility and infrastructure systems (water, wastewater, stormwater, electricity, natural gas, and solid waste) to serve the Capitol Annex Project and the impact of the project on these systems. The analysis is based on documents obtained from the City of Sacramento (City) and the Sacramento Regional County Sanitation District (Regional San) and on personal communications with DGS, the Joint Rules Committee (JRC), and JRC representatives.

For an evaluation of the project's potential impacts related to the inefficient, wasteful, and unnecessary consumption of energy (as required by Appendix F of the State CEQA Guidelines), refer to Section 4.7, "Energy."

4.4.1 Regulatory Setting

DOMESTIC WATER

Federal

Safe Drinking Water Act

As mandated by the Safe Drinking Water Act (SDWA) (Public Law 93-523), passed in 1974, the U.S. Environmental Protection Agency (EPA) regulates contaminants of concern to domestic water supply. Such contaminants are defined as those that pose a public health threat or that alter the aesthetic acceptability of the water. These types of contaminants are regulated by EPA primary and secondary maximum contaminant levels (MCLs). MCLs and the process for setting these standards are reviewed every 3 years. Amendments to the SDWA, enacted in 1986, established an accelerated schedule for setting drinking water MCLs. EPA has delegated responsibility for California's drinking water program to the State Water Resources Control Board Division of Drinking Water (SWRCB-DDW). SWRCB-DDW is accountable to EPA for program implementation and for adoption of standards and regulations that are at least as stringent as those developed by EPA.

State

Urban Water Management Plan

In 1983, the California Legislature enacted the Urban Water Management Planning Act (UWMPA) (California Water Code Sections 10610–10656). The UWMPA states that every urban water supplier that provides water to 3,000 or more customers, or that provides more than 3,000 acre-feet (af) of water annually, must make every effort to ensure that its water supply is sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years. This effort includes the adoption of an urban water management plan (UWMP) by every urban-water supplier and an update of the plan every 5 years on or before December 31, of every year ending in a 5 or 0. The UWMPA has been amended several times since 1983 with the most recent amendment occurring with SB 318 in 2004.

The City of Sacramento 2015 UWMP, adopted in June 2016, is based on the Sacramento 2035 General Plan.

California Safe Drinking Water Act

The SWRCB-DDW is responsible for implementing the federal SDWA and its updates, as well as California statutes and regulations related to drinking water. State primary and secondary drinking water standards are promulgated in 22 CCR Sections 64431–64501.

The California Safe Drinking Water Act was passed in 1976 to build on and strengthen the federal SDWA. The California act authorizes the SWRCB to protect the public from contaminants in drinking water by establishing MCLs that are at least as stringent as those developed by EPA, as required by the federal SDWA.

Local

The Capitol Annex Project site is located in downtown Sacramento on the State-owned Capitol grounds. The project, authorized by legislation, would be implemented by the JRC under a memorandum of understanding (MOU) with DGS, with DGS providing specific services at the direction of JRC. As explained in Section 4.2, “Land Use and Planning,” of this Draft EIR, in Section 4.2.1 “Regulatory Setting,” the legislature is exempt from complying with local plans, policies, or zoning regulations. Nevertheless, in the exercise of its discretion, the JRC references, describes, and addresses in this EIR local plans, policies and regulations that are applicable to the project. DGS, working with JRC pursuant to the MOU, will determine the content of the EIR. This evaluation is also intended to be used by local agencies for determining, as part of their permit processes, the project’s consistency with local plans, policies, and regulations.

Water Service System and Fees

Chapter 13.04 of the City Code regulates construction of water distribution facilities; describes requirements for installation and phasing of water meters; establishes the review process for ensuring adequate fire flow and hydrants; and states that rates, fees, and charges for sewer service and storm drain service are established and will be updated from time to time by ordinance or resolution of the City Council.

City of Sacramento 2035 General Plan

The following goals and policies from the Sacramento 2035 General Plan Utilities Element relate to water supply and infrastructure:

GOAL U 2.1: High-Quality and Reliable Water Service. Provide water supply facilities to meet future growth within the City’s Place of Use and assure a high-quality and reliable supply of water to existing future residents.

- ▶ **Policy U 2.1.9: New Development.** The City shall ensure that water supply capacity is in place prior to granting building permits for new development.
- ▶ **Policy U 2.1.12: Water Conservation Enforcement.** The city shall continue to enforce City ordinances that prohibit the waste or runoff of water, establish limits on outdoor water use, and specify applicable penalties.
- ▶ **Policy U 2.1.15: Landscaping.** The City shall continue to require the use of water-efficient and river-friendly landscaping in all new development, and shall use water conservation gardens (e.g., Glen Ellen Water Conservation Office) to demonstrate and promote water conserving landscapes.
- ▶ **Policy U 2.1.16: River-Friendly Landscaping.** The City shall promote “River Friendly Landscaping” techniques which include the use of native and climate appropriate plants; sustainable design and maintenance; underground (water-efficient) irrigation; and yard waste reduction practices.

City of Sacramento 2015 Urban Water Management Plan

The City of Sacramento 2015 UWMP, adopted in June 2016, is based on the Sacramento 2035 General Plan. The 2015 UWMP describes the City water system, historical and projected water use, water supply sources, and a comparison of projected water supply to water demands during normal, single-dry, and multiple-dry years in five-year increments from 2020 to 2040. The 2015 UWMP confirms the City’s 2015 and 2020 water use targets, verifies the City’s compliance with the interim 2015 water use target, and describes the City’s implementation plan for meeting the City’s final 2020 water use target.

WASTEWATER AND STORMWATER

Federal

Clean Water Act

The federal Clean Water Act (CWA) employs a variety of regulatory and nonregulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. Those portions of the CWA that relate to wastewater and stormwater discharges are discussed in the following section.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program was established under the CWA to regulate municipal and industrial discharges to surface waters of the United States. NPDES permit regulations have been established for broad categories of discharges, including point-source waste discharges and nonpoint sources (nonpoint-source discharges are discussed further in Section 4.10, "Hydrology and Water Quality"). Each NPDES permit identifies limits on allowable concentrations and mass loadings of pollutants contained in the discharge. Sections 401 and 402 of the CWA identify general requirements regarding NPDES permits. Section 307 of the CWA describes the factors that EPA must consider in setting effluent limits for priority pollutants.

NPDES permits cover various industrial and municipal discharges, including discharges from storm sewer systems in larger cities, stormwater generated by industrial activity, runoff from construction sites disturbing more than 1 acre, and mining operations. Point-source dischargers must obtain a discharge permit from the proper authority (usually a state, sometimes EPA, a tribe, or a territory). So-called "indirect" point-source dischargers are not required to obtain NPDES permits. "Indirect" dischargers send their wastewater into a public sewer system, which carries it to the municipal sewage treatment plant, through which it passes before entering any surface water.

The CWA was amended in 1987 with Section 402(p), which requires NPDES permits for nonpoint-source (i.e., stormwater) pollutants in discharges. Stormwater sources are diffuse and originate over a wide area rather than from a definable point. The goal of the NPDES stormwater regulations is to improve the water quality of stormwater discharged to receiving waters to the "maximum extent practicable" using structural and nonstructural best management practices (BMPs). BMPs can include educational measures (e.g., workshops informing the public of what impacts can result when household chemicals are dumped into storm drains), regulatory measures (e.g., local authority of drainage facility design), public policy measures (e.g., adding labels to storm drain inlets regarding the impacts of dumping on receiving waters), and structural measures (e.g., filter strips, grass swales, and detention ponds).

State

NPDES Permit for the Sacramento Regional Water Treatment Plant

In April 2016, the Central Valley Regional Water Quality Control Board (RWQCB) issued Waste Discharge Requirement (WDR) Order No. R5-2016-0020 (NPDES No. CA 0077682) to Regional San for its Sacramento Regional Wastewater Treatment Plant, which treats wastewater from its service area before discharging it to the Sacramento River. This order is an NPDES self-monitoring permit that outlines performance standards for the effluent into the Sacramento River. The water quality objectives established in the Central Valley RWQCB Basin Plan are protected, in part, by NPDES Permit No. CA 0077682.

The quality of the effluent that can be discharged to waterways in the Sacramento area is established by the Central Valley RWQCB through WDRs that implement the NPDES permit. WDRs are updated at least every 5 years. A new permit must be issued if the facility undergoes a major change or expansion.

NPDES Permit for the Combined Sewer System

In April 2015, the Central Valley RWQCB issued WDR Order No. R5-2015-0045 (NPDES No. CA 0079111) to the City of Sacramento for its Combined Wastewater Collection and Treatment System (Central Valley RWQCB 2015). Depending on flow volumes, wastewater and stormwater flows in this system are conveyed to the Sacramento Regional Wastewater Treatment Plant, Combined Wastewater Treatment Plant (CWTP) at South Land Park Drive and 35th Avenue, or Pioneer Reservoir at Front and V Streets near the Sacramento River. The order does not apply to operations at the Sacramento Regional Wastewater Treatment Plant.

This order implements the EPA Combined Sewer Overflow (CSO) Control Policy, which establishes a consistent national approach for controlling discharges from CSOs to the nation's water through the NPDES permit program. This policy requires implementation of a long-term control plan (LTCP) to comply with water quality-based requirements of the CWA. The City of Sacramento adopted its LTCP, also known as the Combined Sewer System Improvement Plan (CSSIP), in 1995, which contained the infrastructure improvement portion of the LTCP.

WDR Order No. R5-2015-0045 identifies effluent limitations and discharge specifications for discharges from the CWWTP and Pioneer Reservoir to the Sacramento River. Discharge from the system to surface waters or surface water drainage courses is prohibited during nonstorm events. However, if the capacity of the system is exceeded during a storm event, this order allows for the discharge of overflows into the Sacramento River. The City is required to implement pollution prevention programs to reduce contaminants in CSOs.

Local

City of Sacramento Combined System Development Fee

An ordinance amending Chapter 13.08 of the City of Sacramento Code relating to sewer and storm drain service systems and establishing combined sewer system (CSS) development fee amounts was approved by the City's Law and Legislation Committee on February 15, 2005, and was passed for publication on February 22, 2005. This ordinance requires developers requiring new connections to the CSS to pay a development fee to recover an appropriate share of the capital costs of the CSS facilities needed to accommodate new development in the CSS area.

Sacramento Regional County Sanitation District Consolidated Ordinance

The Regional San Consolidated Ordinance sets forth requirements for use of its wastewater collection and treatment system, provides for the enforcement of these requirements, establishes penalties for violations, and establishes the rates and fees for users of Regional San's sewer facilities.

Stormwater Quality Design Manual

See Section 4.10, "Hydrology and Water Quality," for a description of the Stormwater Quality Design Manual.

City of Sacramento 2035 General Plan

The following goals and policies from the Sacramento 2035 General Plan Utilities Element relate to stormwater and wastewater management:

GOAL U 1.1: High-Quality Infrastructure and Services. Provide and maintain efficient, high quality public infrastructure facilities and services in all areas of the city.

- ▶ **Policy U 1.1.5: Growth and Level of Service.** The City shall require new development to provide adequate facilities or pay its fair share of the cost for facilities needed to provide services to accommodate growth without adversely impacting current service levels.

GOAL U 3.1: Adequate and Reliable Sewer and Wastewater Facilities. Provide adequate and reliable sewer and wastewater facilities that collect, treat and safely dispose of wastewater.

- ▶ **Policy U 3.1.4:** In keeping with its CSS Long Term Control Plan (LTCP), the City will continue to rehabilitate the CSS to decrease flooding, CSS outflows and CSOs. Through these improvements and new development requirements the City will also ensure that development in the CSS does not result in increased flooding, CSS outflows or CSOs.

GOAL U 4.1: Adequate Stormwater Drainage. Provide adequate stormwater drainage facilities and services that are environmentally sensitive, accommodate growth, and protect residents and property.

- ▶ **Policy U 4.1.5: Green Stormwater Infrastructure.** The City shall encourage "green infrastructure" design and Low Impact Development (LID) techniques for stormwater facilities (i.e., using vegetation and soil to manage stormwater) to achieve multiple benefits (e.g., preserving and creating open space, improving runoff water quality).
- ▶ **Policy U 4.1.6: New Development.** The City shall require proponents of new development to submit drainage studies that adhere to City stormwater design requirements and incorporate measures, including "green infrastructure" and Low Impact Development (LID) techniques, to prevent on- or off-site flooding.

ENERGY

For regulatory information related to energy, refer to Section 4.7, "Energy."

SOLID WASTE

Federal

No federal plans, policies, regulations, or laws are applicable to solid waste services for the project.

State

California Building Standards Code (Title 24)

Effective January 1, 2011, CALGreen became California's first green building standards code. It is formally known as the California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations. CALGreen establishes mandatory minimum green building standards and requirements for construction and demolition (C&D) material diversion. Under Section 5.408 of the CALGreen Code, projects involving C&D activities are required to recycle and/or salvage for reuse a minimum of 65 percent of their nonhazardous C&D material. Applicable projects, such as the Capitol Annex Project, are required to prepare and implement a construction waste management plan.

California Integrated Waste Management Act

To minimize the amount of solid waste that must be disposed of in landfills, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties were required to divert 25 percent of their generated waste from landfill facilities by January 1, 1995 and 50 percent by January 1, 2000. Solid waste plans are required to explain how each city's AB 939 plan will be integrated with the county plan. In order of priority, the plans must promote source reduction, recycling and composting, and environmentally safe transformation and land disposal.

In 1999, Governor Davis signed AB 75 (Chapter 764, Statutes of 1999), which mandated that State agencies comply with AB 939 diversion requirements.

In addition to the requirements of AB 75, the following policies and statutes address State agency recycling:

- ▶ Executive Order W-7-91 requires California State agencies to buy recycled products and set up recycling programs.
- ▶ Public Contract Code (PCC) Sections 12164.5–12167.1 require the CalRecycle to develop a recycling plan and implement recycling programs for the Legislature and all State-owned and leased buildings.
- ▶ PCC 12167.1 requires State agencies and institutions to report materials collected for recycling to the CalRecycle.
- ▶ PRC 42560–42562 requires the CalRecycle to recycle high-grade white office paper in California State offices.
- ▶ California State Administration Manual Chapter 1990 encourages employees at State facilities to prevent waste, reuse, and recycle.

Local

City of Sacramento 2035 General Plan

The goals and policies listed below from the Utilities Element are relevant to effects on solid waste.

GOAL U 5.1: Solid Waste Facilities. Provide adequate solid waste facilities, meet or exceed State law requirements, and utilize innovative strategies for economic and efficient collection, transfer, recycling, storage, and disposal of refuse.

- ▶ **Policy U 5.1.1: Zero Waste.** The City shall achieve zero waste to landfills by 2040 through reusing, reducing, and recycling solid waste; and using conversion technology if appropriate. In the interim, the City shall achieve a waste reduction goal of 75 percent diversion from the waste stream over 2005 levels by 2020 and 90 percent diversion over 2005 levels by 2030, and shall support the Solid Waste Authority in increasing commercial solid waste diversion rates to 30 percent.
- ▶ **Policy U 5.1.8: Diversion of Waste.** The City shall encourage recycling, composting, and waste separation to reduce the volume and toxicity of solid wastes sent to landfill facilities.

- ▶ **Policy U 5.1.9: Electronic Waste Recycling.** The City shall continue to coordinate with businesses that recycle electronic waste (e.g., batteries, fluorescent lamps, compact-fluorescent (CFL) bulbs) and the California Product Stewardship Council to provide convenient collection/drop off locations for city residents.
- ▶ **Policy U 5.1.14: Recycled Materials in New Construction.** The City shall encourage the use of recycled materials in new construction.
- ▶ **Policy U 5.1.15: Recycling and Reuse of Construction Wastes.** The City shall require recycling and reuse of construction wastes, including recycling materials generated by the demolition and remodeling of buildings, with the objective of diverting 85 percent to a certified recycling processor.

4.4.2 Environmental Setting

Public utilities in the project area are provided by various entities, as identified in Table 4.4-1 and discussed in detail below.

Table 4.4-1 Utilities Providers for the Project Area

Utility	Agency/Provider
Water supply	City of Sacramento
Wastewater collection and conveyance	City of Sacramento
Wastewater treatment	Sacramento Regional County Sanitation District
Stormwater conveyance	City of Sacramento
Solid waste collection	City of Sacramento (residential), various private franchised haulers (commercial)
Electrical service	Sacramento Municipal Utility District
Natural gas	Pacific Gas and Electric Company

Source: Data compiled by Ascent Environmental in 2019

WATER SUPPLY

The City of Sacramento Department of Utilities is responsible for water services within the city limits, including the Capitol Annex Project site, with the exception of some city residents who receive their water from Sacramento Suburban Water District. The City provides drinking water from groundwater and surface water resources. Surface water is diverted at two locations: from the American River downstream of the Howe Avenue Bridge and from the Sacramento River downstream of the confluence of the American and Sacramento Rivers. The City draws groundwater from two subbasins of the Sacramento Valley Groundwater Basin: the North American Subbasin, located north of the American River, and South American Subbasin, located south of the American River. Surface water and groundwater resources are described in detail in Section 4.10, "Hydrology and Water Quality."

The City's retail service area covers approximately 99 square miles (63,182 acres) with 135,830 connections and a population of 480,105 as of 2015 (City of Sacramento 2016a:3-1 and 3-2). The City also provides wholesale water supplies to the Sacramento County Water Agency, Sacramento Suburban Water District, California American Water, and Fruitridge Vista Water Company.

Surface Water Supply

The City of Sacramento has relied on river water for its primary source of supply since 1854 and claims pre-1914 rights to divert approximately 75 cubic feet per second (cfs) from the Sacramento River (City of Sacramento 2016a:6-6). In addition, the City holds five water rights permits to serve the city: one for diversion of Sacramento River water and four for diversion of American River water. Diverted water is treated at the Fairbairn Water Treatment Plant (FWTP) or the Sacramento River Water Treatment Plant (SRWTP).

Table 4.4-2 shows the City's schedule of authorized surface water supply over the next approximately 20 years.

Table 4.4-2 Maximum Contracted Annual Surface Water Diversion (afy) for the City of Sacramento¹

Water Source	2020	2025	2030	2035	2040
Maximum diversion from the Sacramento River ²	81,800	81,800	81,800	81,800	81,800
Maximum diversion from the American River ³	208,500	228,000	245,000	245,000	245,000
Total	290,300	309,800	326,800	326,800	326,800

Note: afy = acre-feet per year.

¹ Data obtained from Schedule A of the 1957 Water Rights Settlement Contract between the U.S. Bureau of Reclamation and the City of Sacramento.

² The City may divert up to 81,800 afy from the Sacramento River as long as the total combined diversion from both the Sacramento and American Rivers does not exceed the maximum combined diversion.

³ The City may divert up to the maximum diversion from the American River as long as the total combined diversion from both the Sacramento and American Rivers does not exceed the maximum combined diversion.

Source: City of Sacramento 2016a:6-8

Minimum-Flow Requirements

Current use and future development must be sensitive to American River streamflows, especially during dry periods. Two major institutional constraints limit the FWTP diversion capacity: Hodge Flow conditions and extremely dry year conditions, described below. When American River flows are above a certain level (dubbed “Hodge Flow conditions” and named for the presiding judge in the deciding case), the City may divert up to 310 cfs (200 million gallons per day [mgd]) from the American River. During extremely dry years (“Conference Years”), defined by specific inflow levels to Folsom Reservoir, the City limits its diversions to the FWTP to 155 cfs (100 mgd) and 50,000 acre-feet per year (afy) (16,300 million gallons per year). Conference Years have occurred on the American River only three times over the recorded hydrologic history: in 1924, 1977, and 2015.

Although Hodge Flow conditions and Conference Years may reduce the amount of water that can be diverted from the FWTP on the American River, the City can instead divert its remaining American River entitlements downstream at the SRWTP (City of Sacramento 2016a:7-10 through 7-12).

Groundwater Supply

The City currently operates 22 groundwater supply wells, with the majority of these wells located within the City’s service area north of the American River (City of Sacramento 2016a:3-4). The current total pumping capacity of the City’s municipal supply wells is approximately 20.6 mgd (23,077 afy). The City is conducting a well rehabilitation program that includes projects for improving capacity at several existing wells as well as developing new wells. The groundwater pumping capacity is anticipated to increase to approximately 25 mgd (28,006 afy) after the rehabilitation project and new wells are completed.

Water Treatment Plants

The SRWTP, located just east of Interstate 5 and south of Richards Boulevard, treats water pumped from the Sacramento River about one-half mile downstream from the American River confluence (City of Sacramento 2016a:3-4). The diversion capacity at the SRWTP is 160 mgd, and the City’s distribution system is able to convey up to 160 mgd of water from the SRWTP. In the 2015–2016 fiscal year, the SRWTP treated a total of 14,502 million gallons for an average of approximately 40 mgd.

The FWTP is located on the south bank of the lower American River, approximately 7 miles upstream from its confluence with the Sacramento River. The reliable treatment and permitted capacity of the FWTP is 160 mgd (City of Sacramento 2016a:7-1 through 7-2). However, the pipelines conveying water from the FWTP to the rest of the system are not able to convey the full 160 mgd, and the conveyance of treated water from the FWTP is limited to approximately 110 mgd. This physical constraint does not affect existing customers. The City is completing a rehabilitation at the FWTP to increase the reliable treatment capacity to match the permitted capacity of 160 mgd. During extremely dry years, the City agrees to limit diversions for water treated at the FWTP to approximately 100 mgd (City of Sacramento 2016a:6-9). During periods when the flow passing the FWTP is less than Hodge Flow

conditions, diversions to the FWTP are limited to between about 64 mgd and 100 mgd depending on the time of year. In 2011–2012, an average of 42 mgd of water was treated at FWTP (City of Sacramento 2014:4-21).

Currently, average treatment volumes at each of these treatment plants are below capacity. As of 2015–2016, using a conservative assumption for low flows during Hodge Flow conditions or extremely dry years for treatment at the FWTP during which treatment capacity is limited to between 64 mgd and 100 mgd, FWTP had 39 mgd to 75 mgd of capacity available to treat additional water demand. As of 2015–2016, the SRWTP had 120 mgd of capacity available to treat additional water demand.

Current and Planned City Water Supply Sources

In 2015, as reported in the City of Sacramento 2015 UWMP, annual water supply and demand was 84,832 af (27,643 mg) (see Table 4.4-3). Projections of future population in the City's service area and sphere of influence are based on the 2035 General Plan.

Table 4.4-3 City of Sacramento Current and Planned Annual Water Demand and Sources of Supply¹

	2015 (af [mg])	2020 (af [mg])	2025(af [mg])	2030 (af [mg])	2035 (af [mg])	2040 (af [mg])
Surface water supply	70,467 (22,962)	253,168 (82,495)	267,119 (87,041)	273,507 (89,123)	273,507 (89,123)	273,507 (89,123)
Groundwater supply ²	13,706 (4,466)	21,749 (7,087)	20,169 (6,572)	19,912 (6,488)	19,912 (6,488)	19,912 (6,488)
Recycled water supply ³	0	1,000 (326)	1,000 (326)	1,000 (326)	1,000 (326)	1,000 (326)
Mutual aid	659 (215)	0	0	0	0	0
Total water supply	84,832 (27,643)	275,917 (89,908)	288,288 (93,939)	294,419 (95,937)	294,419 (95,937)	294,419 (95,937)
Water demand⁴	84,832 (27,643)	123,229 (40,154)	130,548 (42,539)	139,882 (45,581)	149,213 (48,621)	162,029 (52,797)
Surplus (+)/Deficit (-)	0	152,688 (49,754)	157,740 (51,400)	154,537 (50,356)	145,206 (47,316)	132,390 (43,139)

Notes: af = acre-feet; mg = million gallons; 1 acre-foot = 325,851 gallons.

¹ Supplies and demand remain the same during normal, single dry, and multiple dry years because the City of Sacramento has sufficient water supply entitlements.

² Groundwater supplies are based on the City's firm capacity, which is 90 percent of the total well capacities.

³ Recycled water is defined in the 2015 Urban Water Management Plan as municipal wastewater that has been treated and discharged from a wastewater facility for beneficial reuse. Recycled water supplies shown here represent projected supplies, but the City does not currently use recycled water.

⁴ Includes residential, commercial and industrial, institutional/governmental, landscaping, and system losses.

Source: City of Sacramento 2016a:4-3, 6-5, 6-10, 6-18, 7-10 through 7-12

Planned water supplies shown in Table 4.4-3 are based on reasonably available volume, which in some cases is less than the total right or safe yields, which are discussed above. The total right (or safe yield) for the Sacramento River is equal to the reasonably available volume (81,800 afy); for the American River, it is 208,500 af in 2020 and increases to 245,000 af in 2030–2040; and for groundwater it is 25,205 af.

The planned supplies and demand shown in Table 4.4-3 are representative of anticipated supplies and demand in a normal year, single dry year, and multiple dry years. The supplies also reflect limitations that may occur under Hodge Flow conditions and Conference Years (City of Sacramento 2016a:7-9 through 7-11). Maintaining the same amount of supply during a normal year, single dry year, and multiple dry years is possible because groundwater levels are not reduced during a drought such that the well capacity is affected and because Hodge Flow conditions and Conference Years may reduce the amount of water that can be diverted from the FWTP on the American River, but the City can

instead divert its remaining American River entitlements downstream at the SRWTP (City of Sacramento 2016a:7-9 through 7-11).

As shown in Table 4.4-3, the City has ample water supplies to meet demand from 2020 through 2040. The surplus water supply, after meeting anticipated demands, represents between 55 percent of the total supply in 2020 and decreases to 45 percent of total supply in 2040.

WASTEWATER AND STORMWATER

Wastewater and stormwater runoff from most of the central area of the city (including the project site) is collected by the City's CSS, which is operated and maintained by the City of Sacramento Department of Utilities. The CSS has a total service area of 7,545 acres. The CSS consists of the CWTP, pumping stations (Sumps 1/1A and 2/2A), Pioneer Reservoir, and in-line and off-line storage facilities. The collection system consists of trunks, interceptors, reliefs, force mains, laterals, and other pipelines and has a total storage capacity of about 115 af (37 million gallons) (City of Sacramento 2013).

The flows in the CSS are conveyed to two pumping stations (Sumps 1/1A and 2/2A) located near the Sacramento River (Central Valley RWQCB 2015:F-4). Up to 60 mgd of wastewater flows in the CSS are conveyed to the Regional San force main, which carries flows to the Sacramento Regional Wastewater Treatment Plant (Regional San WWTP). When flows are greater than 60 mgd, the additional flows are conveyed to the CWTP via the CWTP force main and/or to Pioneer Reservoir via the Pioneer Interceptor.

Wastewater Treatment and Disposal

Wastewater treatment in the city is provided by Regional San and the City of Sacramento. Regional San operates all regional interceptors and wastewater treatment plants serving the city except for the combined sewer and storm drain treatment facilities, which are operated by the City of Sacramento.

Sacramento Regional Wastewater Treatment Plant

The Regional San wastewater conveyance system is composed of 169 miles of interceptor pipelines, 46 miles of force mains, and 11 pump stations before it reaches the Regional San WWTP near Elk Grove (Regional San 2018). The Regional San WWTP currently provides secondary treatment of wastewater, has a permitted treatment capacity of 181 mgd of average dry-weather flow, and currently treats approximately 150 million gallons of wastewater each day. A Wastewater Operating Agreement between Regional San and the City limits wastewater flows from the city to 60 mgd (City of Sacramento 2014:4-2, 4-9). In 2014, dry weather flows to the Regional San WWTP were 18 mgd. The remaining capacity is reserved for stormwater. In 2015, most (94.2 percent) of the combined wastewater and stormwater flows in the CSS, in addition to flows in the City's separated sewer system, were delivered to the Regional San WWTP (City of Sacramento 2016a:6-10).

During heavy storms when flows exceed 60 mgd, the CWTP is used to provide primary treatment of an additional 130 mgd. Flows beyond 190 mgd are diverted to the Pioneer Reservoir storage and treatment facility, which has a capacity of 250 mgd. When all three treatment facilities (Regional San WWTP, CWTP, and Pioneer Reservoir) have reached capacity, excess flows (CSOs) are directly discharged into the Sacramento River from Sump 2 without treatment. In the central city, when the CSS pipeline system capacities are surpassed, which can occur during storm events, the excess flows flood local streets through maintenance holes and catch basins.

Combined Wastewater Treatment Plant and Pioneer Reservoir

During extreme high-flow conditions after treatment has been maximized at the Pioneer Reservoir and the CWTP, discharges of untreated combined wastewater may occur at Sump 2/2A through Discharge Points 004 and 005 and at the Sump 1/1A Pioneer Bypass at Discharge Point 007 (Central Valley RWQCB 2015:F-5).

During moderate to large storms when the CSS flows are greater than 60 mgd, flows greater than 60 mgd are routed to the CWTP and/or Pioneer Reservoir for temporary storage (City of Sacramento 2016a:6-12). When flows exceed storage capacity, the excess flows are released to the Sacramento River after receiving primary treatment, including chlorination and dechlorination. When the storage and treatment capacities are reached, additional CSS flows are

discharged directly to the Sacramento River from Sump 1 and/or Sump 2. In 2015, Pioneer Reservoir treated 278 af (91 million gallons) of wastewater that was discharged. The CWTP had no discharges in 2015.

Combined Sewer Overflows and CSS Improvements

Most of the time, the CSS treatment facilities (CWTP and Pioneer Reservoir) capture and provide treatment for up to 100 percent of the combined sewer flows (Central Valley RWQCB 2015:F-36). The CSS uses a combination of storage, such as in-line storage, and treatment facilities to manage flows in the CSS and minimize CSOs (Central Valley RWQCB 2015:F-48). There have been infrequent instances where small volumes of untreated overflows have occurred from some of the discharge points into the Sacramento River. The City's efforts to comply with the CSO Control Policy have resulted in consistent and significant reductions in dry-weather and dry-season flows over the last 20 years. The overall annual average CSO discharge volume decreased by more than 60 percent over the past 24 years. Water conservation, new plumbing codes for redevelopment, and ongoing collection system improvements are all factors in the gradual decrease in dry- and wet-weather flows over time.

The average number of days that untreated CSOs were discharged per year has also decreased from 7 per year in the early 1990s, before implementation of the CSSIP, to less than 1 per year in the past 10 years. The treated CSO discharges have also decreased from 15 times per year on average to an average of four times per year during the same period. As of June 2015, the last untreated release of CSO occurred in the 2012–2013 storm year (Central Valley RWQCB 2015:F-21).

The CSSIP developed by the City is designed to make progress toward the final goal of minimizing street flooding during a 10-year storm event and to prevent structure flooding during the 100-year storm event (Central Valley RWQCB 2015:F-52). A number of capital improvement projects included in the CSSIP that were designed to reduce discharges from the CSS and maximize CSS storage capacity have been completed (Central Valley RWQCB 2015:F-48). For example, in 2014, the City completed construction of the Oak Park Regional Storage Facility, which provides an additional 4 million gallons of regional storage in the CSS. In addition, part of this CSSIP project involves use of a new hydraulic model to optimize system performance and ensure all storage fills completely during major storm events. Many other CSSIP have been completed, and other projects are underway or planned as part of the City's Downtown Combined Sewers Upsizing Project to improve system operations and capacity (City of Sacramento 2019).

ENERGY

Electricity

The Sacramento Municipal Utility District (SMUD) generates, transmits, and distributes electrical power to a 900-square-mile service area that includes Sacramento County and a small portion of Placer County. SMUD's electricity sources include hydropower generation; cogeneration; advanced and renewable technologies, such as wind, solar, and biomass/landfill gas power; and power purchased on the wholesale market.

SMUD transmits power to the downtown Sacramento area by a series of overhead and underground 115-kilovolt (kV) transmission lines that feed 12-kV and 21-kV distribution systems (SMUD 2019). Transmission lines run parallel to R Street east of 19th Street and along 19th and 20th Streets south of R Street. These lines connect to SMUD Station B at 19th and O Streets. An underground 115-kV loop connects SMUD Station D at 8th and R Streets. Station D drops the 115 kV down to 21 kV and 12 kV to serve the overall downtown area. The 12-kV system is a high-reliability network with redundant feeds, intended to serve the high-rise core area where it is important to keep critical government and business facilities operating. The 21-kV system serves the balance of the downtown area.

The Capitol Building (Historic Capitol and Annex) is served by SMUD for electric services. Electrical service currently enters the site from N Street with transformers located adjacent to the existing Annex serving both buildings.

Natural Gas

The Pacific Gas and Electric Company (PG&E) supplies natural gas to the Sacramento area and to a larger 70,000-square-mile service territory. In downtown Sacramento, PG&E has both high-pressure and low-pressure distribution systems. High-pressure system pipelines, generally 4 inches in diameter and larger, carry gas at approximately 40

pounds per square inch. Low-pressure system pipelines, generally 2 inches in diameter, carry gas at about 0.25 pound per square inch. Service is generally provided from the low-pressure system unless usage exceeds about 3,000 cubic feet per hour. Regulator stations at various locations are used to reduce high pressure to low pressure.

Natural gas service is not provided to the Capitol building (Griffith, pers. comm. 2019). However, the Capitol building's heating is currently provided by steam from the State's Central Utility Plant, which uses natural gas to fire boilers that generate steam.

SOLID WASTE

The waste stream generated in the city of Sacramento is more than 589,000 tons per year and includes everything from residential and commercial refuse to material being recycled to construction and demolition (C&D) material to garden refuse (CalRecycle 2019a). The City collects all residential solid waste within city boundaries. Most of the residential waste is disposed of at the Sacramento County Kiefer Landfill. Commercial solid waste is collected by private franchised haulers authorized by the Sacramento Solid Waste Authority. Seventeen different solid waste haulers provide solid waste collection for commercial properties and businesses in Sacramento. Commercial waste collected in the city is disposed of at various facilities, including Kiefer Landfill, the Yolo County Landfill, and L and D Landfill. For the landfills that serve the city, between 11 percent (L and D Landfill) and 96 percent (Sacramento County Kiefer Landfill) of their respective total capacities remain (Table 4.4-4).

Table 4.4-4 Landfill Capacity

Facility	Daily Permitted Capacity (tons)	Maximum Permitted Capacity (cubic yards)	Remaining Capacity (cubic yards)
L and D Landfill	4,125	18,300,000	1,936,081
Sacramento County Kiefer Landfill	10,815	117,400,000	112,900,000
Elder Creek Transfer and Recovery Station	2,500	NA	NA
North Area Transfer Station	2,400	NA	NA
Sacramento Recycling and Transfer Station	2,500	NA	NA

Note: NA = not applicable

Sources: CalRecycle 2019b, 2019c, 2019d, City of Sacramento 2016b

4.4.3 Environmental Impacts and Mitigation Measures

ANALYSIS METHODOLOGY

Water Demand, Wastewater, and Solid Waste

Impacts on water demand, wastewater, solid waste, and associated infrastructure that would result from the project were identified by determining the adequacy of existing infrastructure and comparing existing service capacity against future demand associated with project implementation. When possible, a quantitative comparison was used to determine impacts of the project on future demands. Evaluations of potential utilities impacts are based, in part, on the 2018 water supply and wastewater utility bills for the Capitol Building, Annex, and Capitol Park. Evaluations are also based on information pertaining to the project, personal communications with DGS, and review of letters received during the scoping period.

Energy

Electricity

Impacts related to electricity were evaluated by determining whether any new facilities would need to be constructed to serve the project, whether SMUD would be able to serve the project, and whether the construction of necessary electrical improvements would adversely affect SMUD's electrical capacity or infrastructure or interrupt utility service during construction.

Natural Gas

Similar to electricity, impacts related to natural gas were evaluated by determining whether any new facilities would need to be constructed to serve the project and whether any utility services would be interrupted during construction.

THRESHOLDS OF SIGNIFICANCE

An impact on utilities and service systems would be significant if implementation of the Capitol Annex Project would:

- ▶ require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or natural gas facilities, the construction or relocation of which could cause significant environmental effects;
- ▶ result in water supplies that are insufficient to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years;
- ▶ result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments;
- ▶ generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals; or
- ▶ not comply with federal, State, and local management and reduction statutes and regulations related to solid waste.

ISSUES NOT DISCUSSED FURTHER

No natural gas is proposed to be used for the project and no natural gas infrastructure would be constructed for the project, which would be fully electric. Therefore, the project would have no impact on natural gas demand or infrastructure and this issue is not discussed further.

Project-related energy consumption for construction and operations is evaluated in Section 4.7, "Energy," Impact 4.7-1. The project would not result in wasteful, inefficient, or unnecessary consumption of energy.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 4.4-1: New or Expanded Utility Infrastructure

The Capitol Annex Project would use existing infrastructure for water supply, wastewater/stormwater conveyance, and electricity when feasible. However, updated or replacement infrastructure, including utility vaults, connections, or conveyance lines, to the new Annex, visitor/welcome center or parking facility may be required. Construction associated with new utility infrastructure would occur within the planned construction footprint. The potential environmental effects of construction activities within the identified footprint are evaluated throughout this EIR as part of the proposed project. Any utility-related construction activities would occur in compliance with BMPs set forth in the NPDES General Permit and Stormwater Quality Design Manual for the Sacramento region. No additional new or expanded infrastructure beyond the construction area identified for the project would be required. This impact would be **less than significant**.

The project site has existing water supply, wastewater, stormwater, and electricity infrastructure in place. The project involves adding a new visitor/welcome center, constructing a new underground parking facility, and increasing the Annex size by approximately 200,000 square feet. However, the number of employees and visitors served by these new facilities would not change. Demand for water and wastewater is driven by the number of facility visitors/occupants, and the new facilities would be constructed with modern energy- and water-conservation measures. The parking facility would be underground and would not alter the area of impervious surface generating stormwater runoff. Similarly, the footprint of the new Annex would not be substantially larger than that of the existing Annex, resulting in only a minor increase in the area of impervious surface. The upper and lower plazas of the visitor/welcome center would not substantially increase the area of impervious surface relative to existing conditions (increase of less than 1-acre). This would not be a substantial increase relative to the overall stormwater system service area, and stormwater management infrastructure consistent with existing building codes would be included as part of the proposed project. Stormwater would be collected onsite and treated per City requirements prior to releasing stormwater to the CSS. Design and grading for all portions of the project site would be coordinated with the storm drain design to ensure that site runoff is effectively collected in the site's storm drain management system. Given these conditions, the project would not result in a substantial increase in demand for water, wastewater/stormwater conveyance, or electricity.

The Capitol Annex Project would continue to use existing utility infrastructure serving the Capitol Building. However, due to the proposed increased building size of the Annex, existing water and wastewater infrastructure may need to be expanded; and continued use of existing infrastructure may not be feasible. As described in Section 3, "Project Description," building codes determine the size of water lines based on the number of people served by the line and the square footage and type of structure the line connects to. Therefore, the increased square footage of facilities under the proposed project may necessitate the installation of larger water and wastewater pipelines to meet building codes, even though the number of people served would not change. Additionally, existing SMUD transformers located adjacent to the Annex would be replaced with new transformers on the project site. Electrical service would be increased to add additional power for the new visitor/welcome center and parking garage. As described in Section 3, "Project Description," construction of the visitor/welcome center would include a new underground mechanical equipment vault, located near the northwest corner of the Historic Capitol. The approximately 8,600 square foot mechanical equipment vault would house various utility equipment to increase efficiency of operations within the Historic Capitol and support operation of the new Annex and visitor/welcome center.

Construction associated with new or replacement utility infrastructure, including connections or localized realignments would occur within the planned construction footprint. The potential environmental effects of construction activities within the identified project footprint are evaluated throughout this EIR as part of the proposed project. Any utility-related construction activities would occur in compliance with BMPs set forth in the NPDES General Permit and Stormwater Quality Design Manual for the Sacramento region. Additionally, as described in the discussion of Impact 4.10-2 in Section 4.10, "Hydrology and Water Quality," the project would include development and implementation of a drainage plan to capture stormwater generated by the new impervious surfaces.

Project construction could potentially interrupt utility services to existing land uses if there was inadvertent damage to existing infrastructure or the need to reroute existing lines. DGS would coordinate with utility providers throughout the design and construction process, as necessary, to ensure minimal disruption of utility services and minimal inconvenience to existing utility customers. In addition, DGS would obtain encroachment permits from the City of Sacramento Department of Public Works before ground-disturbing activities or improvements within City rights-of-way, which would prevent damage to existing utility lines and provide adequate coordination for any required interim rerouting, thus avoiding the potential for interruption of existing utility service.

Construction and expansion of utility infrastructure and connections are evaluated as part of the project throughout this EIR. No additional new or expanded infrastructure would be required beyond those already identified. This impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Impact 4.4-2: Adequacy of Water Supplies

The Capitol Annex Project would not change the number of employees or visitors at the State Capitol and the project would implement water conservation measures that exceed Title 24 requirements and meet Leadership in Energy and Environmental Design version 4 (LEED v4) Silver standards. It is conservatively estimated that the project would result in the same water demand as the current Capitol and Annex: 20.72 afy for commercial water demand and 19.3 afy for irrigation water demand, for a combined water demand of 40.02 afy. This continued water demand represents an estimated 0.03 percent of the City's surplus water supply (152,688 afy). The City currently serves the Capitol and would continue to adequately serve the project site after the project becomes operational. This impact would be **less than significant**.

The Capitol Annex Project site receives water supplies for both commercial (Capitol and Annex building) and irrigation of landscaping from the City of Sacramento. Commercial water use at the Capitol and Annex currently averages 18,494 gpd (20.72 afy) (City of Sacramento Department of Utilities 2018). Existing water supply for irrigation averages 17,230 gpd (19.3 afy) (City of Sacramento Department of Utilities 2018). Therefore, the combined water use at the project site averages 35,724 gpd (40.02 afy).

As described in Chapter 3, "Project Description," the number of employees currently occupying the Annex would not change as a result of developing the new Annex and impervious surfaces and landscaping would remain similar to existing conditions. In addition, the Capitol Annex Project would include water conservation measures that exceed 2016 Title 24 water efficiency requirements and meet LEED v4 Silver standards. All plumbing fixtures in the building would be low-flow/high-efficiency fixtures. Landscaping would use water efficient measures (irrigation methods, plant selection) as another water-saving design measure of the project. Because the project would implement water efficiency measures, the continued overall water demand of approximately 40.02 afy for the project site is considered to be a conservative estimate. With implementation of the water-saving measures, the project would be consistent with City policies related to reducing water demand through implementation of water conservation measures (Policies U 2.1.10 and U 2.1.12).

The Annex also currently generates water demand associated with heating and cooling, which is provided by the State's Central Plant. Heating for the new Annex, visitor/welcome center, and parking garage would no longer be provided through the Central Plant; rather, onsite electrical heating would be installed. However, cooling would continue to be provide by the Central Plant. The Central Plant is permitted for its full-capacity water demand (DGS 2015:6). The full capacity of the Central Plant includes all the existing buildings it serves and new State buildings. Because the Annex is served by the Central Plant, water demand associated with the building's cooling needs would not be considered an increase in water demand at the Central Plant that has not been previously assessed.

The project's overall water demand (40.05 afy) represents approximately 0.05 percent in the City's overall system demand of 84,832 afy in 2015. As shown in Table 4.4-3, the City provided water supply equal to the demand in 2015. However, as of 2015, the City's groundwater pumping capacity was 23,077 afy, and the City has rights to 326,800 afy of surface water, for an available supply of over 349,000 afy. Therefore, the City currently has sufficient supply to continue to meet the project's water demands.

The City is projected to have a surplus water supply of between 152,688 afy in 2020 and 132,390 afy in 2040 during normal, single dry, and multiple dry years through 2040 (see Table 4.4-3). After project construction is complete and the Annex is reoccupied in 2025, the project's water use would represent approximately 0.01 percent of the City's surplus water supply from 2020 through 2040. Implementation of the project would not increase the water demand at the project site. The City currently serves the Capitol and would continue to adequately serve the project site after the project becomes operational.

The City would continue to have adequate water supply to serve commercial and irrigation water to the Capitol Annex Project. Additionally, the project would reduce its water demand through implementation of water conservation measures that would exceed 2016 Title 24 requirements and meet LEED v4 Silver standards. This impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Impact 4.4-3: Wastewater Infrastructure and Treatment Capacity

Based on the project's estimated water demand, the projected wastewater discharge resulting from the Capitol Annex Project would be 18,494 gpd (20.72 afy). Although the City's remaining available capacity at the Regional San WWTP would continue to be sufficient to serve the project, the CSS and its treatment plants currently do not have sufficient capacity to treat wastewater and stormwater during storm events. However, exceedance of treatment capacity of the combined system is a rare event, and the City is implementing the CSSIP to make improvements throughout the system. Because the improvement plans to the CSS are in place, the project would be required to pay the City's adjusted Combined Sewer Development Plan Fees, and there is capacity sufficient to treat wastewater flows during dry-weather periods, this impact would be **less than significant**.

Water use at the Capitol and Annex currently averages 18,494 gpd; therefore, the estimated wastewater discharge is conservatively estimated to also be 18,494 gpd. Because the number of employees resulting from implementation of the project would not change, the projected wastewater discharge is assumed to remain 18,494 gpd (20.72 mgd). The City of Sacramento's current average dry-weather flow to the Regional San WWTP is 18 mgd, and the City's operating agreement with Regional San allows the City to convey up to 60 mgd to the facility. Thus, during dry weather, the City's remaining available capacity at the Regional San WWTP would be 42 mgd, which would be sufficient in continuing to serve the project site.

During storm events, the wastewater and stormwater flows in the CSS exceed 60 mgd. Excess flows are conveyed to the CWTP and Pioneer Reservoir for treatment before being discharged into the Sacramento River. During peak storm events, the CSS in-line storage and CWTP and Pioneer Reservoir treatment capacities are exceeded, which results in untreated CSOs being released to the Sacramento River. As described above under "Combined Sewer Overflows and CSS Improvements," the City has constructed and is planning improvement projects to enhance the CSS capacity and operation, the effect of which has been to decrease overflow events from seven per year in the early 1990s before implementation of the CSSIP to less than one per year in the past 10 years.

Although the number of treated and untreated CSOs released to the Sacramento River has substantially declined, the CSS, including its treatment plants (i.e., CWTP and Pioneer Reservoir) do not have capacity sufficient to treat wastewater and stormwater flows in the CSS during storm events. However, exceedance of treatment capacity at the CWTP and Pioneer Reservoir is a rare event (once in every 10 years), and the City is implementing the CSSIP to make improvements throughout the system.

As described for Impact 4.4-1, the project would include new wastewater infrastructure for the visitor/welcome center and a new on-site storm drain system. Although portions of the project site are already served by the CSS, because new connections and modifications to existing connections would occur, the City may require a Combined Sewer Development Fee (per City Code 13.08). Therefore, before construction activities at the project site begin, DGS and JRC would coordinate with the City in determining the Combined Sewer Development Fees associated with project implementation.

As previously described, exceedance of treatment capacity at the CWTP and Pioneer Reservoir is a rare event, the City is implementing the CSSIP to make improvements throughout the system, and DGS and JRC would coordinate with the City to determine appropriate Combined Sewer Development Fees for replacement of wastewater and stormwater infrastructure. For these reasons, and because there is capacity sufficient to continue to treat wastewater flows from the project site during dry weather, implementation of the Capitol Annex Project would not adversely affect the CSS wastewater conveyance or treatment capacity. This impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Impact 4.4-4: Landfill Capacity and Compliance with Solid Waste Regulations

Implementation of the project is estimated to generate approximately 300,000 cubic yards of debris. In accordance with Section 5.408 of the California Green Building Standards Code (CALGreen), the project would implement a Construction Waste Management Plan for recycling and/or salvaging for reuse a minimum of 65 percent of the debris generated during construction. After it is operational, the project would generate an amount waste similar to the amount generated by the current building. The building would recycle a minimum of 50 percent of the waste, as required for State operations by AB 75 and AB 939. Furthermore, there is adequate capacity at landfills in the region for disposal of solid waste generated by the project. Therefore, the project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. This impact would be **less than significant**.

Before each project component is constructed, demolition of existing structures and hardscaping and excavations, would occur. During these construction activities, materials such as concrete and steel would be separated, sorted, and recycled. Recommendations of the Phase I Environmental Site Assessment conducted for the project would be implemented if any unforeseen hazardous materials are encountered (see Section 4.11, "Hazardous Materials and Public Health"). As demolition proceeds, concrete, metals, and other recyclable materials would be taken to local recycling centers. The Capitol Annex Project is estimated to generate approximately 300,000 cubic yards of debris. In accordance with Section 5.408 of CALGreen, the project would implement a Construction Waste Management Plan for recycling and/or salvaging for reuse a minimum of 65 percent of C&D debris generated during project construction. Additionally, the project would be required to meet LEED v4 requirements for waste reduction during construction. As demolition proceeds, recyclable materials would be taken to local recycling centers. After materials are recycled or salvaged, the waste would be taken to one of the nearby landfills. Multiple landfills, including Sacramento County Kiefer Landfill, L and D Landfill, and recycling and transfer stations, are located throughout the region. The Kiefer Landfill has a remaining capacity of 112,900,000 cubic yards (96 percent of permitted capacity of 117,400,000 cubic yards) (Table 4.4-4). The L and D Landfill has a remaining capacity of 1,936,081 cubic yards (11 percent of permitted capacity of 18,300,000 cubic yards) (Table 4.4-4). After a minimum of 65 percent of C&D debris is recycled or salvaged, if waste haulers choose to take C&D waste to one of the nearby landfills, the project's remaining C&D waste, 105,000 cubic yards, would be 5.42 percent of L and D Landfill's remaining capacity and 0.07 percent of Kiefer Landfill's remaining capacity. There is adequate capacity at landfills in the region for disposal of solid waste generated by project construction.

Operation of the project would result in waste generation similar to that under existing conditions. Currently, 1,700 employees occupy the Capitol Annex (Hollingsworth, pers. comm., 2019). Because the Capitol Annex Project would not result in any new employees, it is anticipated that employment would remain at 1,700 employees after project completion. As shown in Table 4.4-5, the new Annex, at full occupancy, would generate an estimated 629 tons of solid waste per year, primarily generated by the office uses. However, the amount of waste generated by operation of the new Annex would be less than shown in Table 4.4-5 because the project would recycle a minimum of 50 percent of its waste, as required for State operations by AB 75 and AB 939. With implementation of waste diversion and reduction requirements, it is estimated that approximately 0.86 ton per day and approximately 315 tons per year (1.15 cubic yards per year) of waste generated by employees in the Annex would be disposed of in a landfill.

Table 4.4-5 Estimated Solid Waste Generated by Operation of the Proposed Project

Employment Type	Occupancy	Disposal Rate ¹ (tons/employee/year)	Tons per Day	Tons per Year	Cubic Yards per Day	Cubic Yards per Year
Office	1,700	0.37	1.72	629	2.30	838.67

¹ To provide a conservative estimate of waste generated by the project, the generation rates used here include waste that may be recycled or otherwise diverted from the landfill.

Individual businesses, including State buildings and facilities, are required to contract their own solid waste collection service. Commercial solid waste haulers can dispose of the collected waste at any landfill facility or transfer station they select. Multiple landfills, including Sacramento County Kiefer Landfill, L and D Landfill, and recycling and transfer stations, are located throughout the region. Table 4.4-4, above, shows the permitted daily disposal capacities, total

landfill capacity, and remaining landfill capacity of these facilities. The estimated amount of waste generated by the project on a daily basis, after recyclable material is diverted, would represent approximately 0.021 percent of the permitted daily disposal capacity of the transfer stations and L and D Landfill and 0.008 percent of Kiefer Landfill's permitted daily disposal capacity. Assuming the new Annex would operate for 50 years, the total amount of solid waste generated by the project, after recyclable material is diverted, would be approximately 1.08 percent of the remaining capacity of L and D landfill and approximately 0.02 percent of Kiefer Landfill's remaining capacity. There is adequate capacity at transfer stations and landfills in the region to serve the project. Solid waste facilities have adequate capacity for disposal of solid waste generated by construction and operation of the Capitol Annex Project. This impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

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4.12 ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES (REVISED)

This section analyzes and evaluates the potential impacts of the project on known and unknown cultural resources. Cultural resources include districts, sites, buildings, structures, or objects generally older than 50 years and considered to be important to a culture, subculture, or community for scientific, traditional, religious, or other reasons. They include prehistoric resources, historic-era resources, cultural landscapes, and "tribal cultural resources" (the latter as defined by AB 52, Statutes of 2014, in PRC Section 21074).

Archaeological resources are locations where human activity has measurably altered the earth or left deposits of prehistoric or historic-era physical remains (e.g., stone tools, bottles, former roads, house foundations). Historic-era built environment (architectural) resources include standing buildings (e.g., houses, barns, outbuildings, cabins) and intact structures (e.g., dams, bridges, roads, districts). A cultural landscape is defined as a geographic area (including both cultural and natural resources and the wildlife therein) associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values. Tribal cultural resources were added as a resource subject to review under CEQA, effective January 1, 2015, under AB 52 and include sites, features, places, cultural landscapes, sacred places or objects that are of cultural value to a tribe.

4.12.1 Regulatory Setting

FEDERAL

Section 106 of the National Historic Preservation Act - Cultural and Historic Landscapes

Federal protection of resources is legislated by (a) the National Historic Preservation Act (NHPA) of 1966 as amended by 16 U.S. Code 470, (b) the Archaeological Resource Protection Act of 1979, and (c) the Advisory Council on Historic Preservation. These laws and organizations maintain processes for determining the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP).

Section 106 of the NHPA and accompanying regulations (36 CFR Part 800) constitute the main federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed in, or may be eligible for listing in, the NRHP. The NRHP is the nation's master inventory of known historic properties. It is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, and cultural importance that is considered significant at the national, State, or local level.

The formal criteria (36 CFR 60.4) for determining NRHP eligibility are as follows:

1. The property is at least 50 years old (however, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP).
2. It retains integrity of location, design, setting, materials, workmanship, feeling, and association.
3. It possesses at least one of the following characteristics:
 - a. It is associated with events that have made a significant contribution to the broad patterns of history (events).
 - b. It is associated with the lives of persons significant in the past (persons).
 - c. It possesses distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction (architecture).
 - d. It has yielded, or may be likely to yield, information important to prehistory or history (information potential).

Listing in or eligibility for listing in the NRHP does not entail specific protection or assistance for a property, but it does guarantee recognition in planning for federal or federally assisted projects, eligibility for federal tax benefits, and qualification for federal historic preservation assistance. Additionally, project effects on properties listed in or eligible for listing in the NRHP must be evaluated under CEQA.

Two issues of the *National Register Bulletin* also provide guidance in the evaluation of archaeological site significance. If a heritage resource cannot be placed within a particular theme or time period, and thereby lacks “focus,” it is considered not eligible for listing in the NRHP. In further expanding upon the generalized NRHP criteria, evaluation standards for linear features (such as roads, trails, fence lines, railroads, ditches, and flumes) are considered in terms of four related criteria that account for specific elements that define engineering and construction methods of linear features: (1) size and length, (2) presence of distinctive engineering features and associated properties, (3) structural integrity, and (4) setting. The highest probability for NRHP eligibility exists within the intact, longer segments where multiple criteria coincide.

Cultural and Historic Landscapes

Under the NRHP, historic properties may be defined as sites, buildings, structures (such as bridges or dams), objects, or districts, including cultural or historic landscapes. A cultural landscape differs from a historic building or district in that it is understood through the spatial organization of the property, which is created by the landscape’s cultural and natural features. Some features may create viewsheds or barriers (such as a fence), and others create spaces or “rooms” (such as an arrangement of buildings and structures around a lawn area). Some features, such as grading and topography, underscore the landscape’s development in relationship to the natural setting. To be listed in the NRHP, a cultural landscape must meet one of the four evaluation criteria and must retain its integrity.

Historic landscapes include residential gardens and community parks, scenic highways, rural communities, institutional grounds, cemeteries, battlefields and zoological gardens. They are composed of a number of character-defining features that, individually or collectively, contribute to the landscape’s physical appearance as it has evolved over time. In addition to vegetation and topography, cultural landscapes may include water features, such as ponds, streams, and fountains; circulation features, such as roads, paths, steps, and walls; buildings; and furnishings, including fences, benches, lights, and sculptural objects.

A cultural landscape is defined as “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.” There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes:

- ▶ A historic site is a landscape significant for its association with a historic event, activity, or person. Examples include battlefields and presidential residence properties.
- ▶ A historic designed landscape is a landscape that was consciously designed or laid out by a landscape architect, master gardener, architect, or horticulturist according to design principles or by an amateur gardener working in a recognized style or tradition. The landscape may be associated with a significant person(s), trend, or event in landscape architecture or may illustrate an important development in the theory and practice of landscape architecture. Aesthetic values play a significant role in designed landscapes. Examples include parks, campuses, and estates.
- ▶ A historic vernacular landscape is a landscape that evolved through use by the people whose activities or occupancy shaped that landscape. Through social or cultural attitudes of an individual, family, or a community, the landscape reflects the physical, biological, and cultural character of those everyday lives. Function plays a significant role in vernacular landscapes. They can be a single property, such as a farm or a collection of properties, such as a district of historic farms along a river valley. Examples include rural villages, industrial complexes, and agricultural landscapes; Sacramento’s Raised Streets and Hollow Sidewalks District is a good local example of a historic vernacular landscape.
- ▶ An ethnographic landscape is a landscape containing a variety of natural and cultural resources that associated people define as heritage resources. Examples are contemporary settlements, religious sacred sites, and massive geological structures. Small plant communities, animals, subsistence and ceremonial grounds are often components.

STATE

California Environmental Quality Act

CEQA requires public agencies to consider the effects of their actions on “historical resources,” “unique archaeological resources,” and “tribal cultural resources.” Pursuant to PRC Section 21084.1, a “project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Section 21083.2 requires agencies to determine whether projects would have effects on unique archaeological resources.

Historical Resources

“Historical resource” is a term with a defined statutory meaning (PRC Section 21084.1; determining significant impacts on historical and archaeological resources is described in the State CEQA Guidelines, Sections 15064.5[a] and [b]). Under State CEQA Guidelines Section 15064.5(a), the following resources are considered historical:

- 1) A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (CRHR) (PRC Section 5024.1) will be presumed to be historically significant.
- 2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- 3) Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be historically significant if the resource meets the following criteria for listing in the CRHR (PRC Section 5024.1):
 - a) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - b) is associated with the lives of persons important in our past;
 - c) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - d) has yielded, or may be likely to yield, information important in prehistory or history.
- 4) The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the PRC), or not identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC Section 5020.1(j) or 5024.1.

Unique Archaeological Resources

CEQA also requires lead agencies to consider whether projects will affect unique archaeological resources. PRC Section 21083.2, subdivision (g), states that a unique archaeological resource is an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. It contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information.
2. It has a special and particular quality, such as being the oldest of its type or the best available example of its type.
3. It is directly associated with a scientifically recognized important prehistoric or historic event or person.

Tribal Cultural Resources

CEQA also requires lead agencies to consider whether projects will affect tribal cultural resources. PRC Section 21074 states:

- a) "Tribal cultural resources" are either of the following:
 - 1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
 - 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Register of Historical Resources

All properties in California that are listed in or formally determined eligible for listing in the NRHP are eligible for listing in the CRHR. The CRHR is a listing of state of California resources that are significant within the context of California's history. The CRHR is a statewide program with a scope and criteria for inclusion similar to those used for the NRHP. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR.

A historical resource must be significant at the local, State, or national level under one or more of the criteria defined in the CCR Title 15, Chapter 11.5, Section 4850 to be included in the CRHR. The CRHR criteria are similar to the NRHP criteria and are tied to CEQA because any resource that meets the criteria below is considered a significant historical resource under CEQA. All resources listed in or formally determined eligible for listing in the NRHP are automatically listed in the CRHR.

The CRHR uses four evaluation criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. It is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

Similar to the NRHP, a resource must meet one of the above criteria and retain integrity. The CRHR uses the same seven aspects of integrity as the NRHP.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both State and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the County coroner must be notified. If the remains are of a Native American, the coroner must notify the Native American Heritage Commission (NAHC), which notifies and has the authority to designate the Most Likely Descendant (MLD) of

the deceased. The act stipulates the procedures the descendants may follow for treating or disposing of the remains and associated grave goods.

California State Historical Building Code

The purpose of the California State Historical Building Code (CHBC) (as defined in Sections 18950–18961 of Division 13, Part 2.7 of the Health and Safety Code) is to provide regulations for the preservation, restoration, rehabilitation, relocation, or reconstruction of buildings or properties designated as qualified historical buildings or properties. The CHBC is intended to provide solutions for the preservation of qualified historical buildings or properties, to promote sustainability, to provide access for persons with disabilities, to provide a cost-effective approach to preservation, and to provide for the reasonable safety of the occupants or users. The CHBC requires enforcing agencies to accept solutions that are reasonably equivalent to the regular building code when dealing with qualified historical buildings or properties.

The CHBC is applicable to all issues regarding code compliance for qualified historical buildings or properties. The CHBC may be used in conjunction with the regular code to provide solutions to facilitate the preservation of qualified historical buildings or properties. State agencies shall apply the provisions of the CHBC in permitting repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, safety, relocation, reconstruction, or continued use of qualified historical buildings or properties.

When a qualified historical building or property is determined to be unsafe as defined in the regular code, the requirements of the CHBC are applicable to the work necessary to correct the unsafe conditions. Work to remediate the buildings or properties need only address the correction of the unsafe conditions, and it shall not be required to bring the entire qualified historical building or property into compliance with regular code. Qualified historical buildings or properties shall not be subject to additional work required by the regular code, regulation, or ordinance beyond that required to complete the work undertaken. Certain exceptions for accessibility and for distinct hazards exist by mandate and may require specific action, within the parameters of the CHBC.

Health and Safety Code, Sections 7052 and 7050.5

Section 7052 of the Health and Safety Code states that the disturbance of Native American cemeteries is a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If they are determined to be those of a Native American, the coroner must contact the NAHC.

Public Resources Code, Section 5097

PRC Section 5097 specifies the procedures to be followed if human remains are unexpectedly discovered on nonfederal land. The disposition of Native American burial falls within the jurisdiction of the NAHC. Section 5097.5 of the PRC states:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

Assembly Bill 52

AB 52, signed by the California governor in September of 2014, establishes a new class of resources under CEQA: “tribal cultural resources.” It requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation after the lead agency determines that the application for the project is complete, before a notice of preparation of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration is issued. AB 52 also requires revision to CEQA Appendix G, the environmental checklist. This revision has created a new category for tribal cultural resources.

LOCAL

The Capitol Annex Project site is located in downtown Sacramento on the State-owned Capitol grounds. The project, authorized by legislation, would be implemented by the Joint Rules Committee (JRC) under a memorandum of understanding (MOU) with DGS, with DGS providing specific services at the direction of JRC. As explained in Section 4.2, "Land Use and Planning," of this Draft EIR, in Section 4.2.1 "Regulatory Setting," the legislature is exempt from complying with local plans, policies, or zoning regulations. Nevertheless, in the exercise of its discretion, the JRC references, describes, and addresses in this EIR local plans, policies and regulations that are applicable to the project. DGS, working with JRC pursuant to the MOU, will determine the content of the EIR. This evaluation is also intended to be used by local agencies for determining, as part of their permit processes, the project's consistency with local plans, policies, and regulations.

City of Sacramento 2035 General Plan

The following goal and policies from the City of Sacramento 2035 General Plan Historic and Cultural Resources Element are relevant to the analysis of effects on cultural resources:

GOAL HCR 2.1: Identification and Preservation of Historic and Cultural Resources. Identify and preserve the city's historic and cultural resources to enrich our sense of place and our understanding of the city's prehistory and history.

- ▶ **Policy HCR 2.1.1: Identification.** The City shall identify historic and cultural resources including individual properties, districts, and sites (e.g., archaeological sites) to ensure adequate protection of these resources.
- ▶ **Policy HCR 2.1.2: Applicable Laws and Regulations.** The City shall ensure compliance with City, State, and Federal historic preservation laws, regulations, and codes to protect and assist in the preservation of historic and archaeological resources, including the use of the California Historical Building Code as applicable. Unless listed in the Sacramento, California, or National registers, the City shall require discretionary projects involving resources 50 years and older to evaluate their eligibility for inclusion on the California or Sacramento registers for compliance with the California Environmental Quality Act.
- ▶ **Policy HCR 2.1.3: Consultation.** The City shall consult with appropriate organizations and individuals (e.g., California Historical Resources Information System (CHRIS) Information Centers, the Native American Heritage Commission (NAHC), the CA Office of Planning and Research (OPR) "Tribal Consultation Guidelines," etc.) and shall establish a public outreach policy to minimize potential impacts to historic and cultural resources.
- ▶ **Policy HCR 2.1.5: National, California, and Sacramento Registers.** The City shall support efforts to pursue eligibility and listing for qualified resources including historic districts and individual resources under the appropriate National, California, or Sacramento registers.
- ▶ **Policy HCR 2.1.7: Historic Resource Property Maintenance.** The City shall encourage maintenance and upkeep of historic resources to avoid the need for major rehabilitation and to reduce the risks of demolition, loss through fire or neglect, or impacts from natural disasters.
- ▶ **Policy HCR 2.1.11: Compatibility with Historic Context.** The City shall review proposed new development, alterations, and rehabilitation/remodels for compatibility with the surrounding historic context. The City shall pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.
- ▶ **Policy HCR 2.1.12: Contextual Features.** The City shall promote the preservation, rehabilitation, restoration, and/or reconstruction, as appropriate, of contextual features (e.g., structures, landscapes, street lamps, signs) related to historic resources.
- ▶ **Policy HCR 2.1.15: Demolition.** The City shall consider demolition of historic resources as a last resort, to be permitted only if the rehabilitation of the resource is not feasible, demolition is necessary to protect the health, safety, and welfare of its residents, or the public benefits outweigh the loss of the historic resource.
- ▶ **Policy HCR 2.1.16: Archeological & Cultural Resources.** The City shall develop or ensure compliance with protocols that protect or mitigate impacts to archaeological and cultural resources including prehistoric resources.

- **Policy HCR 2.1.17: Preservation Project Review.** The City shall review and evaluate proposed development projects to minimize impacts on identified historic and cultural resources, including projects on Landmark parcels and parcels within Historic Districts, based on applicable adopted criteria and standards.

The following goal and policy from the City of Sacramento 2035 Land Use Element are relevant to the analysis of effects on cultural resources:

GOAL LU 1.1: Growth and Change. Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

- **Policy LU 2.4.2: Responsiveness to Context.** The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers.

4.12.2 Environmental Setting

The Capitol Annex Project site is located in downtown Sacramento in the lower (southern) Sacramento Valley, part of California's Central Valley. The city of Sacramento was developed near the confluence of the American and Sacramento Rivers, and the low-lying region was prone to winter flooding. Historic maps and other materials identify the project site as being close to a paleo-sandbar, thus indicating slightly higher ground than the marshy area along the rivers to the west and north. High ground near rivers, marshes, and other freshwater settings was ideal for habitation and resource extraction by Native Americans. In 1860, the project area was also deemed an ideal setting for construction of a new State Capitol building and surrounding gardens.

The project site is located in downtown Sacramento on the Capitol grounds, bounded by 10th Street on the west, N Street on the south, L Street on the north, and 12th Street on the east (roughly following the alignment of 12th Street across Capitol Park), on the site of the State Capitol building (Figure 3-2). The site encompasses portions of the western half of Capitol Park. However, most of Capitol Park is located east of the project site between 12th Street and 15th Street.

As described further in Chapter 3, "Project Description," the Capitol Annex Project consists of three primary components: construction of a new underground visitor/welcome center on the west side of the Historic Capitol between the State Capitol building and 10th Street, replacement of the Capitol Annex building (Capitol Annex, Annex) on the east side of the Historic Capitol, and construction of new underground parking on the south side of the Historic Capitol between the Capitol building and N Street (Figure 3-3).

REGIONAL NATIVE AMERICAN PRE-CONTACT HISTORY

Early occupation in the Central Valley occurred at least 9,500 years ago, during the time of deglaciation and warming in the Early Holocene. Few recorded archaeological sites, however, predate 5,000 years ago, during the Paleo-Indian and Lower Archaic periods, primarily because early landscapes were buried by alluvial floodplain and fan deposits (Rosenthal et al. 2007). Only a few projectile points have been identified in this region that likely date to the Paleo-Indian Period. Although little evidence of prehistoric occupation exists during the succeeding Lower Archaic, recently discovered buried deposits of site CA-SAC-38 date from 8,500 to 3,000 years ago. The artifacts and burials from the site, which was located on former high ground in downtown Sacramento, were recovered to a depth of 10–22 feet.

Archaeological sites dating from 7,500 to 2,500 years ago during the subsequent Middle Archaic period indicate populations followed a seasonal foraging strategy. They consumed a variety of animals, plants, and fish and likely occupied higher elevations in summer and shifted to lower elevations during winters. They also had an established trade network.

During the Upper Archaic, from 2,500 to 1,000 years ago, coincident with the onset of Late Holocene environmental conditions, more specialized technology resulted in innovations with new types of shell beads, bone tools, ceremonial blades, and charmstones. A proportional change in types of milling tools suggests there was a shift to a greater

reliance on acorns as a dietary staple, with pine nuts a seasonally important food in the uplands. The remains of a variety of aquatic resources in the valley and mountains, as well as large Central Valley shell middens, suggest fish and shellfish were also important food resources. Large, mounded villages developed in the Sacramento Valley that included accumulations of habitation debris and features, such as house floors, hearths, rock-lined ovens, and burials.

Approximately 1,000 years ago, during the Emergent Period, the diversity and number of artifacts and the number of archaeological sites increased in this region. An increase in sedentism and population led to the development of social stratification, with an elaborate ceremonial and social organization. The Emergent Period was also shaped by a number of cultural innovations, such as the bow and arrow and more elaborate and diverse fishing technology. The use of clamshell disk beads as a form of currency accompanied the development of extensive exchange networks during this period. As viewed from the archaeological record, the cultural patterns typical of the Emergent Period also begin to reflect the cultural traditions known from historic period Native American groups, including the Nisenan.

ETHNOGRAPHY

The project site lies within the lands historically occupied by the Nisenan (Kroeber 1925; Wilson and Towne 1978). Their territory included the southern extent of the Sacramento Valley, east of the Sacramento River between the North Fork Yuba River and Cosumnes River on the north and south, respectively, and extended east to the crest of the Sierra Nevada. Because this region provided these seasonally mobile hunter-gatherers with an abundance of natural resources, the Nisenan established central villages and smaller satellite villages along main watercourses in their territory. Two major Nisenan villages, *Sama* and *Momol*, were located in the city of Sacramento near the confluence of the Sacramento and American Rivers. An 1850 lithograph notes that a small village, *Sa'cum*, was situated atop a high knoll at today's Caesar Chavez Park.

Similar to other California Native American groups, the Nisenan employed a variety of tools, implements, and enclosures for hunting and collecting natural resources. Acorns, of particular importance to the diet, were collected in fall and then stored in village granaries before processing with bedrock or portable mortars and pestles. They also participated in an extensive east-west trade network between the coast and the Great Basin.

Beginning in the early 1800s, the traditional culture and lifeways of the Nisenan were disrupted. Foreign disease epidemics in 1830–1833 that swept through the densely populated Central Valley decimated native populations, wiping out entire villages. The discovery of gold in 1848 in the heart of Nisenan territory had a devastating impact on the remaining Nisenan. By 1850, with their lands, resources and way of life being overrun by the steady influx of nonnative people during the Gold Rush, surviving Nisenan retreated to the foothills and mountains or labored for the growing ranching, farming, and mining industries.

HISTORIC SETTING

Regional Post-Contact History

Early Exploration and Settlement

California was visited by every major European naval power but was claimed by the Spanish Empire in approximately 1602. The first California mission was established in 1769, in San Diego. Over the next 50 years, the Spanish government with the aid of various Roman Catholic orders established 21 missions throughout "Alta California." Lieutenant Gabriel Moraga and 13 soldiers traveled to the Sacramento Valley from Mission San José in 1808 but reported that the area would not be suitable for a mission site. Moraga is credited with naming the lower Sacramento River and the valley region "Sacramento" ("the Holy Sacrament").

Mexico's independence from Spain in 1822 resulted in the secularization of the missions, and the period is marked by an extensive era of land grants and by exploration by American and Canadian fur trappers west of the Sierra Nevada. Most of the land grants to Mexican citizens in Alta California were in the interior, away from the more settled coastal areas where the Spanish settlements had been concentrated. In 1839, John Sutter, born a citizen of Switzerland, obtained permission from Mexican Governor Juan Bautista Alvarado to establish an inland settlement. His party

disembarked at the site of present-day Sutter's Landing Park on 28th Street August 12, 1839. After Sutter became a Mexican citizen in 1840, he was awarded the 48,839-acre grant that included the project site and stretched north to the Sutter Buttes. Between 1841 and 1844, Sutter constructed an adobe fort (now Sutter's Fort State Park on L and 27th Streets) on the land. Sutter named his trading and agricultural empire New Helvetia (New Switzerland). At the initiation of the Mexican-American War in 1846, he disavowed his loyalty to the Mexicans and raised the Stars and Stripes over New Helvetia.

It was with this wider and more permanent European presence beginning in the early 1800s that the devastation of the Nisenan people identified above in the discussion of ethnography began. Although Native Americans have been present from the entire early European history of California through to the present, it was during this period, and through the Gold Rush period described below, that Native American peoples, lands, and resources were reduced, lost, or taken, and their daily way of life was significantly changed during the steady influx of nonnative peoples.

California was ceded as a territory to the United States following the end of the Mexican-American War in 1848. During that time, the steadily growing population of New Helvetia expanded into the surrounding countryside. The lumber mill built by one of Sutter's employees, James Marshall, was originally planned to support Sutter's conceptual city, Sutterville. Sutter's Mill on the American River in Coloma yielded gold instead. News of the discovery reached San Francisco and the rest of the world.

By 1849, nearly 90,000 people had journeyed to the gold fields, and in 1850, California became the 31st state. Sutter's agricultural empire struggled as his workers and associates were lured away by prospecting. Creditors, assuming Sutter had claim to the gold at Coloma (he did not), forced the Swiss émigré to transfer his holdings to his son, John. John, seeking to pay off his father's debts, designated 4 square miles of the original Mexican land grant as the site for the new town, Sacramento, and commissioned a survey. A grid pattern for the town, with east-west streets designated by numbers and north-south streets by letters of the alphabet, was developed in 1848 on the land east of the embarcadero along Front Street. Each street measured 80 feet wide, with the exception of Front and M Streets, which measured 100 feet wide. M Street was later renamed Capitol Mall and Capitol Avenue, east and west of the State Capitol building, respectively.

Lots within the new town were initially sold for \$250 near the fort and \$500 near the embarcadero. The same lots soon sold for 10 times their original price, and stores, saloons, and gambling houses sprang up to empty the newly filled pockets of the miners arriving at the embarcadero on Front Street. As the commercial center of Sacramento began to favor the riverfront, more and more canvas and semipermanent structures opportunistically arose. When California was admitted to the Union in 1850, the populace of Sacramento, nearly 12,000 people, had already experienced a disastrous flood. Subsequent floods and fires would shape civic policy and urban planning for the next several decades.

Establishing a Capital City, State Capitol Building, and Capitol Park

The bustling Gold Rush boomtown of Sacramento served as a river transportation hub, providing critical access to the mining districts in the foothills. In 1850, only 1 year after it was founded, Sacramento was incorporated as a city, and in 1854, Sacramento became the state capital. Although businesses and industries supporting the Gold Rush and the growing population of Sacramento boomed, the city itself suffered multiple catastrophes. A series of events—fires in 1852 and 1854 and floods in 1853, 1854, 1861–1862, and 1878—motivated wealthy members of the city to construct levees and bulwarks and raise streets to protect people, homes, and businesses. Between 1864 and 1878, the streets and buildings between the east bank of the Sacramento River along Front Street to 12th Street and between I and L Streets were raised 4–15 feet. Convict labor, press gangs, and private contractors were used to systematically raise this approximately 140-acre main business area, which was located north and northwest of today's Capitol building and Capitol Park. Retaining walls strengthened by brick bulwarks or buttresses were constructed with locally fired bricks, sand and gravel hauled in by the wagonload from the American River or from local farms were used as street fill, buildings were jacked up, and the first stories of many downtown buildings became subterranean. Because of the severe flooding issues, the city also straightened and dug a new mouth for the American River between 1864 and 1868.

In 1856, the California Legislature voted to build a new State Capitol building on a plot bounded by 9th Street, 10th Street, I Street, and J Street; however, the bonds to finance the project were found to be illegal, and construction was halted. In 1860, four blocks bounded by 10th, 12th, L, and N Streets were donated by the city as a site for the new

State Capitol building. The site was located on the southeast edge of the city, where a few scattered buildings stood on large parcels in a semirural area. The city condemned the property, removed people from their homes, and sold the homes, outbuildings, fences, fruit trees, and shrubbery at auction. The last building on the site, the Sacramento County Hospital, located at 10th and L Streets, was not removed until 1869 (Woodward 1981).

Groundbreaking for the new State Capitol building occurred in December 1860. Workers dug excavation trenches, lined them with a bed of cobblestones and broken granite, and covered them with a 3-foot-thick layer of concrete. A circular trench made of brick—2 feet wide, 2 feet deep and 28 feet in diameter—was used to make bricks for the basement wall. The trench was located east of the building site near an artesian well and large shed built for the operation, and the lime, sand, and water were mixed using a horse walker system. The cornerstone was laid in May 1861, but because of the 1861–1862 winter flood caused by levee breaks along the American River, work was brought to a halt. The walls were surrounded by 1 foot of mud and water, and building materials were destroyed or swept away. When work resumed in August 1862, wheelbarrows of dirt were dumped to raise the building's foundation height by 6 feet to protect against future flooding problems. After it was raised, the ground line at the Capitol building was 13 feet above adjacent streets (California State Capitol Museum 2015; City of Sacramento 2015: Appendix B; Woodward 1981).

By 1869, enough of the structure had been built to allow legislative sessions to convene within its walls. Construction of the new State Capitol building was completed in 1874, with the cost of construction totaling \$500,000. In the 1870s, more land was donated to create what would become Capitol Park. The land was terraced around the raised Capitol, with cascading stone steps and balustrades, as well as plantings of flowers, trees and other plants (Dreyfuss + Blackford Architecture and Page & Turnbull 2006). The monumental design of the State Capitol combined with its setting within Capitol Park lent gravitas to the state of California, which at the time was fairly isolated from the rest of the country. The State Capitol was designed with neoclassical architectural features common to the U.S. Capitol building in Washington, D.C., and other state capitals. The first story of the building was clad in granite that was delivered to Sacramento via the Sacramento Valley Railroad from a quarry in Folsom. Granite for the upper stories was quarried in Penryn and transported via the new Central Pacific Railroad.

The new Capitol building had gas lighting and indoor water closets. A heating system was installed in the unfinished basement in 1872 and the basement walls pierced to let in fresh air. It was noted during later repairs, however, that "most of this plumbing went from nowhere to nowhere else, and didn't connect with much of anything in between, but it did a splendid job of providing employment and filling yawning spaces underneath various floors" (Visnich 2000). In 1890, sanitation improvements included cleaning the building's cesspool and the pipes leading to it. Water mains ran from M Street west into the Capitol grounds. By 1895, the Capitol building had electric light.

By 1872, the original four-block area housing the State Capitol building and surrounding gardens had been increased to the 10 blocks bordered by 10th, 15th, L, and N Streets. Beautification of the park, "considered one of the most beautiful State Capitol grounds in the nation," began in 1869 (California State Capitol Museum 2016). During the first phase of development, the area was graded, and silt and soil from the bed of the Sacramento River were used to enrich the land for planting, ultimately raising it "to a height of approximately ten feet" near completion of the Capitol building in 1874 (Woodward 1981:37). Formal rows of trees were planted, including six deodar cedars, imported from India and planted in 1872. The formal tree rows extended from each side of the building, interspersed with open expanses of lawn panels and pedestrian circulation. The rows of trees and circulation created concentric squares surrounding the Historic Capitol Building. This pattern of parallel rows around the building was carried out on all four sides of the Historic Capitol and established an orderly, symmetrical, and harmonious setting. Formal elements were employed on the site, such as straight rows, an open lawn, expansive views, a civic axis, and symmetry that aimed to show the order and control, grandeur, harmony, and civic pride of the California citizens (ICF 2019).

In the second phase of park design circa the late 1880s, particular attention was paid to the harmonious relationship of materiality and ratio of softscape to hardscape. The Historic Capitol Building was a monumental granite structure standing tall as the focal point of the park. The original four-block site and later the full 10-block site complemented this structure with predominantly softscape in the form of stately trees, expansive lawns, and flowering shrubs. Among the varieties of native and exotic trees and flowering shrubs in the park is the row of California fan palms, planted in 1882, that still flank the park's perimeter. The hardscape consisted of pathways that brought people through the softscape park toward the focal point building, which was surrounded by a hardscaped loop pathway

and terraces outside the entrances. The late 1880s design phase brought granite features into the landscape in the form of bollards, ornate stairs with banisters, a perimeter fence, and pillars. These landscape granite elements were spatially arranged to connect the visitor's eye from the entrance of the park through the towering trees and towards the granite Historic Capitol Building (ICF 2019).

The neighborhood surrounding the State Capitol and Capitol Park has undergone several phases of development since its opening. At the end of the 19th century, the Capitol Park neighborhood surrounding the project site boasted opulent Italianate and vernacular multistory family homes (Sanborn 1895). Twentieth-century development of the project area began in the early 1900s. Sanborn Fire Insurance maps from 1915 show many of the homes in this upper-class neighborhood had been converted to or included new construction of multifamily residences, while remaining single-family residences contained garages for Sacramento's first autos (Sanborn 1952). The residential neighborhood shifted to office buildings for the government bureaucracy during the interbellum period that followed.

The original four-block area immediately around the Capitol was laid out in a formal geometric pattern (Figure 4.12-1). As Capitol Park expanded to the east, the newer sections were designed to have a more natural, parklike feel. Laid out in typical Victorian style, the gardens had long lanes leading between beds of vivid annuals. The 800 trees and flowering shrubs that were planted represented more than 200 native and exotic varieties. Because of problems with deer and cattle, the park was fenced during its early years. California fan palms (*Washingtonia filifera*) planted in 1882 still flourish along the perimeter of today's Capitol Park. A circular path, planted in 1882 with alternating California fan palms and English elm (*Ulmus minor*), was used as a carriage path and shady walk between the Capitol building and the State Fair's Agricultural Pavilion, located in the area at 15th and N Streets and in use from 1884 to 1905. The pavilion was demolished in 1908, the site of which is now a native plant garden. The same year, the one-story State Insectary was completed in the park near the corner of L and 13th Streets, after the 1906 loss of the state insectary in the San Francisco earthquake and fire. Designed to house insect-related experiments in collecting, breeding and distributing beneficial insects, the building now houses ground keeping activities for Capitol Park (California State Capitol Museum 2016; Historic State Capitol Commission 2013).



Source: Regnery 1983

Figure 4.12-1 Photograph of the State Capitol Building and Capitol Park (west end) ca. 1885–1895 (view to south)

The State Capitol building was renovated between 1906 and 1908. Improvements included new heating, ventilating, lighting, and plumbing systems; sanitation; fireproofing; a new elevator system; a telephone exchange; removal of old stairways to gain space for additional rooms; a new roof; and exterior paint. Areas around the building were excavated to admit light and air into the basement. Compressed air drills were used to cut openings through the foundation walls, and then retaining walls around those areas were built about 10–12 feet from the building. The original wood beams supporting the roof were replaced by 10-ton steel trusses. A fourth story, complete with windows, was created by raising the roof and lowering the ceilings of the Senate and Assembly Chambers by 7 feet. The interior of the building was also painted and decorated (Woodward 1981).

The largest change to the project site was the addition of the Annex. Nearly 80 years after it was completed, the original Capitol building was enlarged with the addition of the Annex which was appended to the rear (east) elevation of the original building. Plans originated during the 1930s and 1940s, and the design was supervised by State Architect Anson Boyd. Construction began in June 1949, the building was inspected in December 1951, and it was occupied in 1952. The Annex was built to hold offices for the governor, lieutenant governor, legislators, and other State officials. The East Apse was removed from the center of the east side (rear) of the original 1874 Capitol building, and the new five-story Annex, was then appended to the east elevation of the four-story Capitol. The five-story Annex floor plates did not align with the floors of the Capitol with the exception of the third floor of the Annex aligning with the second floor of the Capitol. The Annex encroached on Capitol Park but was attached to the Historic Capitol and meant to appear as a continuous addition.

As part of the Annex project, Capitol Park was re-landscaped, which overall eliminated the terraces, removing the stone steps and pillars that accommodated the raised landscaping. The lawn was graded to a gentle slope, and new sidewalks and a stone patio were installed that helped direct foot traffic to the new, busier east wing. Additionally, completion of the East Annex resulted in the reorganization of the Capitol's circulation. The main entrance was reoriented to the east side, leaving the historic original entrance as a rear entry. The landscaping around the Capitol was altered to lead foot traffic to the east entrance. The vehicular loop around the building was removed, and the driveways along the north and south entrances were changed to loops around panels of lawn. The improvement program associated with the Annex project also called for 21 trees to be felled, although 21 new trees were planted to replace the destroyed trees. Trees were planted on the west side to fill in areas where old trees had been removed, including three California live oaks, three maidenhair trees, five tulip trees, five southern magnolias, and four coast redwoods. A. Teichert and Son Inc was tasked with levelling the two steep terraces on the west side of the Capitol and putting in a lawn sloping to the sidewalk to match the ground level around the new part of the Capitol, laying a brick and concrete patio in front of the west door like the patio at the north and south doors, and replacing the granite stairs and banisters with sloping concrete ramps. The quatrefoil planting beds were also removed from the West Lawn around this time, and a new irrigation system was installed to support the new plantings (ICF 2019).

The bottom two stories of the Annex, which form the base of the building, are clad in granite; the upper three stories are clad with smooth stucco. The five-story Annex has an underground garage with secured road access from both L and N Streets. A one-story, glass-walled building that houses a security entrance for visitors and staff was later appended to both the north and south sides of the Annex. The last major renovation of the 40-acre, 10-block area encompassing Capitol Park, conducted between 1948 and 1951, was related to construction of the Annex. Along with a variety of native and exotic trees and flowering shrubs, there are numerous points of interest, memorials, and monuments incorporated into Capitol Park. Among these is a granite slab that is inset level with the ground surface at the western edge of the project site along 10th Street. The 2,400-pound slab had previously sealed the Capitol's time capsule inside the cornerstone at the northeast corner of the building (California State Capitol Museum 2016). The slab has three separate metal plaques: one designates the Capitol Complex as a State Historical Landmark (No. 872), the second is a Heritage '76 designation, and the third describes the previous location of the slab. It was inset at its present location to commemorate the close of California's Bicentennial Restoration Project, whereby the Capitol building was returned to its 1906 grandeur. The Capitol building, Capitol Park, and nearby buildings are serviced by a network of surface streets, parking lots, and Sacramento's urban light-rail mass transit network, which began service near the Capitol in 1987.

As the 1950s and 1960s progressed, the growing size of the government meant that plans for more space for the Capitol were frequently discussed. Several plans, including the idea of completely rebuilding the Capitol and moving to high rise towers, were considered, but in the end, restoration of the seismically unsound Historic Capitol won out. Seismic retrofitting was completed in 1974, and a restoration of the Historic Capitol building was undertaken from 1975 to 1982, costing \$42 million (Dreyfuss + Blackford Architecture and Page & Turnbull 2006). In the ensuing years, some of the heritage trees have been lost because of age and storm damage. In 2016, two monumental 16-ton, granite gateposts, which had been part of an ornate fence system encircling Capitol Park from 1889 to 1952, were placed at the west entrance of the Capitol building adjacent to the north and south sides of the lower steps. DGS maintains Capitol Park and the two adjacent blocks bounded by 9th, 10th, L, and N Streets immediately west of the State Capitol. These two blocks were secured in 1917 for the Capitol Extension Group (State Office Building No. 1 [Jesse M. Unruh Office Building], Stanley Mosk Library and Courts Building, and Capitol Fountain Plaza), which was completed in 1928.

Growth of Modern Capital Neighborhood

Sacramento continued to grow in the 1860s and became more culturally diverse as various ethnic groups, such as African American, Chinese, German, Irish, Italian, Portuguese, and Japanese immigrants, came to the region seeking employment, many because of construction of the first transcontinental railroad. The majority of the immigrants were clustered in ethnic neighborhoods in what came to be known as the West End, defined roughly as the area from the riverfront eastward to 10th Street and from the Southern Pacific Railroad railyards south to R Street.

With construction of the new State Capitol building, between 1860 and 1874, the area surrounding the Capitol building soon became a popular residential neighborhood that boasted fashionable houses. Sanborn Fire Insurance maps from 1895 depict opulent Italianate and vernacular style family homes fronting the L, N, and 10th Street blocks north, south, and west of the Capitol building, with most of the parcels along 15th Street east of Capitol grounds vacant. A row of California fan palms, planted in 1882, formed a border between Capitol Park and the surrounding residences. An 1880 Plan of the Sewage System, published in 1886, shows an 18-inch main sewer pipe through Capitol Park along 13th Street, with a connection west to the Capitol building.

Despite the presence of many recognizably modern city features, such as paved asphalt streets and cement sidewalks, urban sanitation was a blight on the beautiful Capitol neighborhood. Privies in circa 1880 Sacramento were little more than holes dug in the backyard. Even upper-class homes might be served by little more than a private cesspool. Hookups to sewers if they were available, along with some construction specifications for cesspools, were mandated by a City ordinance in 1883. Although some of the wealthier residences and some civic buildings had indoor plumbing by the 1870s, most of the city did not. By 1902, residential privies still served the needs of approximately 5,500 homes (Brienes 1978; Hamilton et al. 2005).

In 1900, Sacramento had a population of 30,000, covering an area of about 4 square miles. A decade later, the population reached 45,000. City streets averaged 80 feet wide and had electric lights. M Street (now Capitol Mall/Capitol Avenue) and Front Street remained 100 feet wide. Gas was in general use for illumination in the city by the 1860s. Electric light became available in 1895, and by the turn of the century, systems of electric trolleys were replacing horse carts. Passenger service near the Capitol building was also provided by the Northern Electric Railway (later Sacramento Northern) along M Street (Capitol Mall) and the Central California Traction Company Railroad along 8th Street. Water mains were established primarily on an east-west orientation in the streets and neighborhood alleyways.

By 1914, Sacramentans were enthusiastic motorists, with use nearly doubling to 6,500 vehicles in 2 years. New residential developments attracted middle-class and upper-class families away from the city core, although the subdivisions were still connected to downtown via urban electric railways or street cars. Homes in the upper-class Capitol Park neighborhood now had garages along the rear alleyways, although many were also divided into rentals. The neighborhood changed as apartment buildings, hotels, private office buildings, State government buildings, a church, and a gas station were constructed along the blocks bordering Capitol Park. Among the extant buildings that front the project site from this era are the six-story Lewis Apartment building, completed in 1925 on N Street at the corner with 11th Street; the Capitol Extension Group, completed in 1928 on the two blocks across 10th Street from the Capitol building; and three State office buildings completed between 1936 and 1939 across N Street between 10th

and 13th Streets: Department of Motor Vehicles building (currently California Food and Agriculture building), Public Works building (currently housing Caltrans), and Legislative Office Building.

Modern State Government Buildings around Capitol Park

In 1917, the city donated two blocks bounded by 9th, 10th, L, and N Streets immediately west of the State Capitol building to house two new government buildings. Construction of State Office Building No. 1 (now Jesse M. Unruh Office Building) and the Stanley Mosk Library and Courts Building, two buildings that were part of the Capitol Extension Group, began in 1922 and was completed in 1928. Another part of the Capitol Extension Group, the Capitol Fountain Plaza, located between the two buildings, was operating 2 years before the buildings were finished.

In 1929, an urban planning firm proposed that monumental buildings be constructed on M Street west of the Capitol building (present-day Capitol Mall). During the mid-1930s, additional office buildings were added across N Street facing the Capitol building: the Department of Motor Vehicles building in 1936 (currently California Department of Food and Agriculture building), the Public Works building in 1937 (currently housing the California Department of Transportation [Caltrans]), and the Legislative Office Building (formerly Business and Professions building) in 1939.

In 1940, the State Planning Board and Division of Architecture recommended that State office buildings be constructed around Capitol Park instead of to the west along M Street/Capitol Mall. In response to this recommendation, all State buildings and additions were constructed immediately around the Capitol building and Capitol Park until the 1950s. As the government continued to grow, subsequent development was no longer restricted to the vicinity around the Capitol building. Three new government buildings were completed on Capitol Mall in the 1950s. Three additional buildings were built in the late 1940s/1950s facing O Street (Lemon and Davis 2018). Between 1949 and 1952, the original Capitol building was enlarged by construction of the Annex.

By 1960, the State occupied 23 publicly owned buildings (including annexes) and 19 leased buildings (including offices, special purpose buildings, and warehouses). The State owned nearly 70 acres in downtown Sacramento that included Capitol Park (40 acres), garages, parking lots, warehouses, and the Governor's Mansion on H Street between 15th and 16th Streets (built in 1877 and now a State Historic Park). In 1960, the first California State Capitol Plan was created by the Capitol Building and Planning Commission. The physical plan focused on the area bounded by L, Q, 7th, and 17th Streets and promoted the creation of seven superblocks, or pedestrian islands, by closing streets within the plan area to vehicular traffic and advocated purchasing land within the plan area before implementation began and property values increased. Policy changed in 1967. Meanwhile, cleared sites were used for surface parking lots, and leasing space from the private sector for State office needs became the dominant policy. Construction of the new 10th and O Street Office Building is underway on one such lot. Since 1977, DGS and the Capitol Area Development Authority have administered the updated 1977 Capitol Plan to guide smart growth development of the Capitol Area Plan.

RECORDS SEARCHES, SURVEYS, AND CONSULTATION

Tribal Cultural Resources

The Capitol grounds hold three known tribal cultural resources: a Native American grinding rock, an oak tree, and a dance area. The grinding rock and the oak tree that stands behind it honor the contributions, past and present, that California Indians have made to the state's history and culture. Each year, California Indians gather at Capitol Park's grinding rock to honor the oak tree and its food-producing ability. They conduct centuries-old ceremonies to pay tribute to their ancestors as well as present-day and future Indian people, through dance, song, and prayer. At Native American gatherings in Capitol Park, various tribes perform dances, including the Hintachil Kabanm Dancers of the Shingle Springs Rancheria, the Hui o kea o Malamalama Dancer of El Dorado County & California Valley Miwok tribes, and the Sheep Ranch Rancheria Me-wuk Dancers of Calaveras County. The Capitol grounds are also important to tribes throughout California because of the Capitol's symbolism as the power of the state and the power the state has and continues to exercise in the daily lives of California's tribal peoples.

Archaeological Resources

Archival and literature searches encompassing a half-mile radius around the project site were performed on March 15, 2019, and June 21, 2019, at the North Central Information Center (NCIC) of the California Historical Resources Information System, housed at California State University, Sacramento. The records search included a review of site location base maps; prior reports; other records on file at the NCIC; and listings in the NRHP and CRHR in the Historic Property Data File for Sacramento County (2012), *California Inventory of Historic Resources* (1976), *California Historical Landmarks* (1996), and *California Points of Historical Interest* (1992 and updates). Additional archival research of sources not available at the NCIC was conducted using Sanborn Fire Insurance Maps, historic maps, aerial photographs, and listings from the *Sacramento Register of Historic & Cultural Resources*.

Archaeological Resource Studies Near the Project Site

Numerous cultural resource studies have been undertaken in the project vicinity, including more than 40 within a quarter-mile of the project site. Two prior studies included a portion of the project site: an inventory report completed in 2013 for a technological facilities upgrade in the existing Annex and a communications upgrade report completed in 2011 for the Lewis Apartments at 1100 N Street that covered a portion of the project site proposed for the new underground parking garage. Nineteen studies completed between 1998 and 2017 were related to communications infrastructure (e.g., fiber optic line, cell towers), eight were architectural surveys or evaluations completed between 1976 and 2014, and one was an overview of cultural resources in the Central Business District completed in 1981. An additional 15 studies completed in the search radius between 1987 and 2018 focused on different aspects of archaeological investigations ranging from surveys to monitoring and salvage efforts.

The archaeological studies in the search radius include two salvage archaeology studies by PAR Environmental Services in 2000 for the Stanley Mosk Library and Courts Building and the Sheraton Grand Hotel project, monitoring for the Capitol Park Homes project by Compas in 2000, a research design by Hamilton and others in 2002 for evaluation of the archaeological collection recovered from the Capitol Area East End Improvement Project, and a report by Windmiller in 2004 on excavations for an elevator and underground utilities at the Leland Stanford Mansion. A study and significance evaluation of brick sewer remains was completed by Batha in 1996 and by Peak & Associates in 1997. Tremaine and Associates completed a report on data recovery excavations in 2005 on the Plaza Lofts project, a sensitivity study for the 831 L Street project in 2007, and a report on monitoring for a light-rail extension in 2009. PAR Environmental Services completed a series of Caltrans reports in 2012 for the 12th Street Corridor project, and Natural Investigations Company filed an inventory report in 2018 for DGS's 10th and O Street Office Building project.

The results of additional studies in downtown Sacramento conducted within a 1-mile radius of the project site that cover important archaeological discoveries are described in the following section on known archaeological resources near the project site.

Known Archaeological Resources Near the Project Site

The records maintained by the NCIC indicate that no archaeological resources have been previously recorded within the project site. No prehistoric or historic-era archaeological resources or ethnographic sites were identified during survey of the project site on March 29, 2019. The archaeological survey was constrained by the existing Annex, appended south entrance building, and hardscape (walkways, steps, and Annex garage access road). Ground visibility was poor (0–10 percent) in the landscaped areas, constrained by the density of vegetation cover (grasses, native and exotic trees, shrubs, and flowers) within Capitol Park.

The records search indicates that one prehistoric site and eight historic-era resources have been previously recorded within the quarter-mile search radius outside the project site. The eight historic-era resources include one archaeological site, two features, one historic district, and four railroads.

Archaeological Sensitivity

Based on the history of infill and construction of the original Capitol building and the Capitol Park gardens and pathways, early 1900s improvements to the original Capitol building, construction of the existing Annex and road access to its basement garage, excavation for associated underground utility and communications infrastructure, and of the locations of known archaeological sites in the project vicinity, the potential to discover prehistoric or

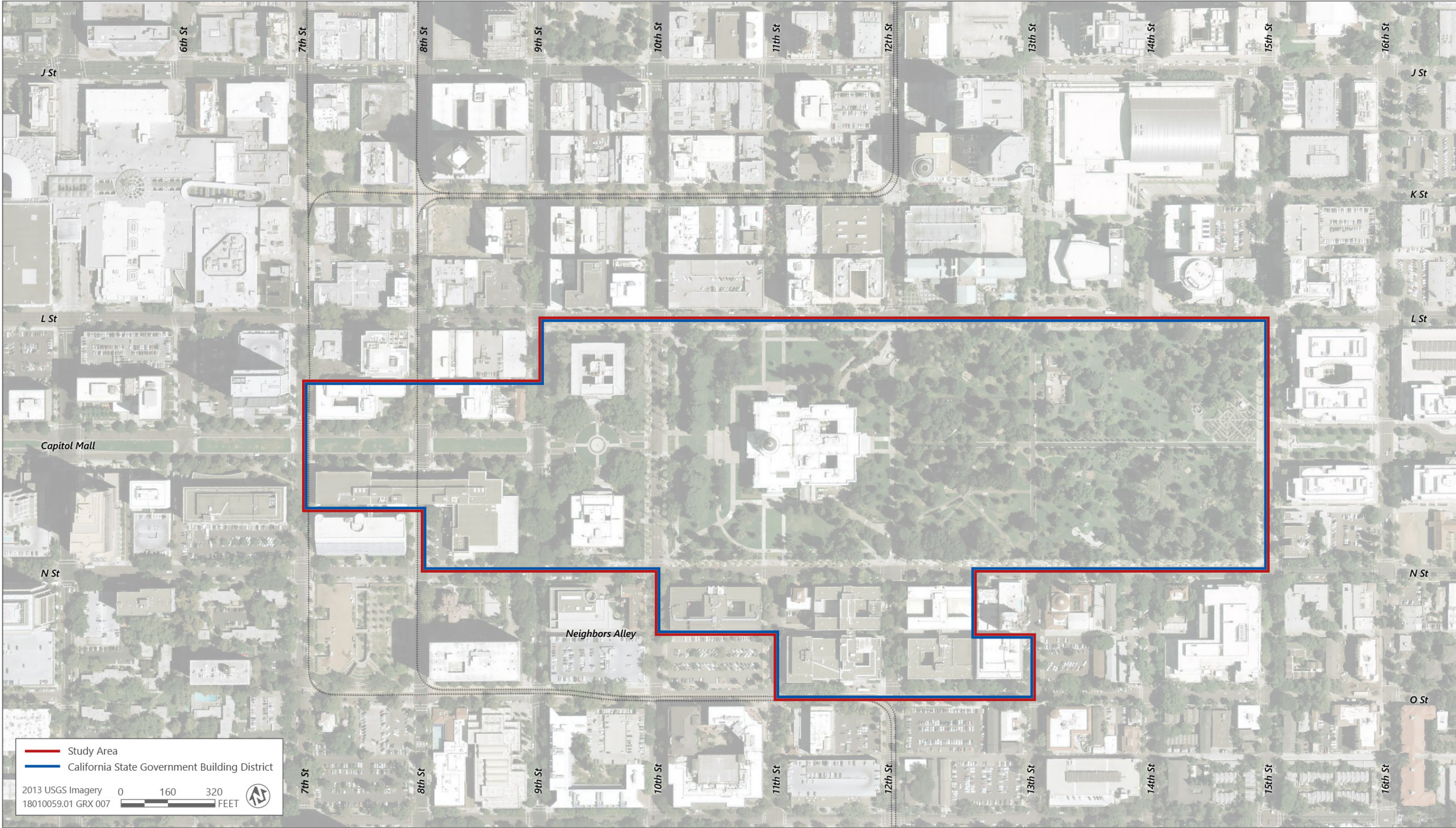
ethnohistoric deposits or features is considered to be high and the potential to locate undisturbed historic-era archaeological deposits or features is considered to be low during construction within the current project footprint.

Intact prehistoric or ethnohistoric deposits or features may remain at depth within the project footprint. Considering the number of archaeological discoveries documented in the city west of Business 80, there are likely many more prehistoric or ethnohistoric sites in downtown Sacramento that have not yet been uncovered and that were probably located above the floodplain on former landscape features that are no longer visible on the surface. High ground near rivers, marshes, and other freshwater settings was ideal for habitation and resource extraction by Native Americans. Natural elevated areas are thus considered to have a high sensitivity for Native American sites, as indicated by archaeological and geomorphic studies. The project site is close to a paleo-sandbar that is believed to have been located between approximately 7th and 10th Streets and from E Street south to Broadway. The city has mapped this former elevated landform area as having a high sensitivity for archaeological sites (City of Sacramento 2015: Figure 6.4-1). These results demonstrate that Native American sites can be found in downtown Sacramento not far below the current street grade or at depth.

It is extremely unlikely that undisturbed, subsurface historic-era archaeological deposits or features remain within the project footprint. The history of the project site is unique in that there has been little development other than the State Capitol building, Annex addition, and Capitol Park landscape. Before construction of the original Capitol building in 1860–1874, the few scattered buildings in the original four-block, semirural area bounded by 10th, 12th, L, and N Streets were sold and removed. The ground surface in the four-block area was also covered by 6–10 feet of sediment hauled from the river between 1862 and 1874, and nearly 80 years later, the Annex was constructed within the project site. The four-block area containing the project site is enclosed within the landscaped Capitol Park grounds and bordered by roadways that were established as part of the original town grid developed in 1848. The creation of Capitol Park in the late 1860s to enhance the State Capitol building effectively separated the project site from development of the surrounding late 1800s/early 1900s residential neighborhood and from the mid-1900s transformation of the neighborhood that faced the park to a more modern urban setting.

HISTORIC ARCHITECTURAL RESOURCES STUDY AREA AND METHODOLOGY

The study area for the historic architecture evaluation (Figure 4.12-2) encompasses one built-environment resource consisting of the State Capitol Complex (Historic Capitol, Annex, Capitol Park, and the Insectary) and one historic district, the California State Government Building District (CSGBD) (Table 4.12-1). The study area was drawn to account for potential direct and indirect impacts resulting from the proposed project. ICF architectural historians exceeding the Secretary of the Interior's Professional Qualification Standards in the areas of history and architectural history conducted analysis and survey. The methodology for conducting the analysis of the resources in the study area included field observation conducted on July 2, July 10, December 2, and December 3, 2019. These field visits included photodocumentation and notation of alterations. Additional research included conversations with DGS staff and review of primary and secondary sources at the California History Room of the California State Library, the Government Publications Unit of the California State Library, the California State Archives, and the California Historical Society. Additionally, online and digital archival materials accessed through the Online Archive of California, the Center for Sacramento History, Library of Congress, Internet Archive, Sacramento Public Library, newspaper archives, digital Sanborn Maps, and historic aerial images provided additional context on the data gathered from reviewing the physical collections.



Source: Ascent Environmental in 2019

Figure 4.12-2 Historic Architectural Resources Study Area

Table 4.12-1 Built Environment Resources Located in the Study Area

Address	Resource Name	Year Built	OHP Status
Multiple	State Capitol	1874; 1951	1S – NRHP* Listed, site
Multiple	Capitol Extension Group	1929	1D – NRHP Listed, district
Multiple	California State Government Building District	1874-1962	1D – NRHP Listed, district
1020 N Street	Legislative Office Building	1939	1CS – CRHR** Listed, building
1120 N Street	Department of Transportation Building	1937	1CS, CRHR Listed, building
1220 N Street	California Department of Food and Agriculture	1936	1CS, CRHR Listed, building
1400 10th Street	Blue Anchor Building	1932	1CS, CRHR Listed, building

Note: regarding nomenclature: For the purposes of this analysis, buildings will be named according to their current, rather than their original/historic name. Whenever possible, former names will be noted.

*National Register of Historic Places

**California Register of Historical Resources

HISTORICAL RESOURCES

Summary of Historical Resources within Study Area

Seven CEQA historical resources are located in the study area. A summary of the CEQA historical resources are provided below.

State Capitol Complex

The State Capitol Complex is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its function as California's seat of government and under Criterion C for its monumental architecture and landscape design. The Capitol building is also a California Historical Landmark. The State Capitol Complex consists of the State Capitol Building, composed of the Historic Capitol, the Capitol Annex, Capitol Park, and the Insectary. The Historic Capitol, known as the West Wing, was built between 1860 and 1874, and the Capitol Annex, known as the East Wing, built between 1949 and 1951. The Capitol building is set within Capitol Park, which is approximately 40 acres of green space, walkways, and memorials. Within Capitol Park is the Insectary, built in 1908, which is an Arts and Crafts style bungalow. The Historic Capitol building is a monumental Classical Revival design moderated with federal influences, which consists of two virtually identical L-shaped four-story wings separated by a rotunda. The inner and outer dome of the rotunda rises to an overall height of approximately 210 feet. The Historic Capitol's west façade features a temple front, with a full height portico supported by seven granite archways, topped with a triangular pediment that contains five allegorical figures: Minerva, Education, Industry, Justice, and Mining. The West Wing is dominated by cast-iron ornamentation including elaborate moldings, dentils, corbels and pilasters. The Historic Capitol has a concrete foundation, and is built of hard-burned brick, with a facing of granite on basement and ground floors. The rotunda is painted gold, and the floors in between are painted stark white. When the Annex was built between 1949 and 1951, the large apse on the eastern façade that held the state library was demolished and the Annex floors and the Historic Capitol floors were misaligned with the exception of the second floor of the Capitol and the third floor of the Annex. Although the Annex visually obscures the eastern façade, it was designed to stand two feet from the exterior wall, preserving many architectural features, but attaches to the Historic Capitol (Dreyfuss and Blackford Architecture, Page & Turnbull 2006: 3.25).

The Annex is designed in the Mid-Century Moderne style with references to stripped classicism. It is visually subservient to the Historic Capitol, which was achieved in part by limiting the height to below the base of the rotunda. The building is six stories high, with a five-bay organizational scheme and a flat roof. Given the later period of construction, the Annex uses more modern materials than the West Wing, with a steel skeleton covered in reinforced concrete, with exteriors finished in granite, stucco, extruded aluminum and cast aluminum details. The east façade of the Annex, which faces Capitol Park, features ten large cast aluminum spandrel panels depicting California flora and fauna, and the seven panels around the doorways include depictions of California industry including the Bay Bridge, factories, trains, and airplanes. The center panel features the seal of California.

Both the Historic Capitol and the Annex are defined by their massing, respective rooflines and roof profiles, granite facing, portico, terraces and granite steps, and ornamental elements, such as cast-iron columns, capitals, pilasters, cornices, brackets, and entablatures (Historic Capitol) and aluminum spandrel panels, grillwork, and balustrade (Annex). Given their respective dates of construction, the materials reflect the time and style of each wing and tend to differentiate their character-defining features as defined in the previous recordation. The windows and window frames are character-defining features for both buildings, but the Historic Capitol has wood-sash windows and cast-iron window frames, while the Annex has aluminum windows and window frames. Similarly, the location, layout, and decorative elements of interior spaces, such as lobbies, corridors, perimeter offices, senate and assembly chambers, and hearing rooms, are important defining features for both buildings. Other defining features of the Annex include wooden signage, theater seating (excluding new upholstery), and undulating east/west corridor walls on floors four and five.

The Historic Capitol Building is set within Capitol Park, which comprises approximately 40 acres of green space, plantings, trees, walkways, and memorials. The park is bounded by L Street to the north, 16th Street to the east, N Street to the south, and 10th Street to the west. Originally planted with 800 trees and flowering shrubs, the park is laid out in a typical Beaux Art, formal style, with long lanes for walking. The bulk of the park is located east of the Capitol Building, and more than 20 trees, plants, and memorials dedicated to various public figures and events are located close to the Annex. Capitol Park east of the Capitol Building is defined by its circuitous walking paths; the variety of memorial trees, plants, gardens, and statuary; and its location surrounding the Capitol Building.

The western façade of the Capitol Building is set within the westernmost two city blocks of Capitol Park. These two blocks, identified as the West Lawn in this analysis, are defined by their more formal style, with symmetry to the circulation patterns and plantings, notably the north/south rows of monocultural trees (palms, cedars, and southern magnolias) that date from the 19th century flanking terraced stairs. The monocultural rows are interspersed with walking paths and a central east/west walk bisecting the rows, leading to the Capitol entrance. The west façade has a generous hardscape to softscape ratio, with expansive lawn groundcover, and the open space of the West Lawn provides a defining vista, with long, linear views down Capitol Mall.

Originally, all of Capitol Park was terraced, with stone stairs and balustrades providing access to the Historic Capitol, but on construction of the Capitol Annex from 1949 to 1951, the terracing was graded to a soft slope, and the stone stairs and balustrades were removed. However, the West Lawn still retains a stepped terrace system, with a top bench consisting of the building and entrance terrace area; then a second, subtle bench to approximately the west side of the interior sidewalk; then a gentle slope to meet the street grade. The benches are divided by broad sets of stairs. The top bench remains clearly differentiated from the rest of the site, as does the central walk, which retains sets of stairs. These elements employ the grandeur of the original three steeply terraced benches, which slowly move pedestrians upward toward the Historic Capitol Building. The western façade is the only side of the Capitol Building that retains the topography from the original park landscaping.

Within Capitol Park is the California State Insectary, which was built in 1908 after the 1906 loss of the state insectary in the San Francisco earthquake and fire. The building is Arts and Crafts style, with Japanese influences. It is a one-story building with a low-sloped hipped roof, composed on a dominant front bay flanked on both sides by diminutive wings. The building is finished in concrete, wood, and wood shake shingles. The California State Insectary is located over 600 feet to the east of the Capitol Annex, with various trees and plantings obscuring the view between the two.

Capitol Extension Group

The Capitol Extension Group is considered a CEQA historic resource because it was listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A as the first extension of California State Government offices and buildings in Sacramento, and under Criterion C for its Beaux Arts architecture. The Capitol Extension Group consists of two Beaux Arts style buildings, the Stanley Mosk Library and Courts building and the Jesse M. Unruh Office building (formerly State Office Building No.1) and the Capitol Fountain. The pair of similarly styled Beaux Arts buildings are formally composed across green space and a circular drive, allowing for a view of the Historic Capitol from Capitol Mall. The buildings are five-stories high, clad in Sierra white granite and granitex, an architectural terra cotta. Both buildings feature a three-story portico with a decorative frieze.

California State Government Building District

The CSGBD is considered a CEQA historic resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A as a reflection of the expansion of state government from statehood until the 1960s, and under Criterion C for the architectural styles of the individual buildings that reflect popular styles and trends. The State Printing Office (State Archives) at 1020 O Street, the Franchise Tax Building (State Office Building) at 1021 O Street, and the California Department of Food and Agriculture Annex at 1215 O Street have been demolished since the original 1981 survey. The following group of 12 buildings and one park (13 total contributing elements) remain extant:

- ▶ State Capitol Building;
 - Capitol Park;
 - Capitol Park Service Area (the Insectary);
- ▶ Stanley Mosk Library and Courts Building, 914 Capitol Mall;
- ▶ Jesse M. Unruh Office Building (formerly State Office Building No. 1), 915 Capitol Mall;
- ▶ Education Building (Rehabilitation Building), 721 Capitol Mall;
- ▶ Personnel Building (State Personnel Building), 801 Capitol Mall;
- ▶ Employment Building (Employment Development Building), 800 Capitol Mall;
- ▶ Legislative Office Building (formerly Business and Professions building), 1020 N Street;
- ▶ Department of Transportation building (formerly Public Works office building), 1120 N Street;
- ▶ Department of Transportation Annex (formerly Public Works Annex), 1121 O Street;
- ▶ California Department of Food and Agriculture building (formerly Department of Motor Vehicles Building), 1220 N Street; and
- ▶ Veteran's Affairs Building, 1227 O Street

Legislative Office Building (formerly Business and Professions Building)

The Legislative Office Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The Legislative Office Building was originally known as the Business and Professions building and was built in 1939. It is a five-story symmetrical building with a flat roof, designed in the Moderne style. Facing north onto Capitol Park, the five-story building features distinctive elements of PWA (Public Works Administration) Moderne, architecture with some International Style influences: a central pylon rises four stories above the entrance, which is further noted by a horizontal curved porch, green terra-cotta tiles, and decorative transom grilles; floors denoted by alternating bands of concrete and casement windows surrounded by a bezel and separated by narrow fluted panels; and a fluted cornice caps the building.

Department of Transportation Building (formerly Public Works Building)

The Department of Transportation Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The Department of Transportation Building was originally known as the Public Works building and was built in 1937. It is a five-story symmetrical building with a flat roof, designed in the Moderne style. The centered main entrance is sheltered by a horizontally accented canopy with curved corners, and outlined by sculptural panels below a narrow, nearly full-height window framed by pilasters. The vertically oriented central portion of the primary façade is stepped and punctuated by glass-block windows. Balancing this verticality are horizontal scallop-molding courses and long rows of original steel windows outlined by beveled frames between fluted piers on the second to fifth floors.

California Department of Food and Agriculture Building (formerly Department of Motor Vehicles Building)

The California Department of Food and Agriculture Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The California Department of Food and Agriculture Building was formerly known as the Department of Motor Vehicles Building and was built in 1936. It is a three-story symmetrical building with an H-shaped footprint with a flat roof, designed in the Moderne style. The roof features a parapet, and the building is constructed of reinforced board-formed concrete.

Blue Anchor Building (formerly the California Fruit Exchange)

The Blue Anchor Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the California Fruit Exchange that operated in the building from 1931 to 1966, and under Criterion C for its Spanish Colonial Revival Style. Built in 1931, the Blue Anchor Building is constructed of steel and concrete, finished in stucco, and capped by a low-pitched red tile roof. The building features a balconette, decorative features at the roofline, and a tile staircase accessing the recessed entrance, which is framed by large engaged columns supporting an entablature, as well as a secondary balconette along O Street. Its most distinctive architectural feature is a two-and-a-half story tower at the junction of the two wings.

CONSULTATION EFFORTS

Native American Consultation

During project planning, a Native American contact program was initiated pursuant to AB 52. On March 11, 2019, the NAHC responded to the request from DGS with a consultation list of Native American tribes that are traditionally and culturally affiliated with the geographic area of the project. In addition, an electronic communication dated April 1, 2019, requested from the NAHC a search of the Sacred Lands Database managed by the NAHC. In its response, dated April 15, 2019, the NAHC stated that its search of the Sacred Lands Database was negative. Letters to tribal representatives about the Capitol Annex Project specifically were sent on April 10, 2019, inviting consultation pursuant to AB 52.

The United Auburn Indian Community of the Auburn Rancheria responded by email on April 11, 2019, and by letter dated April 25, 2019, requesting consultation pursuant to AB 52. By email on April 19, 2019, and on May 7, 2019, Wilton Rancheria and the Lone Band of Miwok Indians responded, respectively, requesting consultation pursuant to AB 52. The Shingle Springs Band of Miwok Indians requested consultation via e-mail on September 24, 2019. Multiple consultation meetings and additional meetings supporting consultation have been conducted with tribal representatives including meetings on April 8, April 17, April 24, May 22, June 12, September 24, November 5, November 8, November 19, and November 22, 2019. Some meetings were with a single Tribe and others had representatives from multiple Native American Tribes present. AB 52 consultation was still underway at the time of publication of this Recirculated Draft EIR.

While other federally recognized tribes may claim the project area as part of their ancestral territory, no other tribes have requested formal consultation or additional information.

As an outcome of the AB 52 consultation, the State has agreed to implement the following actions in addition to items included in the project description and mitigation measures identified in the EIR:

- ▶ The State will include a land acknowledgement in written form to be displayed in the Visitor Center, Historic Capitol, or Annex. Further, acknowledgements will be verbally made during groundbreaking and ribbon-cutting ceremonies related to the Capitol Annex project.
- ▶ The State will work with the NAHC and the consulting Native American tribes on coordinating the participation of Native Americans during the ground breaking and ribbon-cutting ceremonies for the Capitol Annex project.

- ▶ The State will manufacture a temporary display board to be respectfully placed in a location visible to the public during project construction. The display board may address topics of importance to the consulting Native American tribes such as measures to protect archeological resources and TCRs during construction and the presence of the Capitol on the traditional homelands of Native peoples. The State will coordinate with the consulting Native American tribes regarding the content of the display board.
- ▶ The State will coordinate with the NAHC and interested Native American tribes to develop a permanent public interpretative display to be located in the Visitor Center, Historic Capitol, or Annex and which will be viewable and accessible to the public.

Built Environment Architectural Resource Consultation

On July 12, 2019, letters requesting information regarding potential historic-era architectural resources in the project area were sent to the following interested parties:

California Council for the Promotion of History
CSU Sacramento, Department of History
6000 J Street
Sacramento, CA 95819-6059

Carson Anderson
City of Sacramento Historic Preservation Director
300 Richards Boulevard
Sacramento, CA 95811

Dylan McDonald
Center for Sacramento History
551 Sequoia Pacific Boulevard
Sacramento, CA 95811-0229

Jackie Whitelam, Chair
City of Sacramento Preservation Commission
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Sacramento Room
Sacramento Public Library
828 I Street
Sacramento, CA 95814

Sacramento Historical Society
P.O. Box 160065
Sacramento, CA 95816-0065

California State Archives
1020 O Street
Sacramento, CA 95814

California State Capitol Museum
California State Capitol
1315 10th Street
Sacramento, CA 95814

Dori Moorehead, Executive Director
California Museum
1020 O Street
Sacramento, CA 95814

Marcia Eymann, Executive Director
Sacramento History Museum
101 I Street
Sacramento, CA 95814

Preservation Sacramento
P.O. Box 162140
Sacramento, CA 95816

Historic State Capitol Commission
Koren R. Benoit, Executive Director
1020 N Street, Room 255
Sacramento, CA 95814

As of publication of this Recirculated Draft EIR, no responses to any of the information request letters have been received.

4.12.3 Impacts and Mitigation Measures

METHODOLOGY

For purposes of discussion throughout the following impacts and mitigation measures, the term “historic resources” includes extant architectural resources (e.g., buildings and structures), historic landscapes, and subsurface historic-era features (such as wells, privies, or foundations, as well as evidence of historic-era Native American occupation). “Prehistoric resources” refers to pre-European contact Native American sites, features, or burials.

Although there is a low likelihood that intact historic-era cultural deposits or features are present within the project site, the proximity of the project site to former high ground suggests a high probability for the presence of intact prehistoric deposits or features at depth within the project footprint. The results of background research indicate that substantial prehistoric and historic deposits containing significant data have been discovered in similar settings in downtown Sacramento. Past projects have had success locating buried cultural resources using historic maps, photographs, archival data, and consultation.

Restricted surface visibility in urban areas provides only basic information on the impact of construction on subsurface archaeological deposits. Consequently, the results of a review of historical documents and previous research provide the primary basis for assessing project impacts on archaeological resources. Factors taken into account include the general history of the area; potential for the presence of prehistoric resources; the timeframe of development of the Historic Capitol building, Capitol Park, and surrounding neighborhood; potential for the presence of historic-era artifact-filled features; and later period development of the Annex and underground utility and communications infrastructure that would have disturbed archaeological features. All these factors were assessed to rate the potential for the project to affect archaeological resources as high, moderate, or low:

- ▶ High potential for impacts on cultural resources was considered likely when the proposed component was in an area where no known subsurface disturbances had previously occurred and archival research indicated the presence of historic-era components before water and/or sewer hookup and municipal garbage pickup.
- ▶ Moderate potential for impacts on cultural resources was considered likely when the proposed component was in an area where no known belowground disturbances had previously occurred and archival research indicated a potential for prehistoric deposits or historic-era artifact-filled features.
- ▶ Low potential for impacts on cultural resources was considered likely when the proposed component occurred in an area of known ground disturbance. Although the potential to encounter archaeological deposits was considered low under these circumstances, the possibility that isolated deposits or features may remain intact cannot be dismissed.

THRESHOLDS OF SIGNIFICANCE

An impact on cultural resources would be significant if implementation of the Capitol Annex Project would:

- ▶ cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the State CEQA Guidelines;
- ▶ cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines;
- ▶ cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe; or
- ▶ disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 of the State CEQA Guidelines defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 4.12-1: Potential for Impacts on Significant Historic Archaeological Resources

Implementation of the Capitol Annex Project would result in the demolition and reconstruction of the Annex, excavation and construction of a new underground visitor/welcome center, and excavation and construction of a new underground parking garage. Although previous site disturbances and construction likely removed any significant historic archaeological features, there are some areas within the project site that may yet be undisturbed, thus potentially retaining significant historic archaeological resources. Because earthmoving activities resulting from the project could potentially affect significant historic archaeological resources within these undisturbed areas, this impact would be **potentially significant**.

The Historic Capitol building, to which the existing Annex is appended, and the original four-block area of Capitol Park bounded by 10th, 12th, L, and N Streets have experienced periods of early development activity likely represented by historic archaeological remains, beginning in the 1850s through renovation of the original Capitol building in 1906-1908. Such remains may represent some of the earliest urban development within Sacramento. Artifact-filled features from the 1850s through 1908 could contain important data about the lives of early Sacramento legislators and other State officials, or about the lives of lesser-known business professionals, skilled workers, and immigrants who worked in or constructed the Capitol building and surrounding gardens. Features could also be present that represent industrial and technological advancements from the initial 1860–1874 construction of the Capitol building to its 1906–1908 modern infrastructure renovation.

Although construction of the Annex between 1949 and 1952, and the later addition of the south entrance building, would have likely removed or degraded any historic archaeological features that may have been present, there may be portions of the project site that remain undisturbed and could contain significant intact historic archaeological deposits. If these areas have not been disturbed by previous construction activities, remaining artifacts and features could be disturbed or destroyed during project construction. Overall, the project site is considered to have a low potential for the existence of intact historic archaeological deposits. However, because there is potential for earthmoving activities associated with project construction to potentially affect significant historic resources in previously undisturbed areas, this impact would be **potentially significant**.

Mitigation Measures

Mitigation Measure 4.12-1: Implement Monitoring and Response Measures If Significant Historic Archaeological Resources Are Discovered

A cultural resources awareness training program shall be provided to all on-site personnel active on the project site during earthmoving activities. The training shall include all construction personnel and others who work on the construction site including the California Highway Patrol officers who monitor the Capitol Grounds. The first training shall be provided prior to the initiation of ground-disturbing activities. The training shall be developed and conducted in coordination with a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists and consulting Native American tribes. The program shall 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 shall also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and shall 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 U.S. Secretary of the Interior guidelines for professional archaeologists shall monitor ground-disturbing activities. If evidence of any historic-era subsurface archaeological features or deposits is discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, brick walls), 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. However, if historic era artifacts are found to be associated with Native American tribal members, they shall be evaluated and treated consistent with the process identified in Mitigation Measure 4.12-2. 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.

Significance after Mitigation

Implementation of this mitigation measure would reduce Impact 4.12-1 to a **less-than-significant** level by requiring preconstruction training, 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.

Impact 4.12-2: Potential for Impacts on Significant Prehistoric Archaeological Resources and Tribal Cultural Resources

There are no known significant prehistoric archaeological resources or tribal cultural resources on the project site. However, earthmoving activities associated with project construction could disturb or destroy previously undiscovered significant subsurface prehistoric archaeological resources and/or tribal cultural resources. This impact would be **potentially significant**.

Evidence of prehistoric occupation of the Sacramento region dates back several thousand years. Cultural deposits of most early or long-term occupation sites in the region are marked by cultural layers alternating with flood-deposited silts. Sites such as those discovered on H and I Streets have cultural layers that are now at least 9–10 feet below the current street level. Many sites were buried when the business district was raised and Sutter Lake filled in the 1860s–1870s. As described above for Impact 4.12-1, although the project site is developed and past construction activities may have damaged or removed subsurface cultural resources, there is the potential for subsurface resources, including significant prehistoric archaeological resources and resources that would qualify as a tribal cultural resource, to be present where there has been less ground disturbance or where native soils are still intact below the sediment used to raise the ground level in the 1860s–1870s. Project-related construction activities that require substantial earthmoving could disturb or destroy unknown, undisturbed significant prehistoric archaeological resources or tribal

cultural resources. Overall, the project site is considered to have a high potential for the existence of intact archaeological deposits. Because there is potential for earthmoving activities associated with project construction to affect significant prehistoric archeological resources, or resources that would qualify as tribal cultural resources, in areas with little or no previous disturbance, this impact is **potentially significant**.

Mitigation Measures

Mitigation Measure 4.12-2: Develop Research Design and Implement Monitoring and Response Measures If Significant Prehistoric Archeological Resources and Tribal Cultural Resources Are Discovered

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. A representative from each culturally affiliated Native American tribe that has participated in consultation with DGS will be invited to participate in the development and delivery of the cultural resources awareness training program included in Mitigation Measure 4.12-1. **Native American monitors** shall be invited to participate in the delivery of the cultural resources awareness training program. The awareness program shall include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program shall also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and shall outline what to do and whom to contact if any potential prehistoric archaeological resources or tribal cultural resources are encountered. The program shall also underscore the requirement for confidentiality and culturally appropriate treatment of any finds of significance to Native Americans and behaviors consistent with Native American tribal values.

Each culturally affiliated Native American tribe that has participated in consultation with DGS will be invited to participate in the development of a "Research Design for Evaluation and Treatment of Unanticipated Archaeological and Tribal Cultural Resources Discoveries" (Research Design). The Research Design shall address issues such as preconstruction testing; construction monitoring protocols; identification, protection, temporary storage, and treatment of discovered materials; process for the identification of discovered material as a TCR (consistent with AB 52 Sec 4. 21074 (a)); and data collection methodology. The Research Design shall be completed prior to the conclusion of AB 52 consultation. The Research Design may expand upon and reinforce, but may not contradict or weaken, mitigation requirements provided in this EIR.

Where ground-disturbing activities occur, a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists and a Native American monitor (or monitors) shall monitor ground-disturbing activities and/or the handling and placement of imported material brought to the project site for fill or other purposes to determine if archeological material may be imported with the native soil. Furthermore, **Native American monitors** shall have the opportunity to examine the underside of sections of demolished concrete slabs, as cultural materials that may have been on the ground surface during initial construction could have adhered to the concrete. **Native American monitors** shall have the opportunity to inspect a portion of excavated soils. The frequency and volume of excavated soil inspections (e.g., proportion of bucket loads inspected) shall be authorized by the State in consultation with consulting Native American tribes and shall be determined prior to the start of earth moving activities. **Soil inspection protocols will be included in the Research Design and shall provide Native American monitors and archeologists the opportunity to inspect soils in "real time" as construction proceeds.** The final destination for each truckload of excavated soil shall be known before the truck leaves the project site in case a need arises to inspect the material. Native American monitors and monitoring archeologists shall be provided the contact information for the individual who tracks the disposal location(s) for excavated material.

Interested Native American tribes shall be provided at least 10 business-days' notice prior to the initiation of ground-disturbing activities and/or concrete slab removal. The State (contractor) shall work with the Native American monitor and project archeologist on scheduling as well as notification protocols if unexpected work, or work stoppages occur. The project proponent will work with the Native American tribes to find the appropriate compensation for the Tribal monitors. The State will work with the consulting Native American tribes to find the appropriate number of monitors to have onsite for earth moving activities. The determination for initiating or ending monitoring of ground disturbance, imported soils, or excavated soils shall be made based on coordination between the qualified

archaeologist and Native American monitor, with a final determination made by DGS in consultation with the consulting tribes. Additional Tribal representatives beyond the designated monitors, including the consulting Tribal Historic Preservation Officers and the monitor's supervisors, may visit the construction site after coordinating access with DGS and the construction contractor and following all construction site safety requirements.

If evidence of any subsurface prehistoric archaeological features or deposits is 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/or Native American representative can assess the significance of the find. Buffer distances between the discovery and construction activities shall be determined in the field by the qualified archaeologist and/or Native American monitor balancing the objectives of protecting the find and the potential of other finds in the area while also allowing construction activities that do not present a risk to the find to continue. If an exclusion zone is to be maintained for more than 8 hours, the border of the exclusion zone shall be marked with orange construction fencing, stakes and caution tape, or similar easily visible material. If an exclusion zone is to be maintained overnight, site security shall be notified that no persons may enter the exclusion zone until the qualified archeologist or Native American monitor has returned to the site.

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 Section 21084.3), including possible capping, data recovery, mapping, or avoidance of the resource. If Native American artifacts are recovered, the first option shall be to halt work and consider preservation in place. If the artifact must be removed it will be secured in a location as proximal to the find location as possible, in coordination with the appropriate Native American representative. A secure location will be provided by the Construction Contractor onsite, if at all possible. Cultural soils (e.g., soils surrounding biological material that has decomposed) shall also be considered in determining the recovery and transfer of tribal cultural materials. It is the intent of DGS and the JRC that all Native American artifacts, if either archeological, cultural, or TCRs, be preserved in place or reburied as near to the discovery site as possible with proper recordation to ensure no future disturbance. The Joint Rules Committee and DGS, in coordination with the consulting tribes, shall identify at least one suitable reburial location prior to the initiation of ground-disturbing activities. All mitigation and Research Design elements applicable to excavation shall be applied to any excavation and earth moving at the reburial location. The Research Design shall include preconstruction testing at the reburial site. Additional testing locations may include the parking garage and the new Annex footprints where native soil is present. Methods of preconstruction testing at the burial site, as well as locations and methods for any other preconstruction testing, shall be identified during development of the Research Design. 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 (in a form suitable for public review and absent of sensitive information). Each culturally affiliated Native American tribe that has participated in consultation with DGS shall be provided the opportunity to review and comment on a draft of the report before final publication.

Significance after Mitigation

Implementation of this mitigation measure would reduce Impact 4.12-2 to a **less-than-significant** level by requiring construction monitoring and, in the case of a discovery, preservation options (including capping, data recovery, mapping, or avoidance) and proper care if significant artifacts are recovered.

Impact 4.12-3: Potential Discovery of Human Remains

There are no known cemeteries or burials on the project site. However, earthmoving activities associated with project construction could disturb or destroy previously undocumented human remains. This impact would be **potentially significant**.

As identified above in the discussions of Impacts 4.12-1 and 4.12-2, overall, the project site is considered to have a low potential for the existence of intact historic archaeological deposits, but it has a high potential for the existence of intact archaeological deposits. This assessment would also apply to the potential presence of human remains, whether associated with historic or prehistoric occupation. There are no known cemeteries or burials on the project site. However, because there is some potential for earthmoving activities associated with project construction to

potentially encounter buried human remains in areas with little or no previous disturbance, this impact would be **potentially significant**.

Mitigation Measures

Mitigation Measure 4.12-3: Implement Response Protocol If Human Remains Are Discovered

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; the California Highway Patrol (CHP) shall be notified, and an exclusion zone around the find shall be established based on coordination between CHP, the State, **Native American monitors**, and the archeologist; and the exclusion zone will be visibly marked (e.g., lath and flagging). CHP shall notify the county coroner 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 and any associated archeological items and cultural soils. **The reburial location identified as part of Mitigation measure 4.12-2 shall be made available to the MLD for reburial of any human remains and any associated archeological items and cultural soils.**

Significance after Mitigation

Implementation of this mitigation measure would reduce Impact 4.12-3 to a **less-than-significant** level by requiring 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.

Impact 4.12-4: Potential for Impacts on Historic Architectural Resources

The Capitol Annex Project would cause physical changes within two historic districts and introduce changes to the setting of those districts, a third NRHP-eligible historic district, and four individually NRHP-eligible historic buildings. These changes would result in a substantial adverse change to the characteristics that qualify the State Capitol Complex for listing in the NRHP. This impact would be **significant**. The physical changes within the California State Government Building District would impact one part of one contributor to the district, but overall the project, as currently known, would not impair the district's ability to convey its historical significance. The impact to this district would be **less than significant**. The changes to the Capitol Extension Group present a change in setting, but the impact on the district would be **less than significant**. The four individually eligible buildings would not experience any alteration of their physical elements, and the proposed project would not impair the ability of those resources to convey their historical significance. These resources would have **no impact**.

State Capitol Complex

The proposed project has four components that would affect the State Capitol Complex: the new underground visitor/welcome center, centered at the western entrance to the Capitol Building; the demolition of the existing Annex; the construction of the new annex; and introduction of the new underground parking (which requires removal of the existing driveways and introduction of new driveways that will alter areas of Capitol Park). When identified altogether, each of the proposed project components would alter one or more of the features of the State Capitol Complex (which includes the Capitol Building [i.e., Historic Capitol and Annex], Capitol Park, and State Insectary) to varying degrees. Because it is a listed historic resource, alterations to State Capitol Complex would result in a *potentially significant* impact.

New Visitor/Welcome Center. The construction of the new visitor/welcome center entrance within the West Lawn would create a lower plaza that would serve as visitor access to 40,000 additional square feet of space and raise the western plaza (i.e., the upper plaza of the visitor/welcome center, see Chapter 3, "Project Description," and, in

particular, Figure 3-4) to the base of the Historic Capitol steps. This would result in noticeable changes to the characteristic topography, pedestrian circulation, vegetation, and vistas of the west entrance to the Capitol building as it was experienced during the period of significance. The proposed project includes the expansion of the current plaza to the north and south as part of the upper plaza, expanding its current size, eradicating the inset center lawn panels, and raising the level of a portion of the existing plaza. The new upper plaza includes two planters each containing a single tree and a central raised skylight and associated safety features that would protect visitors from stepping onto the skylight and falling into the lower plaza. Collectively, these project elements would interrupt the Beaux Arts layout of the West Lawn of the Capitol Building, altering the long walking lanes typical of Beaux Arts landscaping, as well as eradicating the stepped terraces that rise over a series of broad stairs over two banks to the west entrance of the Capitol. The Beaux Arts-style circulation and landscaping and the stepped terraces are character-defining features of the West Lawn that would be affected by the proposed project elements. The raised plaza would consist mainly of hardscape, which would reduce the amount of lawn panels present and alter the ratio of softscape to hardscape within the West Lawn. The existing lawn contributes to the West Lawn landscape, and the current ratio favors softscape. The new hardscape also has the potential to displace or damage current tree plantings that contribute to the West Lawn's significance, including the important monocultural rows of southern magnolias and deodar cedars. The visual and functional intrusion on the historic West Lawn has the potential to create a physical interruption that would change the character-defining vista up and down Capitol Mall toward the Capitol Building.

Once constructed, the new visitor/welcome center entrance and interior subterranean space would create the most substantial change to the western entrance of the Capitol Building and the western blocks of Capitol Park since the building's completion in 1874. Construction of the new visitor/welcome center would alter historic features of the West Lawn landscape by interrupting the stepped terracing of the West Lawn, the north/side aligned tree rows, and pedestrian circulation paths; altering the spatial organization of the West Lawn and related ratio of softscape and hardscape elements; and removing portions of the perimeter pathways and palm trees.

Construction activities for the new visitor/welcome center, such as excavation, grading, and pile driving, would cause ground-borne vibration that has the potential to result in physical damage to the Historic Capitol (western portion) of the State Capitol Building and damage to features of Capitol Park, such as historic-era trees, walkways, and planters on the western side of Capitol Park. Depending on the level of vibration and the proximity to the historic building, construction vibration can destabilize historic masonry foundations, cause structural cracks in historic masonry walls, or lead to damage to interior or exterior finishes or fixtures. If vibration causes any of these types of damage to the building, it would impair the historical integrity of materials, design, and/or workmanship, which would *contribute to the significant impact* on the historical resource.

Overall, the new visitor/welcome center would alter historic landscape features of the West Lawn of the Capitol and reduce the ability of the resource to communicate its period of significance. The proposed project would introduce a large, modern intrusion into the historic landscape, which would eradicate almost one-third of the West Lawn's character-defining features, such as historic circulation, portions of its vegetation, the spatial organization, and the topography. Therefore, this change would contribute to a *significant impact* on the historical resource.

Demolition of the Capitol Annex. Although it was built later than the original 1874 Historic Capitol building, the NRHP-listed historical resource recognizes the significant contribution of the Annex to the State Capitol Complex. Demolition of the Annex would cause a substantial adverse change to the State Capitol Complex, because it would permanently and completely remove part of the monumental building that anchors the complex that represents California's seat of government. This change would result in a *major contribution to the significant impact* to the historical resource. In addition to the physical demolition of the building, demolition of the existing Annex would require removal of some landscape surrounding the Annex, including the removal of commemorative trees, plantings, or other types of memorials (collectively referred to as "memorials") in Capitol Park. Construction activities also have the potential to cause inadvertent damage to memorials in Capitol Park. Removal or damage of memorials in Capitol Park would *contribute to the significant impact* to the State Capitol Complex. Finally, demolition activities have the potential to cause damage to historic architectural elements of the eastern façade of the Historic Capitol that were preserved during the original construction of the Annex. Such damage would result in a *minor contribution to the significant impact* to the historical resource.

Construction of the New Annex. The new Annex would be built immediately adjacent to the Historic Capitol (western portion) of the State Capitol Building and styled as a “one building” design that would not exceed the height of the base of the Rotunda. The new square footage would extend toward 12th Street, which would encroach on Capitol Park, reducing the size of the park by up to approximately 40,000 square feet. The new Annex would change the exterior, alter the viewshed of the Historic Capitol building from Capitol Park and other surrounding vantage points, alter Capitol Park and its plantings, and transform interior and exterior circulation patterns. In the absence of detailed design drawings, these changes to the State Capitol Complex have the potential to impair the characteristics that qualify it for listing in the NRHP by introducing a new building that is incompatible with and detracts from the Historic Capitol, which in turn would impair its ability to convey its historical significance. The introduction of a new Annex within the State Capitol Complex would *contribute to the significant impact* to the historical resource. Construction activities will occur in very close proximity to the Historic Capitol, which has the potential to result in vibration levels that could cause damage to the historic masonry building. If such damage occurred, this would *contribute to the significant impact* to the State Capitol Complex.

Underground Parking. Construction of the new underground parking structure would occur directly adjacent to and underneath the Historic Capitol, which could lead to vibration levels that could cause physical damage to the historic masonry building. Such damage would contribute to the significant impact to the State Capitol Complex. Vehicular patterns across Capitol Park would be affected because the existing driveways that provide access to the underground parking from L Street and N Street would be removed, and new driveways would be constructed. These activities could result in the removal and/or inadvertent damage to commemorative trees, plantings, or memorials in Capitol Park, which would contribute to the significant impact to the State Capitol Complex.

Summary. The combination of the complete physical demolition of the Capitol Annex, the changes to the historical integrity of setting and association caused by the introduction of the new visitor/welcome center, the potential for vibration damage during construction activities, the introduction of a new modern building, and physical changes to Capitol Park including introduction of the visitor/welcome center, which would include noticeable changes to the West Lawn’s characteristic topography, pedestrian circulation, vegetation, and vistas of the west entrance to the Capitol building, as well as removal of or damage to memorials, and reconfiguration of pedestrian and vehicular circulation systems in the landscaping surrounding all elevations of the Capitol Building, together would result in a substantial adverse change per State CEQA Guidelines Section 15064.5(b)(2)(A) because they would materially impair physical characteristics of the State Capitol Complex that help convey its historical significance and qualify it for listing in the NRHP. Therefore, the project would result in a **significant** impact on the State Capitol Complex historical resource.

Capitol Extension Group

The Capitol Extension Group was designed in the Beaux Arts style, with the Historic Capitol serving as its center axis, in order to complement and enhance the view of the Historic Capitol from the Capitol Mall. Implementation of the project would cause changes to the existing setting of the Capitol Extension Group.

The visitor/welcome center has the potential to impact the viewshed from the Capitol Extension Group towards the Historic Capitol. The planned lower plaza and raising of the western Capitol plaza to accommodate subterranean space would be the most substantial change to the western entrance of the Capitol since the building’s completion in 1874. The lower plaza would create a functional visual void, and additional safety railings installed to prevent pedestrians from falling into the lower plaza, as well as protect a proposed skylight (which would provide light and views to the underground visitor’s center), would introduce visual interruptions at the Capitol.

However, the addition of a welcome/visitor’s center would not substantially reduce the Group’s ability to convey its relationship to the Capitol. The public would continue to have multiple viewpoints of the Historic Capitol from surrounding buildings and the roundabout, as well as viewpoints beyond the Group on Capitol Mall. Furthermore, other factors such as extensive tree canopy growth and traffic and parking on 10th Street already exist and have not negatively affected the Group’s ability to convey its significance as a grouping of Beaux Arts buildings which frame the Historic Capitol (NRHP Criteria C). Introduction of a visitor/welcome center would be comparable. In addition, the proposed project would not change the Group’s ability to convey its significance as the first extension of State Government buildings in Sacramento (NRHP Criteria A) because the project would not affect the buildings within the

Group or cause any appreciable changes to their function as buildings associated with state government work. Therefore, implementation of the project would not impair the Group's features that qualify it as a CEQA historical resource, and the Capitol Extension Group would not be impaired due to the physical change occurring as a result of the projects at the Capitol Complex. The proposed project would result in a **less-than-significant impact** on the Capitol Extension Group historical resource.

California State Government Building District

Similar to effects of the Capitol Extension Group, the Capitol Annex project would also result in changes to the existing setting of the CSGBD. The planned lower plaza, safety railings, and raising of the western Capitol plaza to accommodate subterranean space for the visitor/welcome center would introduce visual interruptions at the Capitol. However, no aspect of physical change caused by the proposed project would impair any of the qualities that qualify the CSGBD as a CEQA historical resource because there would be no change in the District's ability to convey its significance as a grouping of buildings designed by the State Division of Architecture and functioning to support state government operations. Physical change resulting from removal and replacement of the Annex, construction of the proposed visitor/welcome center, or construction of a new underground parking facility at the project site would not compromise the CSGBD's ability to convey its eligibility status as a strong representation of California state government expansion during the first 100 years of statehood (NRHP Criterion A). The CSGBD will continue to retain its 13 contributing elements, while losing (and replacing anew) only one half of one of the District's contributors. Likewise, in the spirit of NRHP Criterion C, the District would only lose a small percentage of its architectural representation of the Moderne style, because the three Moderne buildings along N Street would still represent this style for the district. Therefore, demolition of the Capitol Annex would not change the critical mass of any one style within the District. The Capitol Annex Project would not impair the District's ability to represent its eligibility status as a collective representation of popular architectural styles and trends and the qualities that qualify the CSGBD as a CEQA historical resource would not be impaired due to the physical change occurring as a result of project implementation. The project would result in a **less-than-significant** impact to the CSGBD.

Individually Eligible Historic Buildings

There are four buildings within the CSGBD fronting the south side of N Street that are individually listed on their own merit in the CRHR and therefore are individual CEQA historical resources: the Department of Food and Agriculture, the Department of Transportation, the Legislative Office Building, and the Blue Anchor Building. The proposed project would result in a physical change to the setting of these four resources. However, no aspect of physical change caused by the removal and replacement of the Capitol Annex, the construction of the new visitor/welcome center, or the construction of a new underground parking facility at the Capitol Complex would impair any of the features that qualify each of these buildings as individual CEQA historical resources. The proposed project would not impair the character-defining features of these buildings because no aspect of the architectural quality of the individual buildings would be physically altered by the project. Likewise, the project would not affect or compromise the historically significant setting, feeling, and association of these buildings regarding their relationship to the Capitol Complex. For example, once the project site is complete, the Department of Food and Agriculture, the Department of Transportation, and the Legislative Office Building will each continue their state agency functions, physically facing and enjoying direct access to the State Capitol. In a similar vein, the setting, feeling, and association of the Blue Anchor Building will not be compromised because its orientation to the State Capitol Complex will also remain unchanged. Further, once the project is complete, each building would continue to convey its historical significance as a representative of its architectural style and as a state office building closely associated with California's seat of government. The project would result in **no impact** to the four individual historic buildings.

Mitigation Measures

Mitigation Measure 4.12-4a: Adhere to the Historic Structure Report, Secretary of the Interior's Standards for the Treatment of Historic Properties, the California State Historical Building Code, and Relevant National Park Service Preservations Briefs

DGS will have historic preservation planners under contract as part of the Progressive Design Build Team. The preservation planners' role is to prepare a historic structure report (HSR) for the Capitol historical resource (the Historic

Capitol, Annex, and Capitol Park) in accordance with NPS Preservation Brief 43 (The Preparation and Use of Historic Structure Reports) and include mitigation measures in conformance with the Secretary of the Interior's Standards (SOIS) for the Treatment of Historic Properties or the California State Historic Building Code (CHBC). The HSR shall identify historic preservation objectives and requirements for the treatments and use of the building prior to initiation of any repairs, modifications, and/or renovations to ensure that the historical significance and condition of the building are considered in the development of proposed renovation work.

DGS and the JRC will ensure that preservation treatment objectives for the Capitol historical resource seek to meet all SOIS for character-defining features designated in the HSR as having primary significance status and meet as many SOIS as feasible for those character-defining features designated as having secondary significance status. In instances when DGS and the JRC must address human safety issues not compatible with the SOIS, DGS and the JRC will adhere to the CHBC to the extent feasible. The CHBC is defined in Sections 18950–18961 of Division 13, Part 2.7 of Health and Safety Code. The CHBC is a mechanism that provides alternative building regulations for permitting repairs, alterations and additions to historic buildings and structures. These standards and regulations are intended to facilitate the rehabilitation and preservation of historic buildings. The CHBC proposes reasonable alternatives so that a property's fire protection, means of egress, accessibility, structural requirements, and methods of construction would not need to be modernized in a manner that compromises historic integrity. The CHBC is intended to allow continued, safe occupancy while protecting the historic fabric and character-defining features that give a property historic significance, thus promoting adherence to the SOIS. The CHBC recognizes that efforts to preserve the historic materials, features, and overall character of a historic property at times may be in conflict with the requirements of regular buildings codes. The Office of the State Fire Marshall has ultimate authority over health and safety and may require use of the standard building code in some instances.

DGS and the JRC will use the HSR to help meet SOIS and CHBC requirements as it includes treatments that draw from National Park Service Preservation Briefs relevant to the proposed renovation work. DGS and the JRC will ensure that the HSR's historic preservation objectives and treatment requirements for the Capitol historical resource are incorporated into the design and construction specifications. DGS and the JRC will consult with the project development team's preservation planner and with staff preservation architects within the Architectural Review and Environmental Compliance Unit of the State Office of Historic Preservation for guidance as needed. DGS and the JRC will ensure the HSR's historic preservation objectives and treatment requirements for the Capitol historical resource are incorporated into the project definition report, architectural design, and construction specifications. DGS and the JRC will consult with the project development team's preservation planner and with staff preservation architects within the Architectural Review and Environmental Compliance Unit of the State Office of Historic Preservation for guidance as needed.

Mitigation Measure 4.12-4b: Conduct Architectural and Landscape Salvage

Because a major component of the Capitol Annex Project is the demolition of a historical resource, the Annex, DGS and the JRC will seek feasible means for salvaging the building's character-defining architectural features. Additionally, because the construction of the visitor/welcome center would demolish a portion of the West Lawn, a historical resource, DGS and JRC will seek feasible means for salvaging character-defining features, including but not limited to the granite pillars and acorn-style light standards. The architectural and landscape salvage shall be incorporated into either the design of the new project proposed at the site or the interpretive program that would be developed under Mitigation Measure 4.12-4c. DGS and the JRC will determine which elements should be salvaged. If reuse of salvaged elements in either the design of the new building or in an interpretive program proves infeasible or otherwise undesirable, as determined by DGS and the JRC, DGS and the JRC will attempt to donate the elements to an appropriate historical or arts organization. DGS and the JRC, or consultants that meet the SOIS professional qualifications standards (SOIS-qualified consultants), shall ensure that a detailed salvage plan is provided before any demolition, site, or construction permit is issued for the project.

Mitigation Measure 4.12-4c: Develop and Implement an Interpretive Program

As part of the project, DGS, the JRC, and the Capitol Museum or SOIS-qualified consultants shall facilitate the development of an interpretive program to commemorate the continuous development of the State Capitol Complex, including programming focused on the Capitol Annex and Capitol Park. The interpretive programs should result, at minimum, in the

installation of a permanent exhibit, located on-site, in a public space, which is viewable and accessible to the public. The display shall be located in the new visitor/welcome center or the Capitol Museum. The interpretive program should highlight the continued evolution of the State Capitol building and Capitol Park, as well as provide an inclusive history of the surrounding area, particularly the viewshed from the Capitol Mall as it relates to urban renewal and underserved communities that were displaced to create the current mall, where the visitor/welcome center entrance would be located.

Mitigation Measure 4.12-4d: Develop and Implement a Plan for Protection, Restoration, or Replacement of Commemorative Trees, Plantings, or Other Memorials in Capitol Park

As part of the project, DGS and the JRC shall facilitate the development of a plan that: (a) identifies which of the commemorative trees, plantings, or other types of memorials (collectively referred to as "memorial") located in Capitol Park require removal or that are located within 50 feet of construction activities, and (b) establishes specifications for protecting, restoring, and/or replacing these memorials within Capitol Park as close to their original location as feasible. In developing the plan, DGS will prioritize protection in place over removal of each memorial planting or object. For each memorial where removal is necessary, DGS or the JRC will consult with individuals or groups who are affiliated with that memorial (such as the original sponsoring organization or the individual or group that is the subject of the memorial) to identify a mutually agreeable treatment for the memorial. Treatments may include relocation of the memorial to a new location as close as possible to the original location after project construction is complete, relocation of the original memorial to a new location within Capitol Park, complete removal of the original memorial and replacement "in-kind" with the same species or materials, or complete removal of the original memorial and replacement with a mutually acceptable new memorial. DGS will complete the plan for protection, restoration, or replacement of commemorative memorials prior to initiation of construction activities and will fully implement the plan within two years after completion of construction (except where the plan identifies that longer timeframes are required).

Mitigation Measure 4.12-4e: Develop and Implement a Plan for Protection, Monitoring, and Repairs for Inadvertent Damage to the Historic Capitol Building

Prior to any ground disturbing activities that are within 500 feet of the Historic Capitol Building, DGS and the JRC will oversee qualified consultants in the preparation of a Plan for the Protection, Monitoring, and Repair of Inadvertent Damage to the Historic Capitol Building. Protection measures would be developed in consultation with the Historic State Capitol Commission. The plan shall record existing conditions in order to (1) establish a baseline against which to compare the building's post-project condition, (2) to identify structural deficiencies that make the building vulnerable to project construction related damage, such as vibration, and (3) to identify stabilization or other measures required to avoid or minimize inadvertent impacts. The plan would be prepared by an interdisciplinary team, including (but not limited to) as appropriate, an architectural historian, architect, photographer, structural engineer, and acoustical engineer. The plan shall describe the protocols for documenting inadvertent damage (should it occur) and shall direct that inadvertent damage to historic properties shall be repaired in accordance with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties (U.S. Department of the Interior, 1995).

Significance after Mitigation

Implementation of Mitigation Measures 4.12-4a, 4.12-4b, 4.12-4c, 4.12-4d, and 4.12-4e would help to reduce impacts and compensate for those impacts that cannot be avoided by ensuring preservation treatments, preparing a detailed salvage plan, development of an interpretive program, and ensuring protection of Capitol Park resources and the Historic Capitol. However, even after application of these mitigation measures, this impact would remain **significant and unavoidable** because the Capitol Annex, which represents approximately half of monumental building in the NRHP-listed complex, would be permanently and completely destroyed, and the West Lawn of Capitol Park would be intensely modified, to the point of potentially not conveying its period of significance.

4.15 AESTHETICS, LIGHT, AND GLARE (REVISED)

This section provides a description of existing visual conditions, meaning the physical features that make up the visible landscape, near the Capitol Annex Project site and an assessment of changes to those conditions that would occur from project implementation. The effects of the project on the visual environment are generally defined in terms of the project's physical characteristics and potential visibility, the extent to which the project would change the perceived visual character and quality of the environment, and the expected level of sensitivity that the viewing public may have where the project would alter existing views. The methodology discussion below provides further detail on the approach used in this evaluation.

4.15.1 Regulatory Setting

FEDERAL

No federal plans, policies, regulations, or laws related to aesthetics, light, or glare are applicable to the Capitol Annex Project.

STATE

Capitol Area Plan

The 1997 Capitol Area Plan (CAP) serves as the master plan for development of State-owned land within the Capitol Area. A few of the statutory objectives and related principles that form the basis of the CAP both directly and indirectly address design objectives and aesthetic issues, as follows:

- ▶ **Land Use.** To establish patterns of land use in the Capitol Area which are responsive to the goals of the Capitol Area Plan, which provide for flexibility in meeting future State needs, and which protect the State's long-term interest without inhibiting the development process.
 - **Principle 3:** Consider transit accessibility, protection of the State Capitol Building's prominence, and linkage to surrounding neighborhoods in the location, intensity, and design of development.
- ▶ **State Offices.** To provide offices and related services to meet present and future space requirements for the State of California near the State Capitol and in the context of metropolitan Sacramento, in the most effective manner.
 - **Principle 3:** Ensure that building massing for office development enhances the Capitol Area's urban character, respects and maintains the State Capitol Building and Capitol Park as the focus of the Capitol Area, and provides adequate transition to the surrounding neighborhoods.
 - **Principle 5:** Intensify office space use on underutilized sites or in aging State facilities through renovation of existing buildings or through redevelopment.
- ▶ **Open Space and Public Amenities.** To develop within the Capitol Area a network of attractive and convenient open spaces and access routes to improve the environment for workers, residents and visitors, and to encourage a favorable response to alternatives for moving within and using the resources of the Capitol Area.
 - **Principle 2:** Incorporate open space features into new office facilities and housing developments.
 - **Principle 4:** Ensure a streetscape that enhances the Capitol Area's identity and sense of place, is responsive to the needs of pedestrians and the requirements of adjacent activities, and orients visitors to destinations and services within the Capitol Area. Chapter 11 of the 1997 Capitol Area Plan includes a set of "Urban Design Guidelines," which are broadly intended to...promote the Capitol Area's identity, vitality, and sense of place, and foster an environment that is conducive to living, working, and visiting. The relationship between

buildings and streets, pedestrian shade and comfort, visitor orientation, and safety are all important components of neighborhood building.

The following Urban Design Guidelines included in the CAP do not represent commitments to specific design solutions, nor are they implementing actions. These guidelines outline an advisory framework to guide the character and quality of the urban environment. They are intended as suggestions to be used by architects, site planners, and developers for development of specific sites (DGS 1997). The Urban Design Guidelines are as follows:

- ▶ **Guideline 1:** Maintain the State Capitol Building as the focus of the Capitol Area.
- ▶ **Guideline 2:** Ensure that all development complies with the stipulations of the Capitol View Protection Act.
- ▶ **Guideline 3:** Promote mixed-use development.
- ▶ **Guideline 4:** Maintain building intensities that are appropriate to the role of the Capitol Area and its setting.
- ▶ **Guideline 5:** Promote harmony between the old and the new.
- ▶ **Guideline 6:** Promote development that is pedestrian-friendly and has a neighborhood orientation.
- ▶ **Guideline 7:** Facilitate building identification and visitor orientation through a comprehensive signage program.
- ▶ **Guideline 8:** Promote streetscapes that further the Capitol Area's identity, and promote pedestrian comfort and safety.

California Government Code Section 8156(a), providing legislative direction on the development and implementation of the CAP, says the following:

The Legislature finds and declares:

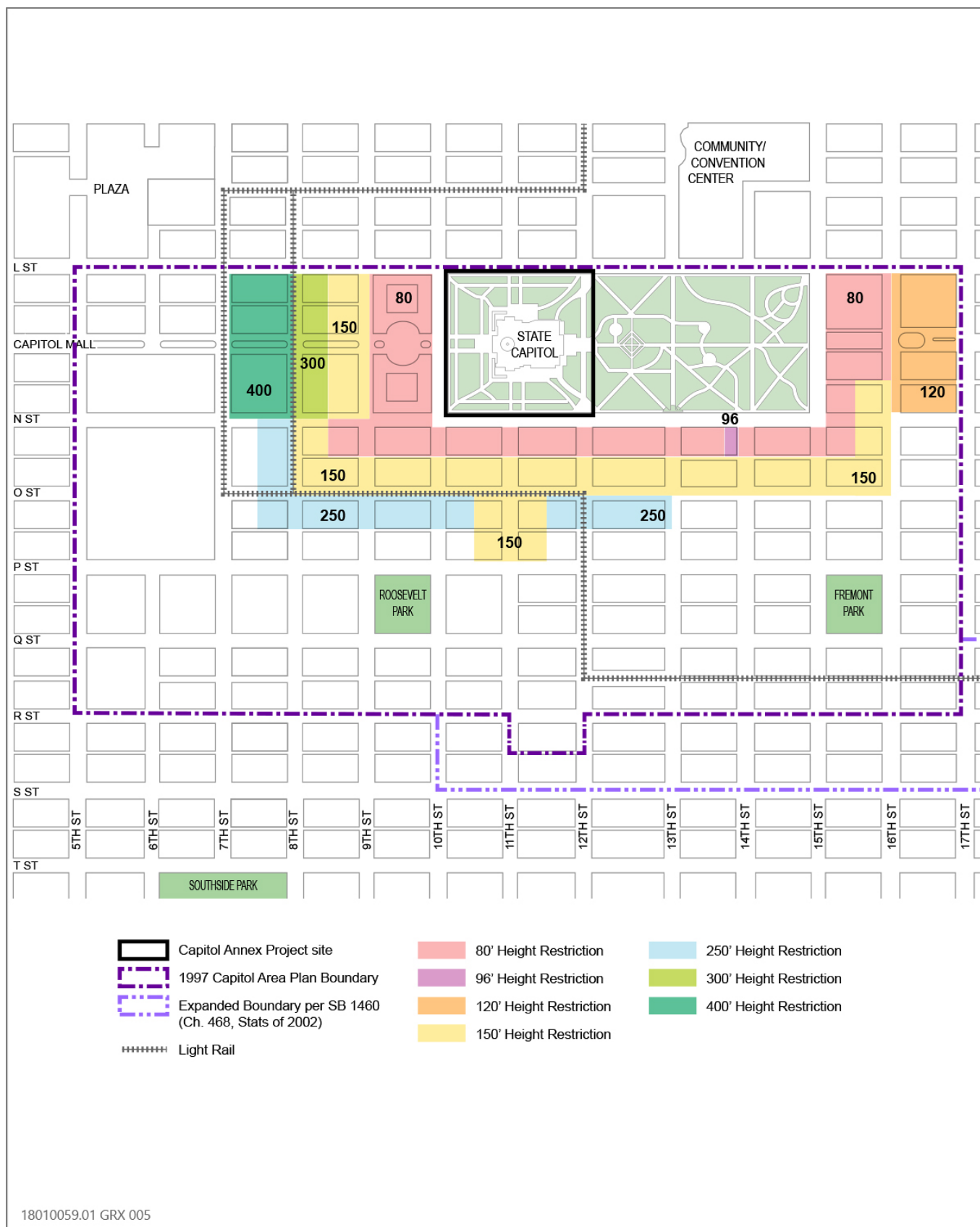
- a. There is a clear justification and need for the creation of a beautiful and impressive western approach to the capital city of California, which coordinates and integrates the planning and development of all major elements of the immediate environment, and emphasizes the most important single structure in the complex, the State Capitol Building.

Capitol View Protection Act

The Capitol View Protection Act (Government Code Section 8162 et seq.) was enacted to maintain the visual prominence of the State Capitol by setting height restrictions in zones surrounding the Capitol building (Figure 4.15-1), and to maintain the existing urban edge of surrounding streets by requiring certain building setbacks (California Office of Historic Preservation 2005). The Capitol View Protection Act does not individually address the State Capitol building because the purpose of the act is to protect State Capitol views as development occurs within the vicinity of the Capitol property. The Capitol View Protection Act also does not provide height restrictions or other limitations in Capitol Park (Figure 4.15-1). For this reason, the project would not be required to comply with the Capitol View Protection Act.

California Green Building Standards Code

The California Green Building Standards Code (CALGreen) is Part 11 of the California Buildings Standards Code and is the first statewide green building code in the United States. The purpose of CALGreen is to improve public health, safety, and general welfare by enhancing the design and construction of buildings using building concepts that have a positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to State-owned buildings, among others. The 2016 version of CALGreen includes mandatory standards to reduce light pollution for subject properties (CBSC 2017a, 2017b). The provisions of the code include maximum allowable backlight, uplight, and glare ratings intended to minimize light pollution in order to maintain dark skies and to ensure that newly constructed projects reduce the amount of backlight, uplight, light, and glare from exterior sources.



Sources: Adapted by Ascent Environmental; DGS 1997, DGS 2005

Figure 4.15-1 Capitol View Protection Act Height Restrictions

California Scenic Highway Program

The California Department of Transportation (Caltrans) manages the California Scenic Highway Program. The goal of the program is to preserve and protect scenic highway corridors from changes that would affect the aesthetic value of the land adjacent to the highways. The highway closest to the Capitol Annex Project site that is designated scenic is State Route (SR) 160. SR 160 parallels the Sacramento River and is designated scenic between the Contra Costa/Sacramento County line and the south city-limit line for the city of Sacramento. The north terminus of the segment of the highway that is designated scenic is more than 7 miles from the Capitol Annex Project site, and the site is not visible from this location. No other State-designated scenic highways are near the project site (Caltrans 2017).

Senate Bill 743

The California Legislature adopted a CEQA streamlining bill, SB 743, for residential, mixed-use residential, or employment center projects on infill sites within transit priority areas (PRC Section 21099[d]). As explained in Section 4.3, "Transportation and Circulation," of this Draft EIR, the Capitol Annex Project is within a transit priority area and it qualifies for CEQA streamlining benefits provided by SB 743. As a qualifying project, SB 743 provides that neither the project's aesthetic impacts nor parking impacts shall be considered significant impacts on the environment (PRC Section 21099[d][1]).

Assembly Bill 2667

AB 2667 adds Section 9105.5 to the Government Code and requires that any work of construction, restoration, rehabilitation, renovation, or reconstruction pursuant to Article 5.2 (State Capitol Building Annex Act of 2016) shall do all of the following:

- ▶ Incorporate elements complementary to the historic State Capitol, elements to make the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex efficient and sustainable, and historic elements from the existing State Capitol Building Annex.
- ▶ Integrate within its design elements that educate and impress upon visitors the rich heritage of symbolism that earlier generations of Californians made a vital part of the palette of the historic State Capitol design so as to convey the meaning of California's self-governance and the state's unique and ever-distinctive heritage.
- ▶ Incorporate symbolic treasures, as is befitting the heritage of symbols left by California's founders for current and future generations to enjoy and explore, so as to ensure that the legislative and executive branch working spaces in the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex are no longer barren and devoid of the enriching presence of those symbols of self-governance.
- ▶ It is the intent of the Legislature that any newly constructed State Capitol Building Annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex be designed to welcome all visitors to a safe, healthful, accessible, and working State Capitol, including historic chambers supported by needed caucusing spaces, offices for the Chief Clerk of the Assembly, the Secretary of the Senate, and the Legislative Counsel; hearing spaces to facilitate the convenient conduct of hearings during sessions, and space for the Sergeants at Arms so that all Californians may effectively engage with their elected representatives and their state government in meaningful, participatory, and deliberative democracy.

LOCAL

The Capitol Annex Project site is located in downtown Sacramento on the State-owned Capitol grounds. The project, authorized by legislation, would be implemented by the Joint Rules Committee (JRC) under a memorandum of understanding (MOU) with DGS, with DGS providing specific services at the direction of JRC. As explained in Section 4.2, "Land Use and Planning," of this Draft EIR, in Section 4.2.1 "Regulatory Setting," the legislature is exempt from complying with local plans, policies, or zoning regulations. Nevertheless, in the exercise of its discretion, the JRC references, describes, and addresses in this EIR local plans, policies and regulations that are applicable to the project. DGS, working with JRC

pursuant to the MOU, will determine the content of the EIR. This evaluation is also intended to be used by local agencies for determining, as part of their permit processes, the project's consistency with local plans, policies, and regulations.

City of Sacramento 2035 General Plan

The following goals and policies from the Land Use and Environmental Resources Elements of the City of Sacramento 2035 General Plan (2035 General Plan) are relevant to the analysis of aesthetics, light, and glare effects:

GOAL LU 2.4: City of Distinctive and Memorable Places. Promote community design that produces a distinctive, high-quality built environment whose forms and character reflect Sacramento's unique historic, environmental, and architectural context, and create memorable places that enrich community life.

- ▶ **Policy LU 2.4.1: Unique Sense of Place.** The City shall promote quality site, architectural and landscape design that incorporates those qualities and characteristics that make Sacramento desirable and memorable including: walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.
- ▶ **Policy LU 2.4.2: Responsiveness to Context.** The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers.

GOAL LU 2.7: City Form and Structure. Require excellence in the design of the city's form and structure through development standards and clear design direction.

- ▶ **Policy LU 2.7.3: Transitions in Scale.** The City shall require that the scale and massing of new development in higher-density centers and corridors provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods that have lower development intensities and building heights.
- ▶ **Policy LU 2.7.6: Walkable Blocks.** The City shall require new development and reuse and reinvestment projects to create walkable, pedestrian-scaled blocks, publicly accessible mid-block and alley pedestrian routes where appropriate, and sidewalks appropriately scaled for the anticipated pedestrian use.
- ▶ **Policy LU 5.6.5: Capital View Protection.** The City shall ensure development conforms to the Capital View Protection Act.
- ▶ **Policy ER 7.1.1: Protect Scenic Views.** The city shall avoid or reduce substantial adverse effects of new development on views from public places to the Sacramento and American Rivers and adjacent greenways, landmarks, and the State Capitol along Capitol Mall.
- ▶ **Policy ER 7.1.3: Lighting.** The city shall minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, and requiring light for development to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare.
- ▶ **Policy ER 7.1.4: Reflective Glass.** The city shall prohibit new development from (1) using reflective glass that exceeds 50 percent of any building surface and on the bottom three floors, (2) using mirrored glass, (3) using black glass that exceeds 25 percent of any surface of a building, (4) using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building, and (5) using exposed concrete that exceeds 50 percent of any building.

The Capitol Annex Project site is located within the Central Business District as designated in the 2035 General Plan. The 2035 General Plan includes Urban Form Guidelines that apply to this area. The Central Business District is Sacramento's most developed area, and the vision for this area includes a vibrant downtown core that will continue to serve as the business, governmental, retail, and entertainment center for the city and the region. A significant element envisioned for the future is to include new residential uses intended to add vitality to this area. The Urban Form Guidelines identify a mixture of mid- and high-rise buildings creating a varied and dramatic skyline and mixed-use development as key urban form characteristics.

Central City Community Plan

The Central City Community Plan, which is intended to supplement the citywide policies above, includes the following relevant policies:

- ▶ **Policy CC.LU 1.4: Office Development.** The city shall encourage public and private office development, where compatible with the adjacent land uses and circulation system, in the Central Business District, Southern Pacific Railyards, and Richards Boulevard area.
- ▶ **Policy CC.LU 1.5: Central Business District.** The city shall improve the physical and social conditions, urban aesthetics, and general safety of the Central Business District.

Sacramento Central City Urban Design Guidelines

The City has design guidelines for each design review district within the city. The guidelines are used by the City's Design Review and Preservation Board to integrate projects with the appearance, scale, capacity, and character of various neighborhoods or districts in the city. The Capitol Annex Project is located in the Central Business District and the Central Core Design Guidelines Area (City of Sacramento 2009). These guidelines convey the City's expectations for design excellence in the Central City (City of Sacramento 2009:1.1-1 through 1.1-6).

The intent is to ensure that all development in the Central City contributes to making downtown Sacramento a unique and special place that includes a residential component integrated into the commercial center. To advance the vision set forth in the 2030 General Plan to be "the most livable city in America," the new Central Core Design Guidelines (Section 3 of the Urban Design Guidelines) are intended to ensure that proposed higher-density development also provides the qualities and amenities that will create an attractive, livable downtown with a lively mix of uses, walkable streets, an open and interesting skyline, and a high level of design expression (City of Sacramento 2009:1.1-1 through 1.1-6).

4.15.2 Environmental Setting

VISUAL CHARACTER OF THE PROJECT SITE AND VINICITY

Project Site

The project site includes the Historic Capitol and Capitol Annex building; an existing parking garage under the Annex; and associated landscaping, trees, and hardscape surrounding the property. The CAP Land Use Diagram currently designates landscaped portions of Capitol Park as Parks and Open Space but designates walkways and hardscape, including the State Capitol and the Annex, as Other Existing Use (DGS 1997).

Because of its cultural and governmental importance, the State Capitol is a scenic landmark within the City of Sacramento. Capitol Mall, which extends west from the Capitol building, includes a wide, open boulevard between the Sacramento River and the Capitol building. This corridor offers a unique view of the building by providing an uninterrupted view from Tower Bridge, located at the western end of Capitol Mall. The Sacramento Urban Design Plan lists Capitol Mall as one of the "Protected Views and Vistas." This view is primarily characterized by the tree-lined roadway, which includes two lanes of both westbound and eastbound traffic, divided with a landscaped median strip (City of Sacramento 2015).

The approximately 325,000-square-foot Annex accommodates members of the California Executive Branch, Assembly, and Senate in addition to serving as the entrance for the general public. The Annex has six stories, most of which contain office and meeting space for legislature members and staff. As shown in the images of project area conditions below [4.15-5 (Photo 6)], the exterior of the Annex, which was designed in the Mid Century Moderne architectural style, is constructed of painted white concrete-on-steel (Dreyfuss & Blackford Architects and Page & Turnbull 2006). Beneath the Annex is an underground parking garage that serves members of legislature and State Capitol building employees. Westbound vehicles access the garage from L Street, north of the Capitol, and eastbound vehicles from N Street, to its south. Both entrances also serve as exits. The existing garage has approximately 150 parking spaces.

Vicinity

The project site is bounded on the north by L Street, on the east by Capitol Park and 15th Street, on the south by N Street, and on the west by 10th Street. The site is surrounded by cement sidewalk along the northern, western, and southern boundaries and by paved walking paths on the east. Trees and other landscaping are present within the site and along the paved sidewalks and walking paths. The area east of the project site includes additional portions of Capitol Park. Capitol Park encompasses 37 acres and includes a variety of memorials, gardens, paved pathways, and trees from around the world. The park includes over 200 trees, varying in size, species, and importance. For more information related to the historic and cultural elements, and events at Capitol Park, please refer to Section 4.12, "Cultural and Tribal Cultural Resources," and Section 4.14, "Public Services and Recreation."

Land uses surrounding the project site include the Legislative Office Building and Lewis Apartments on the south across N Street; Caltrans headquarters on the southeast; the Jesse M. Unruh Office Building, Stanley Mosk Library and Courts Building, and Capitol fountain on the west; and business and commercial buildings on the north. Buildings surrounding the project site range in size and height. Many of the surrounding buildings feature concrete façades, flat roofs, and multilight windows. Streets are generally framed by buildings and mature ornamental trees, and most buildings have requirements for minimum setbacks from the street. In addition to the buildings surrounding the project site, other uses in the vicinity include surface parking lots, parking garages, and infrastructure for light rail transportation.

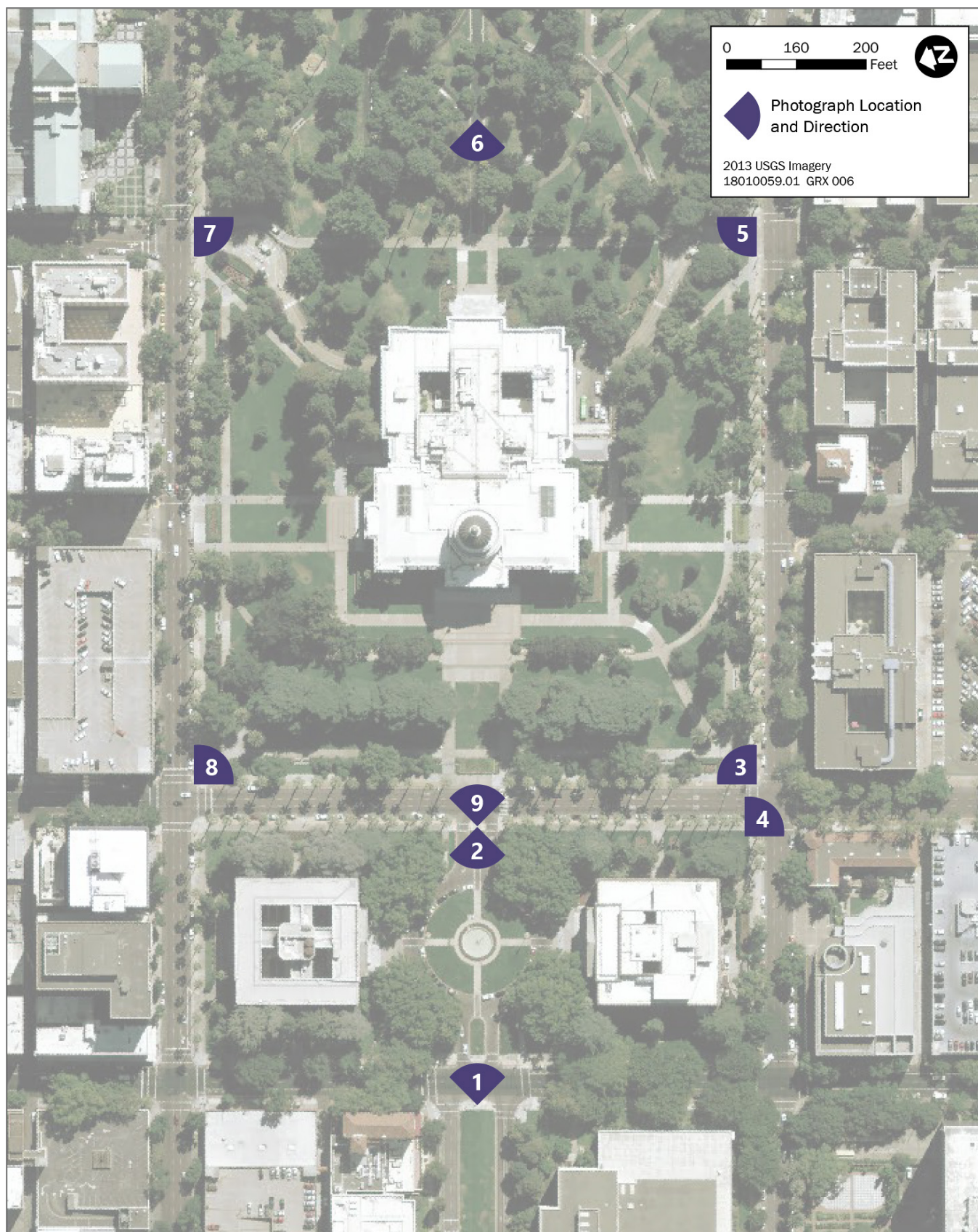
The buildings in the vicinity of the project site consist of a mix of low-rise, mid-rise, and high-rise structures. For the purposes of this analysis, low-rise buildings are considered to include those that stand from one to four stories above ground level, mid-rise buildings are those that stand five to 12 stories above ground level, and high-rise buildings are those that stand 13 or more stories above ground level. The tallest nearby building—the California Natural Resources Agency Building—is 14 stories tall with unscreened rooftop appurtenances (such as individual satellite discs). This building is about two blocks southwest from the project site and is bounded by Neighbors Alley, 9th Street, O Street, and 8th Street.

Representative views of the project site and vicinity, which correspond to the viewpoints illustrated in Figure 4.15-2, are depicted in Figures 4.15-3 through 4.15-7 and are described in detail below.

Photo 1 (Figure 4.15-3) shows a view of the western (primary) façade of the Capitol building, looking east, from Capitol Mall. This viewpoint also shows the Capitol fountain. To the north and south of Capitol fountain are the Jesse M. Unruh Office Building and Stanley Mosk Library and Courts Building, respectively. Together, these two buildings and the Capitol fountain are identified as a historic district, referred to as the Capitol Extension Group. Photo 2 (Figure 4.15-3) shows a view looking west of the Historic Capitol and Annex down the Capitol Mall corridor. Long-distance and undisturbed views along Capitol Mall are recognized as a scenic vista. At the western end of Capitol Mall is Tower Bridge, which is a Sacramento landmark.

Photo 3 (Figure 4.15-4) shows views from the southwest corner of the project site and of the southern façade of the Capitol and Annex. This viewpoint provides a glimpse of the many paved walking paths, landscaped areas, and variety of on-site mature trees. From this viewpoint, portions of the Historic Capitol's primary façade are shielded by existing trees. Photo 4 (Figure 4.15-4) provides a view of the Legislative Office Building at the northwest corner of 10th and N Streets looking southeast. The Legislative Office Building is located directly south of the project site, across N Street. The building is five stories in height and bordered by pedestrian sidewalk and city street trees.

Photo 5 (Figure 4.15-5) shows views of the southeast portion of the project site. From this viewpoint, the eastern façade of the Annex can be seen, although it is largely shielded by existing trees. In addition to showing more paved walking paths, this photo includes the southern (N Street) entrance to the existing parking garage, located underneath the Annex. Photo 6 (Figure 4.15-5) shows a western view of the eastern façade of the Annex, looking west. As previously described, the approximately 325,000-square-foot building is six stories in height and provides office space for the executive branch, assembly, and senate. The eastern façade has six cement columns, leading up to the ground level by way of entry steps. From this view, the top of the rotunda can be seen from its position atop the Historic Capitol.



Source: Figure created by Ascent Environmental in 2019

Figure 4.15-2 Viewpoint Locations



Source: Photograph taken by Ascent Environmental in 2019

Photo 1: View of State Capitol looking east from 9th Street



Source: Photograph taken by Ascent Environmental in 2019

Photo 2: View of Capitol Mall corridor looking west from 10th Street

Figure 4.15-3 Existing Visual Conditions of the Project Site - Representative Photographs



Source: Photograph taken by Ascent Environmental in 2019

Photo 3: View of southwest portion of State Capitol looking northeast from 10th and N Streets



Source: Photograph taken by Ascent Environmental in 2019

Photo 4: View of Legislative Office Building looking southeast from 10th and N Streets

Figure 4.15-4 Existing Visual Conditions of the Project Site - Representative Photographs



Source: Photograph taken by Ascent Environmental in 2019

Photo 5: View of southeast portion of Capitol Annex looking northwest from N Street



Source: Photograph taken by Ascent Environmental in 2019

Photo 6: View of Capitol Annex eastern façade looking west

Figure 4.15-5 Existing Visual Conditions of the Project Site - Representative Photographs



Source: Photograph taken by Ascent Environmental in 2019

Photo 7: View of northeast portion of Capitol Annex looking southwest from L Street



Source: Photograph taken by Ascent Environmental in 2019

Photo 8: View of northwest portion of State Capitol looking southeast from 10th and L Streets

Figure 4.15-6 Existing Visual Conditions of the Project Site - Representative Photographs



Source: Photograph taken by Ascent Environmental in 2019

Photo 9: View of State Capitol primary façade looking east from 10th Street

Figure 4.15-7 Existing Visual Conditions of the Project Site - Representative Photographs

Photo 7 (Figure 4.15-6) provides views from the northeast portion of the project site looking southwest. From this viewpoint, portions of the northern façade of the Annex can be seen; however, it is largely shielded by existing trees. This photo also includes the northern (L Street) entrance to the existing underground parking garage. Photo 8 (Figure 4.15-6) provides a view of the project site from the northwest corner looking southeast. Portions of the western (primary) façade of the Historic Capitol can be seen behind the existing trees. This photo also provides an additional view of the many on-site paved walking paths and landscaping.

Photo 9 (Figure 4.15-7) shows the primary façade of the Historic Capitol. The Historic Capitol, constructed between 1860 and 1874, was built to house the executive branch, assembly, senate, state supreme court, and state library and archives (Joint Committee on Rules 2017). The four-story white-painted building is constructed of plaster-clad brick, granite, and painted cast iron. Atop the building is a rotunda and tall dome that rest on a drum. The primary façade of the Historic Capitol also includes a set of steps (commonly referred to as the “west steps”) and terraces. Sets of pillars and columns, as well as replicated balustrade sculptures, can also be viewed along the primary façade of the Historic Capitol (Dreyfuss & Blackford Architects and Page & Turnbull 2006). For further discussion of the historic features of the Historic Capitol, refer to Section 4.12, “Archaeological, Historical, and Tribal Cultural Resources.” In front of the Historic Capitol is a set of parallel, paved walking paths, landscaping, and several historic and ornamental trees. City sidewalk is featured along 10th Street because large groups (e.g., students and tours) often use this portion of the street for drop-off and pickup services.

LIGHT AND GLARE CONDITIONS

Existing sources of light and glare are uniformly present in the project vicinity. Sources of light include streetlights along project roadways; lights in parking lots, along walkways, and on the exteriors of buildings; lights associated with the light rail system; interior lights in buildings; and lights directed at the Capitol dome to highlight the prominence of the Historic Capitol.

Natural and artificial light reflects off various surfaces and can create localized occurrences of daytime and nighttime glare. Buildings and structures made with glass, metal, and polished exterior roofing materials exist throughout the Capitol Area; however, there are no reported occurrences of excessive daytime or nighttime glare in the project vicinity.

SHADOWS

The evaluation of shading and shadows in this Draft EIR is limited to daytime shadows cast by objects blocking sunlight. The angle of the sun, and hence the character of shadows, varies depending on the time of year and the time of day; however, in the Northern Hemisphere, the sun always arcs across the southern portion of the sky. During winter, the sun is lower in the southern sky, casting longer shadows compared to other times of year. During the summer months, the sun is higher in the southern sky, resulting in shorter shadows. During summer, the sun can be almost directly overhead at midday, resulting in almost no shadow being cast. During all seasons, as the sun rises in the east in the morning, shadows are cast to the west; at midday, the sun is at its highest point, and shadows are their shortest, and cast to the north; and as the sun sets in the west in the afternoon/evening, shadows are cast to the east. Because of the climate in the Sacramento area, midday and afternoon shade in summer can be beneficial. In the winter, however, access to sunlight can be beneficial.

Tall buildings are common in downtown Sacramento and frequently cast substantial shadows for a portion of the day. The numerous street trees and interior trees in the area also provide a substantial source of shade and shadow, which is considered an amenity during the Sacramento area's hot summers. Few areas in downtown Sacramento are not shaded during at least part of the day.

4.15.3 Environmental Impacts and Mitigation Measures

METHODOLOGY

The method used for this assessment of impacts on aesthetics, light, and glare is adapted from guidelines prepared by the Federal Highway Administration (2015) for assessing visual impacts associated with transportation projects; these guidelines are easily transferred to other types of projects that could alter existing landscapes. The process of describing and evaluating visual resources near the Capitol Annex Project site and the surrounding areas involves the following steps:

- ▶ Identify the visual features or resources that make up and define the visual character of the viewsheds. (A viewshed is a physiographic area composed of land, water, biotic, and cultural elements that may be viewed and mapped from one or more viewpoints. It has inherent scenic qualities and/or aesthetic values as determined by those who view it.)
- ▶ Assess the quality of the identified visual resources relative to overall regional visual character.
- ▶ Identify major viewer groups and describe viewer exposure.
- ▶ Identify viewer sensitivity, or the relative importance of views to people who are members of the viewing public.

The area of potential visual impacts for the Capitol Annex Project is limited to downtown areas immediately surrounding the State Capitol. Elements considered when evaluating the general visual quality and character of the downtown Sacramento area include commercial buildings, office buildings, residences, parking lots, streets, and other structures; trees and landscaping; public outdoor spaces, such as parks and plazas; and views of the State Capitol and Capitol Park.

"Viewer exposure" refers to the location of viewer groups, the number of viewers, and the frequency and duration of views. Viewer sensitivity varies depending on the characteristics and preferences of the viewer group. An assessment of viewer sensitivity can be made based on the extent of the public's concern for a particular landscape or for scenic quality in general. Viewer sensitivity differs among various groups of people in the project vicinity. For this analysis, the visual sensitivity of viewers is considered high due to the State Capitol being a scenic landmark and the visual importance of Capitol Park, as well as the intensive use of Capitol Park by visitors, workers, and residents. Given the mix of office, commercial, and residential uses in downtown, the viewer groups considered in this Draft EIR are pedestrians (tourists), office workers, commuters, and residents/homeowners.

THRESHOLDS OF SIGNIFICANCE

An impact on aesthetics, light, and glare would be significant if implementation of the Capitol Annex Project would:

- ▶ have a substantial adverse effect on a scenic vista;
- ▶ substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway;
- ▶ substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point); if the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality;
- ▶ create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; or
- ▶ create additional shadowing on shadow-sensitive uses (e.g., residences or parks) during a substantial portion of the day.

ISSUES NOT DISCUSSED FURTHER

The project site is not located near a designated scenic highway corridor. A portion of SR 160 between the Contra Costa/Sacramento County line and the Sacramento city limit line is a designated scenic route. The north terminus of the highway segment that is designated scenic is more than 7 miles from the project site, and the project site cannot be seen from this location. At this distance, the upper floors of taller buildings in the downtown Sacramento area may be visible from limited vantage points and would indicate the center of urban development in the region. However, an alteration of the skyline at this distance would be unremarkable.

Implementation of the Capitol Annex Project would result in demolition and reconstruction of the Annex at a greater size. Specifically, the existing 325,000-square-foot building would be reconstructed to a 525,000-square-foot building. While the size of the building would increase by 200,000 square feet, the new Annex would remain approximately the same height. Any shadowing on shadow-sensitive uses resulting from reconstruction of the Annex would be essentially the same as existing conditions and would occur within the boundaries of the Capitol Annex Project site. The minor increase, if any, would not represent any adverse effects on shadow-sensitive uses during a substantial portion of the day. In addition, the new visitor/welcome center and parking garage would be constructed underground, which would not result in the creation of new shadows, despite the modified entry of the new visitor/welcome center, because the modified entry would be located underground and, therefore, would not create shadows. The four aboveground features associated with the new visitor/welcome center—proposed skylight, safety railings, planters, and fencing around emergency exits—would not be tall enough to create substantial changes in shadowing. For these reasons, shadow impacts are not discussed further in this Draft EIR.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 4.15-1: Adverse Effect on a Scenic Vista

The Capitol Mall corridor is considered a scenic vista. Implementation of the Capitol Annex Project would require substantial construction activities, which would temporarily alter views of the primary façade of the Historic Capitol, located at the eastern end of Capitol Mall. The modified entry to the new visitor/welcome center would be constructed primarily below ground, with only minor features (proposed skylight, safety railings, upper plaza planters, and fencing around emergency exits) visible at the foreground potentially obstructing views of the Historic Capitol. As such, scenic views of the State Capitol's primary façade would be permanently, though not substantially, impaired. Because construction activities would be temporary, these activities would not result in a permanent adverse effect. Further, because the modified entry to the new visitor/welcome center would be belowground (with the exception of the proposed skylight, safety railings, upper plaza planters, and fencing around emergency exits), it would not adversely affect views of the Historic Capitol, an identified scenic vista. This impact would be **less than significant**.

The east-facing view of Capitol Mall toward the State Capitol is considered a "protected view and vista" (City of Sacramento 2015). Implementation of the project would require the temporary use of large construction equipment, materials, and personnel. As described in Chapter 3, "Project Description," temporary fencing and other security measures such as cameras and lighting would be installed to prevent unauthorized access and promote site safety surrounding the construction area. Construction associated with the new visitor/welcome center and parking garage would occur near the west and southwestern portion of the project site, including portions of 10th Street (sidewalk and street parking) and could impede views of the Historic Capitol. Construction associated with demolition and reconstruction of the Annex would include the sidewalk along N Street between 10th Street and 12th Street and the parking lane along the north side of N Street. The sidewalk along L Street between 11th Street and 12th Street would also be closed; however, the temporary construction exclusion area would not encroach onto L Street. Construction of the Annex would not extend beyond the eastern edge of 12th Street. Construction of each of the project elements would occur within four phases between 2020 and 2025. Additionally, once construction is complete, exclusion fencing and security measures would be removed and 10th Street would be restored to pre-project conditions. Therefore, construction activities would be temporary, would occur in individual project phases, and would not result in permanent impacts on the long-distance easterly views of the Historic Capitol and Capitol Mall.

As described above, the eastern views of the State Capitol from Capitol Mall are considered a scenic vista. The new visitor/welcome center would be primarily below grade, with a large open ramped entrance near 10th Street to the lower plaza (see Section 3.4.5, "Visitor/Welcome Center"). The lower plaza, in conjunction with the below grade visitor/welcome center would be designed to be deferential to the Historic Capitol and maintain the west façade of the Historic Capitol as a focal point of the Capitol Mall. The new visitor/welcome center is specifically envisioned to be primarily below grade to minimize visual impacts, particularly from the Capitol Mall facing east. The top of the visitor/welcome center roof would be below the base of the west portico steps. Thus, full visibility of the Historic Capitol would be retained. The visitor/welcome center itself would be designed with simple and precise geometry, thought largely not visible from the exterior and establishing a base on which the ornate Historic Capitol sits. A large skylight is contemplated on the upper plaza of the new visitor/welcome center, allowing visitors a clear view and strong connection to the Historic Capitol as they enter below. The skylight could protrude up to several feet from the ground and, thus, would be visible above ground in front of the west portico; it would be made mostly of glass and, therefore, would be largely transparent. Any obstruction to views of the Historic Capitol from the west would be limited to a portion of the portico steps. A second aboveground feature that would partially obstruct views of the Historic Capitol would consist of a safety railing on the upper plaza that would surround the skylight and a separate railing that would protect visitors from falling down from the upper plaza onto the lower plaza visitor/welcome center entry ramp; these safety railings would be typical of such features at a roughly waste to chest height and are intended to consist of closely spaced, vertical metal railing. Again, any obstruction to views of the Historic Capitol from the west would be limited to a portion of the portico steps. Additionally, on the upper plaza, single large diameter planters would be located to the north and to south of the portico, each containing a single tree surrounded by low growing vegetation. The planters would be separated by a sufficient distance so that the trees would not obstruct the view of portico when viewed from

Capitol Mall and, would in effect, frame the portico with trees similar to existing conditions. The planter height, thickness, and material would be appropriate for the edge of the planter to be used as seating, and therefore, would not be taller than the upper plaza safety railings described above. Finally, emergency exits would be installed on the east end of the visitor welcome center consisting of stairways leading up to ground level and exiting at the existing planter areas abutting the Historic Capitol north and south of the portico. Metal fencing would be installed around the ground level portions of the emergency exits to prevent unauthorized access. The design, materials, and color for the fencing would be consistent with the current setting and historic nature of Capitol; thereby minimizing visual impacts and ensuring that long-distance views of the Historic Capitol are not substantially altered.

Construction of these above-ground visitor/welcome center structures (e.g., skylight, safety railings, planters, and fencing around emergency exits) at the foreground of the primary (western) façade of the Historic Capitol would result in permanent, albeit minor, visual obstructions that could affect long-distance views and the protected view and vista from the Capitol Mall toward the Historic Capitol. The State Capitol is a scenic landmark within the city of Sacramento, and the Capitol Mall corridor offers a unique view of the building by providing an uninterrupted view from Tower Bridge. Because the new above ground features of the visitor/welcome center would either have a relatively low profile and would only obstruct views of a portion of the portico steps, would be constructed of transparent materials (i.e., glass skylight), or would be located to approximate current visual conditions (i.e., upper plaza planters), they would not substantially alter the long-distance views of the Historic Capitol from Capitol Mall and the overall visual integrity of the Historic Capitol's primary façade would be retained.

As part of the project, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane (also known as a bulb-out). This would result in the loss of approximately five to seven existing parking spaces. Benefits of the bulb-out would include greater safety for pedestrians and maintenance of unobstructed views of the Historic Capitol, which are often blocked, albeit temporarily, by buses and vehicles parking directly in front of the Capitol on 10th Street. The bulb-out would have no adverse effects on scenic conditions.

Operation of the parking garage would not impair long-distance, scenic views because the structure would be located on the south side of the Historic Capitol, underground, below street level. Therefore, this structure would not be visible along the Capitol Mall corridor. Additionally, operation of the new Annex would not adversely affect the Capitol Mall scenic vista because views would be considerably shielded by the Historic Capitol.

Because the project would not substantially alter long-distance views of the Capitol Mall scenic vista, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Impact 4.15-2: Substantial Degradation of Existing Visual Character or Quality and Potential Conflicts with Applicable Zoning and Other Regulations Governing Scenic Quality

The Capitol Annex Project would result in demolition and reconstruction of the Annex, as well as construction of a new underground visitor/welcome center and parking garage. The project would involve temporary (i.e., construction-related) and permanent (reconstructed Annex building) visual changes in the project area. The Annex is located directly adjacent to the Historic Capitol, is surrounded by Capitol Park, and is within downtown Sacramento, an urban setting surrounded by office buildings, commercial buildings, residential buildings and roadways. The site design, building construction materials, finishes and landscaping would be consistent with the existing State Capitol and its prominent setting in Capitol Park. Although the project would result in temporary visual changes associated with construction of the new Annex, visitor/welcome center, and parking garage, the completed Capitol Annex Project would be similar to the existing visual setting and would not substantially degrade the visual character or quality of the site and its surroundings. Further, the Capitol Annex Project, including the modified entry for the new visitor/welcome center, would not conflict with applicable zoning or other regulations governing scenic quality, including the Capitol View Protection Act and the CAP, because it would not detract from the visual prominence of the Historic Capitol. Therefore, this impact would be **less than significant**.

Visual Character and Quality

As a result of growth in downtown Sacramento over the last 10 years, the Capitol no longer has the most prominent position on the skyline. Since June 1990, State officials have been working with the City of Sacramento to develop a plan that would guide future development in downtown in a way that would preserve and enhance the visual prominence of the Capitol and the character and scale of Capitol Park (California Office of Historic Preservation 2005).

The project area viewshed includes a wide mix of architectural styles from different eras. The project is being designed such that demolition and reconstruction of the Annex would retain the general character and integrity of the Historic Capitol. Although construction equipment, materials, and activities associated with project implementation (i.e., equipment, fencing, security measures, and construction workers) would degrade the visual character or quality of the project site, construction activities and personnel presence would be temporary. As described above, construction of each of the project elements would occur within four phases between 2020 and 2025. Therefore, any visual changes associated with such activities would be temporary and phased and would not permanently degrade visual character or quality.

High-sensitivity viewers in the project vicinity include pedestrians, such as tourists, residents, and office workers who regularly walk the area; commuters along L Street, 10th Street, and N Street; as well as employees that work in neighboring buildings adjacent to the project site or along Capitol Mall. Because these viewers are most familiar with the visual character of the Capitol and vicinity through regular exposure, these viewers could be most sensitive to visual changes of the State Capitol, Capitol Park, and Capitol Mall.

The site design and building construction materials used for the Annex would be consistent with those of the Historic Capitol. Similarly, materials used for construction of the underground visitor/welcome center and parking garage would also be consistent with existing similar uses in the project vicinity. Materials would be stable, durable, and timeless in quality; would not be prone to weathering or deterioration; and would require minimal maintenance and little or no replacement or refurbishment during the target 50-year lifespan of the project.

The landscape design would maintain existing trees and vegetation to the degree possible. If State-owned or City street trees need to be removed, or if new or substantially broader gaps were created in the canopy, new trees would be planted, if necessary. While construction activities would result in the damage or removal of some existing trees, it is the intent of the JRC to relocate, replant, and/or clone and replant, as many affected trees as possible to reduce impacts to the existing Capitol Park setting. Any new City street trees would include species consistent with downtown Sacramento's existing street tree canopy. New trees planted on the project site would include species similar to or consistent with existing trees in Capitol Park and surrounding the State Capitol. Deciduous shade trees would be used to provide summer shade and winter sun, would be able to thrive in urban conditions, would have low water requirements and be able to thrive without a permanent irrigation system, and would provide a large shade canopy at maturity.

Because the parking garage would be constructed underground and ground surface landscaping and hardscape would be restored, it would be visually consistent with the project site after construction and surface restoration and landscaping.

As identified above in the discussion of Impact 4.15-1, although the visitor welcome/center would alter conditions at the site with the lower and upper plazas and include above ground facilities that would provide minor obstructions to views of the Historic Capitol from Capitol Mall (i.e., skylight, safety railings, upper plaza planters, and fencing around emergency exits), the visitor/welcome center would be designed to be deferential to the Historic Capitol and maintain the west façade of the Historic Capitol as a focal point of the Capitol Mall. The new visitor/welcome center is, in fact, specifically envisioned to be below grade to minimize visual impacts, particularly from the Capitol Mall facing east. The overall park setting west of the Historic Capitol, and the prominence of the Historic Capitol when viewed from the west, would be retained and the visitor/welcome center would not substantially degrade the visual character or quality of the site and its surrounding

The project would comply with applicable design guidelines and construction and operation of new Annex would be compatible with the existing Historic Capitol. The architectural treatment of the new Annex would be integrated with the Historic Capitol as well as surrounding State buildings. After construction is complete and the project is

operational, the aesthetic character of the project site, as experienced by viewer groups in the area, would not be substantially altered. The Capitol Annex Project would not result in the long-term degradation of the visual character or quality of the site or its surroundings. Therefore, this impact would be **less than significant**. Furthermore, as stated in Section 4.15.1, "Regulatory Setting," above, of the Capitol Annex Project is located in a transit priority area per SB 743. As a qualifying project, the aesthetic impacts of the project would not be considered significant impacts even if the conclusion based on the characteristics of the project had been significant (PRC Section 21099[d][1]).

Consistency with Applicable Zoning and Other Regulations Governing Scenic Quality

As described above in Section 4.15.1, "Regulatory Setting," both the Capitol View Protection Act and the CAP govern scenic quality of the Capitol Area. The Capitol View Protection Act sets height restrictions and building setbacks to maintain the visual prominence of the State Capitol. Although the Capitol View Protection Act does not provide restrictions at Capitol Park, Historic Capitol, or Annex, as noted previously, the new Annex would remain approximately the same height as the existing Annex. Although the visitor/welcome center and underground parking would be constructed in close proximity to the Historic Capitol, they would be below grade and, thus, would not alter the visual prominence of the State Capitol. Thus, although the Capitol View Protection Act does not provide specific guidance regarding structures at the project site, the project would not conflict with the intent of the Act because the visual prominence of the State Capitol would be maintained.

The CAP includes design guidelines that are intended to guide the character and quality of the Capitol Area. The legislative intent of the CAP, as provided in California Government Code Section 8156(a), includes the need for a "beautiful and impressive western approach to the capitol city of California" and "emphasizes the most important single structure in the complex, the State Capitol Building." The project would not conflict with the CAP, nor its legislative intent, because it would not detract from the visual prominence of the Historic Capitol, particularly at the western approach.

The parking garage would not alter the prominence of the Historic Capitol when viewed from the west because the structure would be located on the south side of the Historic Capitol, underground, below street level. Therefore, this structure would not be visible along the Capitol Mall corridor and would not affect the structure prominence of the Historic Capitol. The new Annex would not adversely affect the western views of the Historic Capitol because the structure would be on the east side of the Historic Capitol where an Annex already exists.

As stated previously, the new visitor/welcome center would be designed to be deferential to the Historic Capitol and maintain the west façade of the Historic Capitol as a focal point of the Capitol Mall. The new visitor/welcome center is, in fact, specifically envisioned to be below grade to minimize visual impacts, particularly from the Capitol Mall facing east. All new above ground features of the visitor/welcome center would either have a relatively low profile and would only obstruct views of a portion of the portico steps, would be constructed of transparent materials (i.e., glass skylight), would be located to approximate current visual conditions (i.e., upper plaza planters), or would consist of materials, designs, and colors consistent with the current setting (i.e., fences around emergency exits) and therefore, would not substantially alter the views of the Historic Capitol from Capitol Mall and the overall visual integrity and prominence of the Historic Capitol's primary façade would be retained.

Because the project would not detract from the visual prominence of the Historic Capitol, it would not conflict with applicable zoning or other regulations governing scenic quality, including the Capitol View Protection Act and the CAP. Therefore, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Impact 4.15-3: Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views

The Capitol Annex Project would involve new lighting associated with construction and operation of the Annex, visitor/welcome center, and parking garage. Construction lighting would be temporary and would be utilized primarily as a security measure for the construction site. The proposed exterior finishes of the Annex, visitor/welcome center, and parking garage would not include materials that are highly reflective or that would produce substantial glare. Operational project-related light sources would be similar to the current lighting in downtown Sacramento in amount and intensity of light. In addition, lighting plans would be consistent with the U.S. Green Building Council's Leadership in Energy and Environmental Design version 4 (LEED v4) Green Building Rating System, which would reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. The project would also be required to meet CALGreen standards that limit light and glare generated by State-owned buildings. For these reasons, project implementation would not create a new source of substantial light that would adversely affect day or nighttime views in the area. This impact would be **less than significant**.

Downtown Sacramento has a large amount of widespread, ambient light from urban uses. Existing sources of light associated with the project site include exterior building lighting, street and parking lighting, and spillover of internal lights to the exterior. In particular, the current lighting regime on the west side of the Historic Capitol includes directed lighting focused on the Historic Capitol and dome that is designed to highlight and draw focus to these building elements. During construction, security measures such as cameras and lighting would be installed to prevent unauthorized access and promote site safety. Security lighting would be similar to that used for residential security and would meet the California Energy Commission's Building Energy Efficiency Standards for Outdoor Lighting. Further, all security lighting would be shielded and angled downwards (into the construction area), to prevent excess spillover light from entering outside of the project site. Once operational, the Capitol Annex Project would not include additional light sources beyond the types of lighting that are found in the current urban environment. All interior and exterior lighting and fixtures would be selected based on architectural aesthetic, efficiency, maintenance, and glare control. The new visitor/welcome center would include some additional lighting at or near ground level and there could be limited elevated lighting attached to trees and directed at ground level. This lighting regime would be consistent with the existing lighting at the project site. Additionally, the proposed skylight above the visitor/welcome center would be a new source of light, as well as light seen through the visitor/welcome center doors when viewed from Capitol Mall. This additional lighting would be of less brightness/intensity than the existing lighting used to highlight the Historic Capitol and dome (described above) and would not detract from the prominence of those building elements. The nighttime lighting at the new visitor/welcome center would be designed to maintain the emphasis on the Historic Capitol, consistent with California Government Code Section 8156(a), which states that the Historic Capitol is "the most important single structure in the complex." Because the amount and intensity of light emitted would be similar to the current Annex and surrounding urban setting, the nighttime views from sensitive (residential) land uses would not be significantly affected, nor would the nighttime views of the Historic Capitol from Capitol Mall. Furthermore, the project would not contribute substantially to sky glow effects generated by the community at large.

Daytime glare could be produced by the increased amount of surface area resulting from the new Annex, which could reflect or concentrate light. However, appropriate building materials, such as natural stone, precast concrete panels, clear or lightly tinted glass, stainless steel, anodized aluminum, factory-coated metal, and composite panels, would be used. All components of the project would avoid using materials such as dark-tinted or highly reflective glass; materials that can generate substantial glare; painted wood, stucco, and other lightweight commercial materials; or field-painted ferrous steel or sheet metal. Although energy performance criteria encourage the use of reflective glass in architectural design to reduce penetration of solar radiation into the building interior, it would be avoided to prevent exterior reflections.

The project would include a lighting plan that is consistent with the U.S. Green Building Council's LEED Green Building Rating System requirements. The new building would achieve at least the U.S. Green Building Council's LEED v4 Silver certification. Consistency with LEED requirements would reduce both the generation of exterior light and the

potential for light trespass to affect off-site areas. The project would also be required to meet CALGreen standards that limit light and glare for State-owned buildings. Compliance with LEED and CALGreen requirements are generally consistent with Policies ER 7.1.3 and ER 7.1.4 of the Sacramento 2035 General Plan that pertain to lighting and reflective glass. The project would comply with LEED criteria and standards contained in CALGreen for reducing light pollution and would avoid the use of highly reflective architectural materials for building design. For these reasons, project implementation would not create a new source of substantial light and/or glare that would adversely affect day or nighttime views in the area. Therefore, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

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5 CUMULATIVE IMPACTS (REVISED)

5.1 INTRODUCTION TO THE CUMULATIVE ANALYSIS

This Recirculated Draft EIR provides an analysis of cumulative impacts of the Capitol Annex Project taken together with other past, present, and probable future projects producing related impacts, as required by Section 15130 of the State CEQA Guidelines. The goal of such an exercise is twofold: first, to determine whether the overall long-term impacts of all such projects would be cumulatively significant; and second, to determine whether the incremental contribution to any such cumulatively significant impacts by the project would be “cumulatively considerable” (and thus significant). (See State CEQA Guidelines Sections 15130[a]–[b], Section 15355[b], Section 15064[h], and Section 15065[c]; and *Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal. App. 4th 98, 120.) In other words, the required analysis intends first to create a broad context in which to assess cumulative impacts, viewed on a geographic scale beyond the project site itself, and then to determine whether the project’s incremental contribution to any significant cumulative impacts from all projects is itself significant (i.e., “cumulatively considerable”).

Cumulative impacts are defined in State CEQA Guidelines Section 15355 as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” A cumulative impact occurs from “the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time” (State CEQA Guidelines Section 15355[b]).

Consistent with State CEQA Guidelines Section 15130, the discussion of cumulative impacts in this Recirculated Draft EIR focuses on significant and potentially significant cumulative impacts. Section 15130(b) of the State CEQA Guidelines provides, in part, the following:

[t]he discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.

A proposed project is considered to have a significant cumulative effect if:

- ▶ the cumulative effects of development without the project are not significant and the project’s additional impact is substantial enough, when added to the cumulative effects, to result in a significant impact; or
- ▶ the cumulative effects of development without the project are already significant and the project contributes measurably to the effect.

The term “measurably” is subject to interpretation. The standards used herein to determine measurability are that the impact must be noticeable to a reasonable person, or must exceed an established threshold of significance (defined in the three Chapter 4 resource sections included in this Recirculated Draft EIR).

5.2 CUMULATIVE SETTING

5.2.1 Geographic Scope

The geographic area that could be affected by the project and is appropriate for a cumulative impact analysis varies depending on the environmental resource topic, as presented in Table 5-1.

Table 5-1 Geographic Scope of Cumulative Impacts

Resource Topic	Geographic Area
Utilities and Service Systems	City of Sacramento
Archaeological, Historical, and Tribal Cultural Resources	City of Sacramento (historic period resources) Portions of Central Valley identified as the territory of the local Native American community (prehistoric and historic Native American resources and tribal cultural resources)
Aesthetics, Light, and Glare	City of Sacramento, Central City, within the viewshed of the project

Source: Compiled by Ascent Environmental in 2019

5.2.2 Cumulative Context

The City of Sacramento was founded in 1849 along the Sacramento River waterfront and extended east along J Street toward Sutter's Fort. The city's current charter was adopted by voters in 1920, establishing a city council-and-manager form of government, still used today. The city expanded continuously over the years in the first half of the 1900s and in 1964 merged with the city of North Sacramento, just north of the American River. Large annexations were made of the Pocket area on the south and Natomas area on the north. Sacramento currently covers a total area of approximately 99 square miles (City of Sacramento 2015a).

Even with the City's annexations and population growth, there remain substantial areas of land in North Natomas, North Sacramento, South Sacramento, and the Airport Meadowview planning areas that are undeveloped or lightly developed. In addition to these outlying areas, there are significant redevelopment areas in the City core, such as the Railyards, Richards Boulevard, and Docks areas, that are targeted for new higher density development (City of Sacramento 2015b).

Population in the City of Sacramento has increased substantially since 2000, from about 407,000 in 2000 (U.S. Census Bureau 2001) to an estimated 508,172 in 2019 (California Department of Finance 2019). Population growth in the city is projected to continue between 2020 and 2035, and most growth is expected to occur in the Central City (City of Sacramento 2013:H 3-6). City of Sacramento population projections indicate that the city may have about 640,000 residents by 2035, an increase of approximately 131,800 residents, representing approximately 21 percent of the region's total population (City of Sacramento 2013:H 3-6).

On a broad geographic basis, the Sacramento metropolitan area as a whole is facing numerous regional issues pertaining to degradation of air quality, traffic generation, loss of biological habitat, loss of farmland, and other environmental changes related to urban expansion. In response to these concerns, the City's 2035 General Plan favors developing inward, in and near existing developed areas, rather than outward into greenfields on the edge of the city. The General Plan growth pattern focuses on infilling and reusing underutilized properties, intensifying development near transit and mixed-use activity centers, and locating jobs closer to housing. The General Plan includes policies to reduce carbon emissions, including encouraging mixed-use development that supports walking, biking, and use of public transit; "green building" practices; and use of solar energy systems, architectural design to reduce heat gain, recycled construction materials, and water conservation measures (City of Sacramento 2015b).

The project site is located within the Central Business District (CBD) of the Central City Community Plan area, which is the core of the City of Sacramento (City of Sacramento 2014). The CBD is identified in the City's 2035 General Plan as a Priority Investment Area (PIA). PIAs are areas of the city that are the highest priority for investment and

development through infill, reuse, or redevelopment. The CBD is an urban downtown area that includes the State Capitol, State government buildings, corporate offices and businesses, high-rise condominiums, historic neighborhoods, parks and recreational areas, restaurants and shops, schools, and industrial and manufacturing complexes all within a tree-lined street grid. The City's Housing Element estimated that the Central City Community Plan area had 32,367 residents in 2010 and projected that by 2035, the area will have a total of 109,312 residents (City of Sacramento 2013:H 3-5 and H 3-6).

The State's Capitol Area Plan (CAP), the statutory master plan for development on State-owned land surrounding the State Capitol (within the City's Central City Community Plan area), also encourages moving offices within and using the existing resources of the Capitol Area (DGS 1997). The CAP boundary is shown in Figure 4.2-1 of the Draft EIR. The CAP speaks to increased energy conservation and use of the transit system in the Capitol Area and suggests examination of underutilized State properties. As described under "Land Use" in Section 4.2 of the Draft EIR, the project site is designated as "Parks and Open Space" and "Other Existing Use" in the State's CAP (DGS 1997).

5.2.3 Regional Planning Environment

The Capitol Annex Project involves renovation of a State-owned site within the Capitol Area (addressed by the State's CAP) and within the CBD PIA (addressed by the City's 2035 General Plan and Central City Community Plan). For this reason, the area most relevant to cumulative impacts is the Central City area of Sacramento. The following plans establish and assess the land use pattern and goals for development and growth in the Central City:

- ▶ 1997 Capitol Area Plan (DGS 1997);
- ▶ Capitol Area Plan EIR, certified in 1997;
- ▶ Capitol Area Plan Progress Report (DGS 2015);
- ▶ Sacramento Central City Community Plan, adopted March 3, 2015;
- ▶ Master EIR: City of Sacramento 2035 General Plan Update, certified 2015 (SCH No. 2012122006); and
- ▶ Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) EIR, certified 2016 (SCH No. 2014062060) (SACOG 2016).

These documents were relied upon in preparing the cumulative impact analysis and are available for review at the California Department of General Services, Real Estate Services Division, Environmental Services Section, 707 Third Street, Third Floor, West Sacramento, CA 95605.

5.2.4 Related Projects

The following analysis of cumulative impacts relies primarily on the plans for land use and growth in downtown Sacramento, as listed above in Section 5.2.3. This is consistent with Section 15130(d) of the State CEQA Guidelines, which states, "Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis."

This analysis also considers related projects, or those large past, present, and probable future projects located in downtown Sacramento that could relate to the project. This approach is consistent with Section 15130(b)(1)(A) of the State CEQA Guidelines, which states that a discussion of significant cumulative impacts may include "[a] list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency...." Past projects are those already constructed and operational that are considered as part of the existing baseline conditions, such as the Golden 1 Center (at 5th Street between J and L Streets), the State's Central Heating and Cooling Plant (between 6th and 7th Streets and P and Q Streets), and others. The probable future projects considered herein are those in the project vicinity that are reasonably foreseeable, meaning known projects that are planned, proposed, or approved. The analysis of cumulative environmental impacts

associated with the project addresses the potential incremental impacts of the proposed project in combination with the related projects. This is not an all-inclusive list of projects in the region. Rather, it identifies projects approved or planned in downtown Sacramento that, based on the nature of environmental resources being examined, location, and project type, have the potential to interact on a cumulative basis with the proposed project. Each of the following projects is of substantial size, could generate or exacerbate many of the environmental effects being examined for the Capitol Annex Project, and are located in the general vicinity of the project.

Section 15130(b) of the State CEQA Guidelines provides that a cumulative impact analysis consider either a list of projects (the list approach) or relevant plans and planning documents (the plan approach). The following cumulative impact analysis exceeds the requirements of Section 15130(b) by implementing a plan approach and supplementing the analysis with a modified list approach. This combined approach ensures that the projects likely to have the greatest cumulative interaction with the proposed project are considered.

STATE OF CALIFORNIA

10th and O Street Office Building

The 10th and O Street Office Building Project, currently under construction, involves demolition and removal of the existing asphalt parking lots and some ornamental trees (including City street trees) and construction of a new office building. The building will consist of up to 490,000 gross square feet (GSF) of office space, plus some limited parking. It will have a maximum height of 150 feet and a proposed occupancy of up to 2,200 staff. It is anticipated that staff occupying the 10th and O Street office building will be the State legislature and executive branch, and staff, staff from other leased space in the region, and/or from one or more other State-owned buildings slated for eventual renovation and upgrade. In accordance with State policy, the building will be zero net energy facility. Electricity will be provided by Sacramento Municipal Utility District (SMUD), pursuant to a contract between SMUD and the State requiring that electricity provided to State buildings be from 100-percent renewable sources.

1215 O Street Office Building Project - Clifford L. Allenby Building

The Clifford L. Allenby Building at 1215 O Street, currently under construction, involves demolition of the existing vacant California Department of Food and Agriculture Annex building located on the southwestern portion of the block bounded by O and N Streets and 12th and 13th Streets and construction of a new approximately 300,000 to 350,000 GSF office building. The new building will be up to 11 stories tall, not exceeding 150 feet in height. In addition, the surface parking lot across O Street from the office building site is being used as a temporary construction staging area during construction of the new office building. Once construction of the new office building is complete, this parking lot will be repaved, parking spaces painted. The purpose of the new 1215 O Street Office Building is to consolidate and upgrade State office space in the region, specifically to vacate the existing Gregory Bateson building located at 1600 9th Street. Vacating the existing at Bateson Building will allow the eventual renovation and re-occupation of that building (see below). This project will also include ground-level commercial space and would be connected to the State-owned Central Plant for heating and cooling. In accordance with State policy, the building will be zero net energy facility; electricity will be provided by SMUD from 100-percent renewable sources.

Renovation and Reoccupation of the Gregory Bateson Building

Construction of the 1215 O Street Office Building Project will allow the existing Gregory Bateson Building (Bateson Building) to be vacated, facilitating its restoration and reoccupation. The Gregory Bateson Building Renovation Project, proposed by DGS and under environmental review as of September 2019, would address building-wide deficiencies, including: fire and life safety improvements; hazardous materials removal; repairs and water intrusion prevention detailing of exterior facades and their components; updates and repairs for disabled accessibility compliance; applicable reinstatement of energy systems and enhancements; addition of high-tech heating, ventilation, and air conditioning (HVAC) and lighting controls; addition of security systems and procedures controlling movement within the building and between spaces; security officer station, physical barriers at west entrance; and improvement of interior spaces by replacement of finishes, etc. that are at the end of their useful life. The building is in need of a major renovation to ensure the safety and comfort of the tenants, and to avoid falling into an irreversible

state of disrepair. Because of the building's historic designation, the proposed renovations would be designed to be consistent with the building's historic character while correcting the critical fire and life safety issues and other code deficiencies. The project goal is to achieve Zero Net Energy and Leadership in Energy and Environmental Design (LEED) Silver certification.

The current occupants, the Health and Human Services Agency, Department of Developmental Services, and Department of State Hospitals, would be relocated to the new Clifford L. Allenby Building at 1215 O Street (currently under construction, as described above) in March 2021. Proposed tenants of the renovated Gregory Bateson Building include California Natural Resources Agency departments from downtown leased space that are not consolidating into the New Natural Resources Agency Headquarters Building (see P Street Office Building Project, below, also currently under construction). The new tenants would move into the building in the spring of 2024.

Resources Building Replacement Project (P Street Office Building Project)

The Resources Building Replacement Project (also referred to as the P Street Office Building Project), currently under construction, involves demolition of an existing surface parking lot and construction of a new office building on the block bounded by O and P Streets and 7th and 8th Streets to accommodate approximately 800,000 gross square feet of office space, plus limited parking. The purpose of the new construction is to consolidate and upgrade State office space in the region, specifically to vacate the existing Resources Building, located at 1416 9th Street (on the southern half of the block between 8th and 9th Streets and N and O Streets). Vacating the existing Resources Building will allow the eventual renovation and reoccupation of that building (see below). Development of the new office building maintains the historic Heilbron House in its current location. This project includes ground-level commercial space and will be connected to the State-owned Central Plant for heating and cooling. The project goal is to achieve Zero Net Energy and LEED Silver certification.

Renovation and Reoccupation of the Resources Building

Construction of the Resources Building Replacement Project, which is underway, will allow the existing Resources Building to be vacated, facilitating its restoration and eventual reoccupation. It is reasonably foreseeable that the building at this location would continue to serve as a State office building with similar massing and occupancy. Therefore, for purposes of this cumulative analysis, it is assumed that in the future, the Resources Building site would undergo some of renovation, resulting in a similar sized office building able to accommodate approximately 2,300 employees.

Renovation and Reoccupation of the Jesse M. Unruh Building

Renovation of the Jesse M. Unruh Building, proposed by DGS and under environmental review as of September 2019, would renovate and restore the approximately 164,600 GSF building located at 915 Capitol Mall in downtown Sacramento. The building is in need of a major renovation to ensure the safety and comfort of the tenants, and to avoid falling into an irreversible state of disrepair. Because the building is a contributor to the Capitol Extension Historic District, the proposed renovations would be designed to be consistent with the building's historic character, as well as correct the critical fire and life safety issues and other code deficiencies. The project would include removal of hazardous materials; upgrades to fire and life safety; renovations to meet current Americans with Disabilities Act codes and requirements; replacement of mechanical, electrical, and plumbing systems; replacement of non-historic walls and architectural finishes; replacement and restoration of windows and skylights; replacement of elevators; installation of a new stairwell; removal of the Capitol Fountain; and other site work. The building would be vacant during construction and employees in the building would return after construction is complete. The project goal is to achieve Zero Net Energy and LEED Silver certification.

Richards Boulevard State Office Complex

The Richards Boulevard State Office Complex project proposes construction of a new office campus on a 17-acre state-owned site at Richards Boulevard and North 7th Street in the River District Specific Plan area of the City of Sacramento. The site currently supports the State Printing Plant, Textbook Warehouse, and associated facilities which are slated for demolition. The project would include 1.3 million square feet of office space in three five-story, mid-rise office buildings, and a 24-story, high-rise office building consisting of a five-floor podium and 24-story office tower.

The project would also include a five-level parking garage and additional surface parking, off-site utility improvements, and space for a cafeteria, an auditorium, and childcare facilities. The project goal is to achieve Zero Net Energy and LEED Silver certification.

CITY OF SACRAMENTO

Sacramento Commons Phase I

Phase I of the Sacramento Commons, which has been approved and is under construction, will involve construction of two seven-story midrise buildings with apartments, live-work units, open space terraces, retail spaces, and enclosed parking. The project is within the approved Sacramento Commons Planned Unit Development, with Phase I at the intersection of 5th and O Streets. The entire Sacramento Commons Planned Unit Development site totals approximately 11.17 acres and is bounded by 5th and 7th Streets and N and P Streets.

The Railyards Project

The Railyards property is located just north of downtown and south of the River District. Once serving as the western terminus of the 1860s Transcontinental Railroad, today the Railyards continue to house a major transportation hub. The 244-acre Railyards site will be a mixed-use hub for entertainment, retail, housing, office, theaters, parks, hotels, and museums.

The original Sacramento Railyards project was approved by the City Council on December 11, 2007. The project involved the development of a maximum of 12,100 dwelling units, 1.4 million square feet of retail uses, 1,100 hotel rooms, 2.4 million square feet of office uses, 485,390 square feet of historic/cultural space, and 491,000 square feet of mixed use. A subdivision modification for minor changes was approved by the Planning and Design Commission in 2012. The changes included revising sections of 5th Street and 7th Streets to slow two-way traffic; changing the alignment of 5th and 6th Streets; and revising the tentative map to reflect the realignment and to accommodate a parking garage. In 2016, the City Council approved planning entitlement for:

- ▶ 6,000–10,000 dwelling units,
- ▶ 514,270 square feet of retail,
- ▶ 2,757,027–3,857,027 square feet of office use,
- ▶ 771,405 square feet of flexible mixed use,
- ▶ 1,228,000 square feet of medical campus,
- ▶ 1,100 hotel rooms,
- ▶ 485,390 square feet of historic and cultural uses,
- ▶ 33 acres of open space, and
- ▶ a soccer stadium with 19,621 seats and potential to expand to approximately 25,000 seats

West Broadway Park Specific Plan

The West Broadway Park Specific Plan area is generally bounded by the Sacramento River on the west, Broadway on the north; Muir Way and 5th Street on the east; and 4th Avenue on the south. The 279-acre project area includes the Northwest Land Park Planned Unit Development area, an infill project (under construction) known as The Mill at Broadway; Alder Grove Public Housing Community and Marina Vista Public Housing community; William Land Woods Affordable Housing Community; Leataata Floyd Elementary School; Health Professionals High School; approximately 32 acres of existing industrial land uses; Miller Regional Park and the Sacramento Marina. The West Broadway Park Specific Plan will include land use regulations and policies, and will identify necessary public improvements to support new urban development. The anticipated development will be consistent with the framework of the General Plan which anticipates a mix of traditional and urban scale housing with neighborhood commercial uses.

I Street Bridge Replacement over the Sacramento River

In 2011, the Cities of Sacramento and West Sacramento identified the need for new bridge crossings and replacement of the existing I Street Bridge. The existing I Street Bridge is 100 years old. Because of this, the lanes are too narrow to serve buses, there are no bicycle lanes, and sidewalks are too narrow to meet accessibility standards. The I Street Bridge Replacement project will include construction of a new bridge upstream of the existing structure. The new bridge will cross the Sacramento River between the Sacramento Railyards and the West Sacramento Washington planned developments and provide a new bicycle, pedestrian, and automobile crossing. The existing I Street Bridge would continue to be used by the railroad. The approach viaducts to the existing I Street Bridge will be demolished, which should result in better access to the waterfront in both cities.

City of Sacramento Central City Specific Plan

The City of Sacramento's Central City Specific Plan integrates a number of planned transportation improvements and programs to further enhance the downtown grid. The future infrastructure improvements include but are not limited to:

- ▶ 10th Street, 15th Street, and L Street lane reduction from 3 lanes to 2 lanes;
- ▶ N Street conversion from an eastbound 1-Way vehicle travel to 2-Way vehicle travel;
- ▶ Pedestrian network improvements within the vicinity of the project site;
- ▶ Class II Enhanced Buffered Bike Lane along 10 Street and 15th Street, Class II Bike Lane along N Street, the existing Class II Bike Lane bisecting Capitol Park; and
- ▶ Bus Stop enhancements on 15th Street.

5.3 ANALYSIS OF CUMULATIVE IMPACTS

The following sections describe the cumulative effects anticipated from implementation of the Capitol Annex Project, together with related projects and planned development downtown, for the three environmental issue areas evaluated in this Recirculated Draft EIR. The analysis conforms with Section 15130(b) of the State CEQA Guidelines, which specifies that the "discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact."

When considered in relation to other reasonably foreseeable projects, cumulative impacts to some resources would be significant and more severe than those caused by the proposed project alone.

For purposes of this EIR, the project would result in a significant cumulative effect if:

- ▶ the cumulative effects of related projects (past, current, and probable future projects) are not significant and the incremental impact of implementing the Capitol Annex Project is substantial enough, when added to the cumulative effects of related projects, to result in a new cumulatively significant impact; or
- ▶ the cumulative effects of related projects (past, current, and probable future projects) are already significant and implementation of the Capitol Annex Project makes a considerable contribution to the effect. The standards used herein to determine a considerable contribution are that either the impact must be substantial or must exceed an established threshold of significance.

This cumulative analysis assumes that all mitigation measures identified in Chapter 4 of the Draft EIR to mitigate project impacts are adopted and implemented, and all elements of the design-build performance criteria that would minimize environmental effects are implemented. The analysis herein analyzes whether, after implementation of project-specific mitigation and performance criteria that minimize environmental effects, the residual impacts of the project would cause a cumulatively significant impact or would contribute considerably to existing/anticipated (without the project) cumulatively significant effects.

5.3.1 Utilities and Service Systems

As indicated in Section 4.4, “Utilities and Service Systems” in this Recirculated Draft EIR, the project would generate less-than-significant impacts associated with all utility and infrastructure issues, including demands for water supply and delivery infrastructure, stormwater flows, increased demand for wastewater treatment and conveyance infrastructure, and increased demands for electricity and natural gas. In terms of cumulative impacts, the City of Sacramento is responsible for ensuring that water, wastewater, and stormwater conveyance are adequately provided within its jurisdictional boundaries and that development within the city limits can be adequately served by electrical and natural gas providers. The Sacramento 2035 General Plan identifies goals and policies associated with providing water, wastewater, and stormwater conveyance; electricity; and natural gas to new development.

WATER

The City of Sacramento 2015 Urban Water Management Plan was prepared using information about planned growth included in the Sacramento 2035 General Plan. As shown in Table 4.4-3 of this Recirculated Draft EIR, there are sufficient water supplies to meet existing and future demand associated with population and development growth in the city through 2040, including during normal, single-dry, and multiple-dry years. The cumulative water supply condition is therefore less than significant. In addition, there is sufficient water supply for the project and for buildout of the city through 2040; therefore, the project would have a less-than significant cumulative impact on water supply.

It is assumed that the development of related projects served by the City’s water system, and development of additional utility systems required to serve them, would be preceded by the required CEQA review. Additionally, in consultation with the City, individual projects are required to provide adequate facilities or pay their fair share of the cost for facilities needed to provide services to accommodate growth without adversely affecting current service levels. Development of the project could require construction of water delivery infrastructure improvements. However, as described in Section 4.4, “Utilities and Service Systems” of this Recirculated Draft EIR, although the Capitol Annex Project would implement water conservation features for the building and landscaping, it is conservatively assumed that the project’s water demand would not change from current conditions. The continued combined average water demand at the project site (for commercial and irrigation water) of 40.02 acre-feet per year would represent 0.05 percent of the City’s existing available water supply and 0.01 percent of the projected water supply. The City would continue to have adequate water supply to serve commercial and irrigation water to the Capitol Annex Project. Therefore, significant cumulative utilities impacts related to adequacy of water supplies and water delivery infrastructure would not occur and implementing the project would not result in a considerable contribution to cumulative water supply or delivery infrastructure impacts.

WASTEWATER

Stormwater/Wastewater Conveyance Facilities

Although stormwater runoff and wastewater flows would not increase appreciably over existing conditions, the City’s combined sewer system (CSS) does not have sufficient capacity to treat wastewater and stormwater during storm events. The City has identified flooding during large storm events in the project vicinity (City of Sacramento 2018), which represents an existing adverse cumulative condition. It is assumed that the development of related projects served by the CSS, and that development of additional utility systems required to serve them, would be preceded by the required CEQA review. There is capacity for the project’s wastewater flows during dry weather, and the project would include water conservation measures that exceed 2016 Title 24 water efficiency requirements and meet LEED v4 Silver standards (all plumbing fixtures in the building would be low-flow/high-efficiency fixtures), which would further reduce wastewater flows. Furthermore, the City is implementing the Combined Sewer System Improvement Plan (CSSIP) to make improvements throughout the system, and JRC and DGS would coordinate with the City to determine appropriate Combined Sewer Development Fees for replacement of wastewater and stormwater infrastructure. Therefore, the project would not result in a considerable incremental contribution to the adverse cumulative impact.

Wastewater Treatment Facilities

Wastewater generated by the Capitol Annex Project would not increase over existing conditions and would continue to be treated at the Sacramento Regional Wastewater Treatment Plant (Regional San WWTP). The City of Sacramento and the Sacramento Regional County Sanitation District have an operating agreement that allows the City to convey up to 60 million gallons per day (mgd) to the Regional San WWTP. When flows exceed 60 mgd, wastewater in the CSS is conveyed to the Combined Wastewater Treatment Plant (CWTP) and Pioneer Reservoir for treatment and storage, if needed, before being discharged to the Sacramento River. Currently, the City conveys about 18 mgd to the Regional San WWTP, so there would be sufficient capacity to treat wastewater from the proposed project in addition to other similar projects during dry weather. However, there is currently insufficient capacity in the CSS wastewater treatment plants to treat wastewater during peak storm events. This is considered a cumulatively adverse condition. It is assumed that the development of related projects served by the Regional San WWTP, CWTP, and Pioneer Reservoir, and that development of additional utility systems required to serve them, would be preceded by the required CEQA review. Additionally, individual projects are required to provide adequate facilities or pay their fair share of the cost for facilities needed to provide services to accommodate growth without adversely affecting current service levels. Furthermore, exceedance of treatment capacity at the CWTP and Pioneer Reservoir is a rare event (once in every 10 years), the City is implementing the CSSIP to make improvements throughout the system, and the project would pay the Combined Sewer Development Fee for its wastewater contributions to the CSS. For these reasons, and because there is sufficient capacity to treat wastewater flows from the proposed project during dry weather, implementation of the project would not result in a considerable incremental contribution to this cumulative adverse condition.

The related projects considered in this cumulative analysis would be located downtown and could result in increases in stormwater runoff to the CSS. Similar to the proposed project, these related projects would be required to comply with the City's requirements for demonstrating that stormwater runoff would not contribute to a cumulative impact on the CSS. In addition, the related projects would undergo separate environmental review to ensure that adequate surface drainage facilities are included as part of those projects. For these reasons, significant cumulative utilities impacts related to stormwater conveyance facilities would not occur. Because the proposed project would not result in an increase in stormwater that flows to the CSS, the project would not result in a cumulatively considerable incremental contribution to this cumulatively significant impact.

Electricity and Natural Gas

The geographic area considered for cumulative impacts related to energy use includes the service areas for the SMUD and Pacific Gas and Electric Company (PG&E). These providers employ various programs and mechanisms to support provision of these services to new development; various utilities charge connection fees and recoup costs of new infrastructure through standard billings for services. The project would include reconnection to existing electrical infrastructure. Natural gas service is not provided to the Capitol building (Griffith, pers. comm., 2019) and would not be utilized for the project, which would be 100-percent electric, including heating for the building. Although the Capitol building's cooling is, and would continue to be, provided by chilled water from the State's Central Utility Plant, the water chillers are run on electricity.

Cumulative development would increase the demand for electrical and natural gas supply. However, both SMUD and PG&E are establishing or gaining access to new energy sources to serve existing and future customers. Based on existing available energy supplies, new sources, and because the project site is already served by SMUD and PG&E, it is expected that sufficient electricity and natural gas supplies are available to support cumulative development. In addition, electricity and natural gas impacts of related projects would undergo separate environmental review to ensure that adequate electricity and natural gas supplies and infrastructure would be available. For these reasons, significant cumulative impacts related to electricity and natural gas would not occur from implementation of the related projects. In addition, although the new Capitol Annex would have a larger building footprint than the existing Annex, the project would be designed with energy-efficient features and would be powered with 100-percent renewable electricity through an agreement with SMUD. The project would have a less-than-significant cumulative impact related to demand for electricity and natural gas.

5.3.2 Archaeological, Historical, and Tribal Cultural Resources

Cultural resources in the project region generally consist of prehistoric sites, historic sites, historic structures, and isolated artifacts. During the 19th and 20th centuries, localized urbanization and intensive agricultural use in the region resulted in the destruction or disturbance of numerous prehistoric sites while many structures now considered to be historic were erected. From the latter half of the 20th century to the present, prehistoric and historic resources and structures have been disturbed and destroyed. During this period, the creation and enforcement of various regulations protecting cultural resources have substantially reduced the rate and intensity of these impacts; however, even with these regulations, cultural resources are still degraded or destroyed as cumulative development in the region proceeds.

ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES

Although there are various laws and regulations directed at the protection of archeological and tribal cultural resources, significant resources in the region have been destroyed, removed, or disturbed over the period of European presence. The overall degradation and loss of these resources has resulted in significant adverse cumulative effect. As-yet-undiscovered subsurface historic and prehistoric archaeological resources might underlie the project site. Mitigation measures are identified for Impacts 4.12-1, 4.12-2, and 4.12-3 of this Recirculated Draft EIR to reduce potential impacts on significant historic and prehistoric archaeological resources, tribal cultural resources, and human burials to a less-than-significant level. Implementing these mitigation measures would minimize the potential for the proposed project to incrementally contribute to the existing significant adverse cumulative impact on important archaeological and tribal cultural resources in the project region.

Mitigation measures applied to the project comply with State CEQA Guidelines Section 15064.5 and related provisions to the Public Resources Code. It is assumed that similar measures would be applied to other development projects in the region, as appropriate. Where federal agency approvals are required to implement projects, additional protection would be required under the National Historic Preservation Act.

Because significant historic and prehistoric archaeological resources in the project area are protected, and implementation of Mitigation Measures 4.12-1, 4.12-2, and 4.12-3 would reduce any potentially significant project impacts, significant cumulative impacts are not anticipated. Implementation of the project would not incrementally contribute to a significant cumulative effect on archaeological and tribal cultural resources.

HISTORIC STRUCTURES AND LANDSCAPES

Although there are various laws and regulations directed at the protection of historic structures and landscapes, significant historic structures have been and will continue to be damaged or removed over time. Even with implementation of Mitigation Measure 4.12-4 included in this Recirculated Draft EIR 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 and landscapes. The project's combination of the complete physical demolition of the Capitol Annex, the changes to the historical integrity of setting and association caused by the introduction of the new visitor/welcome center, the potential for vibration damage during construction activities, the introduction of a new modern building, and physical changes to Capitol Park including introduction of the visitor/welcome center, temporary removal and potential relocation of memorials, and reconfiguration of pedestrian and vehicular circulation systems together would result in a substantial adverse change per State CEQA Guidelines Section 15064.5(b)(2)(A) because they would materially impair physical characteristics of the State Capitol Complex that help convey its historical significance and qualify it for listing in the NRHP. Therefore, the project would result in a significant impact on the State Capitol Complex historical resource. Mitigation Measure 4.12-4a requires that preservation treatment objectives meet all Secretary of the Interior's Standards (SOIS) for character-defining features having primary significance status and meet as many SOIS as feasible for those character-defining features designated as having secondary significance status, and require adherence to the California State Historical Building Code to the extent feasible in instances when DGS and the JRC must address human safety issues not compatible with the SOIS. Mitigation Measures 4.12-4b and 4.12-4c require

DGS and the JRC to seek feasible means for salvaging the Annex's character-defining architectural features and incorporating them into either the design of the new Annex or the interpretive program, which should, at minimum, result in the installation of a permanent exhibit, located on-site, in a public space, which is viewable and accessible to the public. Mitigation Measure 4.12-4d requires the protection, restoration, and replacement of commemorative trees, plantings, and memorials at Capitol Park, which would reduce some of the effects on the Capitol Park historic landscape. Mitigation Measure 4.4-14e requires the protection of the Historic Capitol from damage during nearby construction, and repair of any damage that does occur. This would prevent inadvertent harm to the Historic Capitol building during construction. Although the project implementation of Mitigation Measures 4.12-4a through 4.12-4e would help protect and preserve historic architectural and landscape features of the project site, the demolition of the Annex and project site disturbance would remain significant and unavoidable and the project would make a cumulatively considerable incremental contribution to the significant cumulative impact of the loss and degradation of historic structures and landscapes.

5.3.3 Aesthetics, Light, and Glare

Past development in the region along I-5, U.S. 50, and Sacramento River viewsheds has increasingly changed the visual character from undeveloped land to developed urban uses, thus altering and limiting the views available to residents, recreationists, and motorists. Cumulative projects listed above include several new and renovated buildings in various stages of planning or construction in downtown Sacramento that contribute to this developed character. This trend is anticipated to continue as future projects are implemented in the region, continuing to alter visual conditions as open viewsheds are replaced by urban development. Downtown Sacramento is an urban environment with a mix of low-rise, midrise, and high-rise buildings and a large amount of widespread, ambient light. Building materials and cars generate some glare; however, mature trees in downtown help minimize glare. Existing urban development in downtown Sacramento also results in shadows throughout the day. Increased urban development in downtown Sacramento and nearby West Sacramento would lead to alterations in the skyline, shading of ground-level areas, disruption of existing views, increased nighttime light and glare in the region, and more limited views of the night sky.

The Capitol Annex Project would not substantially alter long-distance views of the Historic Capitol—an identified scenic vista—because the new visitor/welcome center would be constructed primarily below ground, and only four features (the proposed skylight, upper plaza safety railings, upper plaza planters, and fencing around the emergency exits) would potential obstruct the view at the foreground of the Historic Capitol. The skylight, safety railings, and metal fencing by the emergency exits would have a relatively low profile; the skylight would be constructed of transparent materials; and designs and materials would be consistent with the current setting; thereby minimizing visual impacts and ensuring that long-distance views of the Historic Capitol are not substantially altered. The upper plaza planters would be spaced to not obstruct views of the Historic Capitol portico from the west; providing a landscaping feature similar to existing conditions. The project would not make a substantial contribution to the cumulative changes in visual character or quality, or light and glare in the region because the new Annex building would not be substantially larger than the existing building and the new visitor/welcome center and parking garage would be located underground. Further, the project site is an already developed area. The local visual character, as experienced by viewer groups in the area, would not be substantially altered by reconstruction of the new Annex and construction of the visitor/welcome center and parking garage because the site design, building construction materials, finishes and landscaping would be consistent with the existing State Capitol and its prominent setting in Capitol Park. In addition, because the project would not detract from the visual prominence of the Historic Capitol, it would not conflict with applicable zoning or other regulations governing scenic quality. The proposed project would comply with LEED v4 criteria and standards contained in California's Green Building Code for reducing light pollution, would avoid the use of highly reflective architectural materials for building design, and would not create a new source of substantial light and glare that would adversely affect daytime or nighttime views in the area.

Because no significant cumulative aesthetic impact would occur and the project would either result in no impacts or less-than-significant visual impacts, implementation of the project would not incrementally contribute to a significant cumulative effect related to aesthetics, light, and glare.

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Appendix A

Scope of the Recirculated Draft EIR

1 INTRODUCTION

CEQA requires recirculation of an EIR when the lead agency adds “significant new information” to an EIR, regarding changes to the project description or the environmental setting, after public notice is given of the availability of a draft EIR for public review under State CEQA Guidelines, California Code of Regulations (CCR) Section 15087, but before EIR certification (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact in which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (State CEQA Guidelines CCR Section 15088.5[b]).

The CEQA Guidelines Section 15088.5(c) further states the following with respect to recirculation of an EIR:

If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.

Since release of the Draft EIR, the project—specifically, the new visitor/welcome center—has undergone substantial modifications that are identified in Chapter 3, “Project Description (Revised),” of this Recirculated Draft EIR. The underground visitor/welcome center, which would be located on the west side of the Capitol, has been redesigned and now differs from what was analyzed in the Draft EIR. The modified entry design has a gradual ramp rather than elevators in front of the Historic Capitol’s west steps. The change to the visitor/welcome center has the potential to substantially increase the severity of an impact or create a new significant impact in three of the environmental resources evaluated in the Draft EIR; therefore, as required by CEQA, the following resource sections are being recirculated in this document:

- ▶ Utilities and Service Systems;
- ▶ Archaeological, Historical, and Tribal Cultural Resources; and
- ▶ Aesthetics, Light, and Glare.

2 RESOURCE SECTIONS NOT BEING RECIRCULATED

Pursuant to CEQA Guidelines Section 15088.5(c) regarding recirculation, a lead agency need recirculate only the EIR chapters, or portions of those chapters, that have been modified. A determination of which EIR chapters or sections would be affected by the project modifications was made based on review of the Draft EIR, consideration of the project modifications, and analysis of relevant data.

The California Department of General Services (DGS) has determined that the project modifications to the visitor/welcome center would not generate a new substantial adverse environmental impact or a substantial increase in the severity of an environmental impact in the following resource areas:

- ▶ Land Use and Planning,
- ▶ Transportation and Circulation,
- ▶ Air Quality,
- ▶ Greenhouse Gas Emissions and Climate Change,
- ▶ Energy,

- ▶ Noise and Vibration,
- ▶ Geology and Soils,
- ▶ Hydrology and Water Quality,
- ▶ Hazardous Materials and Public Health,
- ▶ Biological Resources, and
- ▶ Public Services and Recreation.

Accordingly, sections on these resources are not being recirculated but instead are identified below with a brief explanation as to why new significant impacts or a substantial increase in the severity of an impact is not anticipated with modifications to the visitor/welcome center.

2.1 LAND USE AND PLANNING

Implementing the modified design of the visitor/welcome center would not change its location on the west side of the Historic Capitol or the overall Capitol Annex Project location, located within the grounds of Capitol Park in downtown Sacramento. Consistent with the discussion of Impact 4.2-1 of the Draft EIR, construction of the modified project would temporarily disrupt the use of the west end of Capitol Park, which is a major civic resource and focal point of the Capitol Area. However, during construction, pedestrian, bicycle, vehicular, and transit access would be maintained around the fenced construction area. Although temporary detours resulting in one or two blocks of additional travel distance may be implemented at various times during construction, construction activities would not divide the downtown community. Furthermore, after construction is completed, the new Annex (with the modified visitor/welcome center) would be consistent in location, form, and function with the existing Annex, and pathways, hardscape, and landscaping in Capitol Park would be reestablished and maintained. Consistent with the discussion of Impact 4.2-2 of the Draft EIR, the modified project would be consistent with the objectives and purpose of the State's Capitol Area Plan and the Capitol View Protection Act, and although the State is not subject to the requirements of local plans, the modified project would also be consistent with the City of Sacramento's 2035 General Plan and Zoning Code and the Sacramento Central City Community Plan. The modified visitor/welcome center would remain an underground facility, continue to meet the 2019 Building Energy Efficiency Standards, achieve zero net energy, and achieve the Leadership in Energy and Environmental Design (LEED) v4 Silver certification. The modified project would not conflict with environmental plans, goals, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The modified visitor/welcome center would not substantially increase the severity of the project's land use impacts disclosed for Draft EIR Impacts 4.2-1 and 4.2-2 (less than significant), would not create a new significant land use and planning impact, and would not require additional mitigation measures.

2.2 TRANSPORTATION AND CIRCULATION

Implementing the modified visitor/welcome center design would not alter the number of employees in the Annex or the number of visitors to the Capitol, or the number of parking spaces included as part of the project; therefore, the vehicular trip generation disclosed and evaluated in the Draft EIR (Impact 4.3-1) remains unchanged. In addition, the modified project would continue to be exempt from vehicle miles traveled analysis because the project location remains within a transit priority area; the project continues to be consistent with the intent of the Central City Specific Plan and Central City Specific Plan EIR; and the project remains consistent with the general use designation, density, building intensity, and applicable policies specific to the project area identified in the Sacramento Area Council of Governments' *2016 Metropolitan Transportation Plan/Sustainable Communities Strategy*, which identifies the project area as a higher-density major employment center. There are multiple transit options in the study area, and consistent with the discussion of Draft EIR Impact 4.3-2, implementing the modified project would not result in additional demand for transit service, would not reduce access to existing transit, and would not adversely affect existing public transit operations. In addition, consistent with the discussion of Draft EIR Impacts 4.3-3 and 4.3-4, after

the modified project is complete, it would not generate new bicycle or pedestrian trips and would not adversely affect existing or planned bicycle or pedestrian facilities.

As part of the modified visitor/welcome center design, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane (also known as a bulb-out). This would result in the loss of approximately five to seven existing curbside parking spaces but would not affect the dedicated bicycle lane or vehicle travel lanes on 10th Street. Loss of these parking spaces would not result in a substantial change in the availability of street parking in the area. In addition, as noted in Section 4.15.1, "Regulatory Setting," of the Recirculated Draft EIR, the Capitol Annex Project is located in a transit priority area and it qualifies for CEQA streamlining benefits provided by Senate Bill (SB) 743. As a qualifying project, impacts related to the loss of parking could not be considered a significant impact (Public Resources Code Section 21099[d][1]).

Finally, consistent with the discussion of Draft EIR Impact 4.3-5, construction-related traffic impacts would continue to be localized and temporary. Construction of the modified visitor/welcome center would continue to necessitate restriction or redirection of pedestrian, bicycle, and vehicular movements and removal of curbside parking around the site to accommodate construction staging, material hauling, material staging, modifications to utility connections, and movement of State personnel between the Historic Capitol and the 10th and O Street Office Building. DGS and the Joint Rules Committee or their contractor would prepare and implement a construction traffic management plan to reduce the temporary impacts to the degree feasible. The modified visitor/welcome center would not substantially increase the severity of the project's transportation and circulation impacts disclosed in the discussion of Draft EIR Impacts 4.3-1 through 4.3-5 (less than significant), would not create a new significant transportation or circulation impact, and would not require additional mitigation measures.

2.3 AIR QUALITY

Implementing the modified visitor/welcome center would not appreciably alter the anticipated project construction disturbance or the construction equipment needed. Consistent with the discussion of Draft EIR Impact 4.5-1, construction of the modified project would continue to result in emissions of reactive organic gases (ROG), oxides of nitrogen (NO_x), respirable particulate matter with an aerodynamic diameter of 10 micrometers or less (PM₁₀), and fine particulate matter with an aerodynamic diameter of 2.5 micrometers or less (PM_{2.5}) from demolition, excavation, material and equipment delivery trips, off-road heavy-duty equipment, worker commute trips, and other miscellaneous activities (e.g., application of architectural coatings). With the modified visitor/welcome center, although construction activities would be modified to some degree, the overall change in level of activity when considering all construction activity would not be sufficient to result in emissions of ROG, NO_x, PM₁₀, or PM_{2.5} that would exceed thresholds recommended by the Sacramento Metropolitan Air Quality Management District (SMAQMD). As shown in Table 4.5-4 of the Draft EIR, construction emissions from the visitor/welcome center would need to more than triple to exceed any of the emissions threshold (85 lb/day for NO_x). Such a tripling of construction activity would not occur. For example, although the overall ground disturbance footprint of the modified visitor/welcome center is somewhat larger than the visitor/welcome center evaluated in the Draft EIR, the depth of excavation is less, and there is greater potential for some excavated material to be used as fill on-site, reducing the overall volume of fill that must be transported and disposed of elsewhere. Therefore, the overall soil handling and transport, and associated emissions, would not be appreciably different, and could be less than identified in the Draft EIR. Overall, as described in the Draft EIR for Impact 4.5-1, construction-generated emissions of criteria air pollutants or precursors would not contribute substantially to the nonattainment status of the Sacramento Valley Air Basin (SVAB) for ozone with respect to the California ambient air quality standards (CAAQS) and national ambient air quality standards (NAAQS), PM₁₀ with respect to the CAAQS, and PM_{2.5} with respect to the NAAQS.

As stated above in Section 2.2, "Transportation and Circulation," implementing the modified project would not alter the number of employees in the Annex or the vehicular trip generation disclosed and evaluated in the Draft EIR. Neither would the modified visitor/welcome center alter the net change in building size for the project. Therefore, consistent with the discussion of Draft EIR Impact 4.5-2, although there would be emissions of ROG from reapplication of architectural coatings to maintain the building, the modified project would not result in long-term

operational emissions of ROG, NO_x, PM₁₀, or PM_{2.5} that exceed SMAQMD's thresholds of significance (65 pounds per day [lb/day] for ROG, 65 lb/day for NO_x, 80 lb/day for PM₁₀, and 82 lb/day for PM_{2.5}). Therefore, operational emissions would not conflict with air quality planning efforts or contribute substantially to the nonattainment status of the SVAB with respect to the CAAQS for ozone and PM₁₀ and with respect to the NAAQS for ozone and PM_{2.5}.

Implementing the modified visitor/welcome center would not alter construction- or operation-related emissions of toxic air contaminants (TACs), consistent with the discussion of Draft EIR Impact 4.5-3. Operation of the modified visitor/welcome center would not result in new sources of TACs; therefore, operation of the project would have no impact. In addition, considering the relatively low mass of diesel PM emissions that would be generated by construction activity for the modified project, the relatively short duration of diesel PM-emitting construction activity at the project site, and the highly dispersive properties of diesel PM, construction-related TAC emissions would not expose off-site sensitive receptors to an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0.

As discussed in Draft EIR Section 4.5, "Air Quality," SMAQMD's project-level thresholds are intended to maintain or achieve attainment designations in the SVAB with respect to the CAAQS and NAAQS. If implementing the modified visitor/welcome center would not exceed SMAQMD's thresholds and would not contribute to nonattainment designations, it would not exacerbate or interfere with the region's ability to attain the health-based standards. Furthermore, the lack of exposure to criteria air pollutants that may exceed the NAAQS and CAAQS would avoid health impacts. Because the modified visitor/welcome center construction- and operation-generated emissions of criteria air pollutants and precursors would not exceed SMAQMD's recommended thresholds, they would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Because the ambient air quality standards are established to be protective of public health, adverse health impacts on receptors are not anticipated.

Implementing the modified visitor/welcome center would not substantially increase the severity of the air quality impacts disclosed in the discussions of Draft EIR Impacts 4.5-1 through 4.5-3 (less than significant), would not create a new significant air quality impact, and would not require additional mitigation measures.

2.4 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Implementing the modified visitor/welcome center would not appreciably alter the anticipated project construction effort or the construction equipment needed (see the discussion of construction emissions of criteria air pollutants above in Section 2.3, "Air Quality"). In addition, it would not alter the overall square footage of the facility, the number of employees in the new Annex, the number of visitors to the Capitol, or the vehicular trip generation disclosed and evaluated in the Draft EIR. Therefore, implementing the modified visitor/welcome center would not appreciably alter the estimated construction-related generation of carbon dioxide equivalent (MTCO₂e) per year or the estimated operation-related generation of MTCO₂e per year disclosed in the discussion of Draft EIR Impact 4.6-1. Both construction and operation of the modified project would continue to include greenhouse gas (GHG) efficiency measures consistent with all applicable State and local plans, policies, and regulations adopted for the purpose of reducing GHG emissions and enabling achievement of the statewide GHG reduction target of Senate Bill 32 of 2016. Therefore, the modified visitor/welcome center would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. The modified visitor/welcome center also would not substantially increase the severity of the GHG emissions disclosed in the discussion of Draft EIR Impact 4.6-1 (less than significant), would not create a new significant contribution to climate change, and would not require additional mitigation measures.

2.5 ENERGY

Implementing the modified visitor/welcome center would not alter the project's energy efficiency design features, the overall square footage of the facility, the number of employees in the new Annex, the number of visitors to the Capitol, or the vehicular trip generation disclosed and evaluated in the Draft EIR. Consistent with the discussion of

Draft EIR Impact 4.7-1, the modified project would continue to be designed with energy efficiency design features, and it would be powered with 100-percent renewable electricity through an agreement with the Sacramento Municipal Utility District. This is in contrast to the existing Annex, which was built in the 1950s, before energy reduction goals were in place and many current energy-saving technologies were available. Additionally, there would be no direct natural gas use at the building. Therefore, implementing the modified visitor/welcome center would not result in the wasteful, inefficient, or unnecessary consumption of energy during construction or operation. In addition, consistent with the discussion of Draft EIR Impact 4.7-2, the modified project would continue to be designed to achieve LEED v4 Silver certification through energy and water efficiency measures, as well as exceed the 2019 California Energy Code by 15 percent pursuant to Executive Order B-18-12. The conservation of transportation fuel would continue to be encouraged through limited on-site parking and proximity to multiple modes of transportation in the downtown area. Therefore, the modified project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The modified visitor/welcome center would not substantially increase the severity of the energy-related impacts disclosed in the discussion of Draft EIR Impacts 4.7-1 and 4.7-2 (less than significant), would not create a new significant energy-related impact, and would not require additional mitigation measures.

2.6 NOISE AND VIBRATION

Implementing the modified visitor/welcome center would not alter potential operational noise sources; it would not change the number of employees in the new Annex, the parking structure would remain underground, and the number of visitors would remain unchanged. Implementing the modified visitor/welcome center also would not increase traffic noise or introduce new stationary noise sources and therefore would not alter long-term noise over existing conditions. Furthermore, implementing the modified visitor/welcome center design would not alter the location of construction activities evaluated in the Draft EIR nor appreciably alter the type and extent of construction activities. During construction, consistent with the discussion of Draft EIR Impact 4.8-1, most noise-generating activity would be performed during daytime hours, when construction noise is exempt from noise standards by the City of Sacramento Noise Control Ordinance. However, as with the design evaluated in the Draft EIR, construction activity may be required during the nonexempt evening and nighttime hours (6:00 p.m. to 7:00 a.m., Monday through Saturday, and between 6:00 p.m. and 9:00 a.m. on Sunday) for activities such as large, continuous concrete pours. Nonetheless, accounting for simultaneous equipment operation, proximity to existing sensitive receptors, and typical attenuation rates for noise levels associated with the loudest construction activities, noise levels would not exceed City or Sacramento noise standards at any nearby receptors.

In addition, consistent with the discussion of Impact 4.8-2 of the Draft EIR, implementing the modified visitor/welcome center would not alter the use of heavy-duty vibration-generating equipment during construction. As addressed in the Draft EIR, the construction of piles close to the Historic Capitol could result in significant vibration impacts. Therefore, Mitigation Measure 4.8-1 would be imposed, requiring preparation and implementation of a vibration control plan that ensures that pile driving would not occur during the more sensitive times of the day (i.e., late evening through early morning), controls vibration sufficiently to prevent structural damage to nearby buildings, and corrects situations where substantial human disturbance from vibration might occur. The modified visitor/welcome center would be required to implement this mitigation, consistent with the rest of the project. The measures would ensure compliance with recommended vibration levels to prevent structural damage and human annoyance, and the vibration impact would be reduced to a less-than-significant level.

Implementing the modified visitor/welcome center would not substantially increase the severity of the noise and vibration-related impacts disclosed in the discussion of Draft EIR Impacts 4.8-1 (less than significant) and 4.8-2 (significant), it would not create a new significant noise- or vibration-related impact, Mitigation Measure 4.8-2 (Develop and Implement a Vibration Control Plan) would continue to be required to reduce the vibration impact to less than significant, and no additional mitigation measures would be required.

2.7 GEOLOGY AND SOILS

Implementing the modified visitor/welcome center would not change the location of the Capitol Annex Project, located within the grounds of Capitol Park in downtown Sacramento. As evaluated in the discussion of Draft EIR Impacts 4.9-1 through 4.9-4, the project site is not located on any known faults or traces of active faults; loose to medium dense sand and gravel soils identified beneath the project site are considered to have a low potential for liquefaction; the site is not located in an area of potential subsidence or dynamic compaction; and potentially expansive soils were not identified in borings taken at the project site. Construction of the modified visitor/welcome center would conform to the current California Building Code (CBC), which contains specifications to minimize adverse effects on structures caused by ground shaking from earthquakes and to minimize secondary seismic hazards (i.e., ground lurching, liquefaction). Through conformance with the CBC and implementation of site-specific engineering measures developed in compliance with these codes, development of the modified visitor/welcome center would not result in exposure of people or structures to substantial adverse effects related to seismic hazards, nor would it have the potential to exacerbate these hazards. Therefore, implementing the modified visitor/welcome center would not substantially increase the severity of the geology and soils impacts disclosed in the discussions of Draft EIR Impacts 4.9-1 through 4.9-4 (less than significant), would not create a new significant geology- or soils-related impact, and would not require additional mitigation measures.

2.8 HYDROLOGY AND WATER QUALITY

Implementing the modified visitor/welcome center could somewhat increase the amount of project construction disturbance relative to what was assumed in the Draft EIR. However, consistent with the discussion of Draft EIR Impact 4.10-1, although ground-disturbing activities could lead to erosion and sedimentation, implementation of the modified visitor/welcome center would include compliance with existing regulations relating to stormwater controls, including storm water pollution prevention plan best management practices and design standards set forth in the City's Stormwater Quality Design Manual for the Sacramento Region. Compliance with these standards and regulations would ensure that the modified project would neither conflict with nor obstruct any applicable water quality control plan, including the Water Quality Control Plan for the Central Valley Regional Water Quality Control Board and the Central Sacramento County Groundwater Management Plan. In addition, like conditions described in the Draft EIR, the project could still result in minor increases to impervious surfaces, which could alter drainage patterns at the project site (Draft EIR Impact 4.10-2). However, given that overall changes in the amount and location of impervious surface would be minor, and that a grading plan and drainage plan would be implemented as part of the project, any changes to the site drainage pattern would not result in substantial erosion, siltation, or flooding; exceedance of stormwater drainage systems; or additional sources of polluted runoff. Therefore, implementing the modified visitor/welcome center would not substantially increase the severity of the hydrology and water quality impacts disclosed in the discussions of Draft EIR Impacts 4.10-1 and 4.10-2 (less than significant), would not create a new significant hydrology- or water quality-related impact, and would not require additional mitigation measures.

2.9 HAZARDOUS MATERIALS AND PUBLIC HEALTH

Modification of the visitor/welcome center would not alter the temporary storage, use, or transport of hazardous materials for project construction or operation. Consistent with the discussion of Draft EIR Impact 4.11-1, hazardous materials would be handled in compliance with local, State, and federal regulations. Therefore, adverse impacts related to the creation of significant hazards to the public through routine transport, storage, use, disposal, and risk of upset would not occur. Implementing the modified project also would not change the possibility that the Annex may contain hazardous materials, such as asbestos-containing material, lead-based paint, and polychlorinated biphenyls, nor does it change results of the Phase 1 Environmental Site Assessment regarding past soil or groundwater contamination at or near the project site. Consistent with the discussion of Draft EIR Impact 4.11-2, remediation and disposal of any identified hazardous materials would be implemented in accordance with federal, State, and local laws and regulations intended to protect workers and the public from exposure to hazardous materials, and compliance with these laws and regulations would be achieved, in part, through direct coordination

with applicable regulatory agencies. Therefore, compliance with existing regulations would prevent the implementation of the modified visitor/welcome center from resulting in a significant risk to construction workers or the public from exposure to hazardous materials. Finally, the modified visitor/welcome center would not alter the temporary lane or street closures during construction, which could affect emergency access and evacuation routes, and a construction traffic control plan would be prepared, consistent with Section 12.20.20 of the Sacramento City Code, which would minimize construction impacts related to potential interference with emergency response or evacuation (Draft EIR Impact 4.11-3). In addition, the project site is within the downtown street grid; therefore, various alternative routes are available to access the project site and nearby locations. Following construction, the modified visitor/welcome center would comply with the current Building Code and the Americans with Disabilities Act, security checkpoints would be modernized, and emergency response and evacuation of the State Capitol building and Annex would be improved. Therefore, the modified visitor/welcome center would not substantially increase the severity of the hazardous materials and public health impacts disclosed in the discussion of Draft EIR Impacts 4.11-1 through 4.11-3 (less than significant), would not create a new significant hazardous materials– or public health–related impact, and would not require additional mitigation measures.

2.10 BIOLOGICAL RESOURCES

Modification of the visitor/welcome center would not alter the overall construction area for the project. The project site and resulting general boundary of construction activity would remain the four-block area bounded by 10th Street, L Street, N Street, and the alignment of 12th Street were it to cross Capitol Park. Consistent with the discussion of Impact 4.13-1 of the Draft EIR, project implementation would involve removal of several trees from the project footprint. Tree removal could result in direct loss of nests and mortality of adults, chicks, or eggs if they are present when tree removal occurs. Additionally, loud noises and visual disturbance from the presence of construction equipment, trucks, and construction crews associated with project implementation, including demolition and construction, could result in indirect disturbance to nesting Swainson's hawks, white-tailed kites, other nesting raptors, and other native nesting birds if they are present in trees adjacent to the project site. Indirect disturbance to nesting birds could result in nest abandonment. Mitigation Measure 4.13-1 would continue to be required for the modified visitor/welcome center to reduce potential impacts on Swainson's hawk, white-tailed kite, other nesting raptors, and other native nesting birds to a less-than-significant level. In accordance with this mitigation, active nests would be identified during preconstruction surveys, active nest trees would not be removed until the young have fledged, and no-disturbance buffers would be implemented to avoid indirect disturbance to active nests. In addition, implementing the modified visitor/welcome center would not alter the potential for inadvertent disturbance to maternal colonies of common bat species or inadvertent exclusion of these bats if they are present on the exterior of the Capitol Annex. Mitigation Measure 4.13-2 would continue to be required for the modified project to reduce impacts by identifying roosts and maternity colonies and excluding bats during demolition activities. In addition, the modified project would continue to have the possibility of disturbing street trees protected under the City of Sacramento Tree Preservation Ordinance. However, in accordance with Mitigation Measure 4.13-3 of the Draft EIR, before construction begins, a survey of City street trees at the project site will be completed and a detailed tree removal, protection, replanting, and replacement plan will be prepared and submitted to the City arborist. The implementation of the tree removal, protection, replanting, and replacement plan during project construction and operation would comply with the City's Tree Preservation Ordinance. Therefore, the modified visitor/welcome center would not substantially increase the severity of the biological resources impacts disclosed in the discussion of Draft EIR Impacts 4.13-1, 4.13-2, and 4.13-3; it would not create a new significant biological resources impact; Mitigation Measures 4.13-1, 4.13-2, and 4.13-3 would continue to be required to reduce the modified project's impacts to less than significant; and no additional mitigation measures would be required.

2.11 PUBLIC SERVICES AND RECREATION

Modification of the visitor/welcome center would not alter the project's compliance with current fire protection and safety requirements identified in the California Fire Code; California Building Code; and other applicable regulations, such as the portions of the State of California Building Code applicable to high-rise and underground buildings. Neither would the modification change the number of State employees or visitors to the Capitol or Capitol Park. Therefore, consistent with the discussion of Draft EIR Impact 4.14-1, the modified project would continue to result in a less-than-significant impact on fire protection facilities, equipment, and services. Similarly, the modified visitor/welcome center would still be an approximately 40,000-square-foot underground facility, and fire flow demand estimated for the project would remain the same as disclosed in the discussion of Impact 4.14-2 of the Draft EIR. Fire flow quantities have been established and would be available to meet the project requirements, and the project would incorporate the necessary fire protection infrastructure. Consistent with the discussion of Draft EIR Impact 4.14-3, the modified project would result in a reconfiguration of security and law enforcement services during construction but would have a less-than-significant impact on police protection services, facilities, and equipment. The modification in design would not change the number of employees or visitors, and public access to the State Capitol building would be centralized through the modified visitor/welcome center access point established before the Annex is constructed. Because of these factors, existing law enforcement services, facilities, and equipment would be adequate to serve the modified Capitol Annex Project during long-term operations.

Finally, consistent with the discussion of Draft EIR Impact 4.14-4, the modified project would serve the same number of staff and visitors, and the function of the Annex would not change; therefore, it would not increase demand for recreational facilities within the project area. However, during construction, the extent of recreation facilities would be reduced compared to existing availability because access to the Historic Capitol would be restricted and the west end of Capitol Park would be closed. This construction disturbance also would occur with the modified visitor/welcome center. Events and activities currently held on the project site would need to be relocated to the open portions of Capitol Park or to other public or private venues. Events within the open portions of Capitol Park and along Capitol Mall would continue under the existing California Highway Patrol Capitol Protection Section permitting process and, after project construction is complete, full access to Capitol Park would be restored. Any statues, memorials, plaques, and similar items that must be temporarily or permanently moved as a result of the modified project would be cataloged and stored in a secure location during construction. When construction is complete, all statues would be returned to Capitol Park in a setting similar to their original setting, and all plaques and memorials would be replaced and attributed to the same type of feature they were originally attributed to. Therefore, implementing the modified visitor/welcome center would not substantially increase the severity of the public services and recreation impacts disclosed in the discussion of Draft EIR Impacts 4.14-1 through 4.14-4 (less than significant), would not create a new significant public service or recreation impact, and would not require additional mitigation measures.

3 OTHER SECTIONS NOT BEING RECIRCULATED

3.1 CUMULATIVE IMPACTS

Based on the preceding resource discussions, modification of the visitor/welcome center design would not alter the impact conclusions for the resource topics discussed above, nor would this modification alter the contribution to the cumulative impacts disclosed in Chapter 5 of the Draft EIR for the resource topics discussed above. Furthermore, the cumulative setting, regional planning environment, and related projects associated with the modified visitor/welcome center would be consistent with those presented in Chapter 5 of the Draft EIR. Implementing the modified visitor/welcome center would not substantially increase the severity of the project's disclosed cumulative impacts on the resource topics discussed above, would not create a new cumulative impact, and would not require new mitigation measures.

3.2 OTHER CEQA SECTIONS

Implementing the modified visitor/welcome center would not change the project purpose, the number of employees in the new Annex, or the number of visitors to the Capitol. In addition, the anticipated construction effort and estimated number of temporary construction jobs would not change appreciably. Therefore, the growth inducement discussion in Section 6.1 of the Draft EIR also applies to the modified design. In addition, in accordance with the preceding resource discussions, the modification of the visitor/welcome center design would not result in any new significant environmental effects that cannot be avoided (consistent with Section 6.2 of the Draft EIR). Finally, the irreversible and irretrievable commitment of energy and material resources during construction and operation would remain consistent with that disclosed in Section 6.3 of the Draft EIR.

4 CONCLUSION

CEQA requires recirculation of an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review but before certification (CCR Section 15088.5). New information is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (CCR Section 15088.5).

The Draft EIR provided a comprehensive analysis of potential impacts of the project and alternatives. The modifications that have been made to the project relate to a modified approach to entry to the visitor/welcome center. These changes would not generate a new substantial adverse environmental effect or a substantial increase in the severity of an environmental impact in the resource areas discussed above. Because the preceding analysis did not identify any new significant environmental impacts or a substantial increase in the severity of an environmental impact in these resource areas, recirculation of these resource sections is not required, pursuant to Section 15088.5 of the State CEQA Guidelines.

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Appendix B

Public Resources Code, Division 13,
Chapter 6.7, Judicial Review of
Capitol Building Annex and
State Office Building Projects

PUBLIC RESOURCES CODE - PRC

DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.57]

(Division 13 added by Stats. 1970, Ch. 1433.)

CHAPTER 6.7. Judicial Review of Capitol Building Annex and State Office Building Projects [21189.50 - 21189.57]

(Heading of Chapter 6.7 amended by Stats. 2018, Ch. 40, Sec. 9.)

21189.50.

As used in this chapter, the following definitions shall apply:

(a) "Capitol building annex project" means any work of construction of a state capitol building annex or restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex described in Section 9105 of the Government Code that is performed pursuant to Article 5.2 (commencing with Section 9112) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(b) "Annex project related work" means all work closely related to the Capitol building annex project, including, but not limited to, any visitor's center or parking facility constructed pursuant to Section 9112 of the Government Code.

(c) "State office building project" means any work of construction, restoration, rehabilitation, renovation, or reconstruction of a state office building that is performed pursuant to Article 5.6 (commencing with Section 9125) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(Amended by Stats. 2018, Ch. 40, Sec. 10. (AB 1826) Effective June 27, 2018.)

21189.51.

(a) On or before July 1, 2017, the Judicial Council shall adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of the environmental impact report for a capitol building annex project or the granting of any project approvals that require the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceedings pursuant to Section 21189.52.

(b) On or before July 1, 2019, the Judicial Council shall adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of the environmental impact report for annex project related work or a state office building or the granting of any project approvals with respect to either that work or building that require the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceedings pursuant to Section 21189.52.

(Amended by Stats. 2018, Ch. 40, Sec. 11. (AB 1826) Effective June 27, 2018.)

21189.52.

(a) The lead agency shall prepare and certify the record of the proceedings in accordance with this section and in accordance with Rule 3.1365 of the California Rules of Court.

(b) No later than three business days following the date of the release of the draft environmental impact report, the lead agency shall make available to the public in a readily accessible electronic format the draft environmental impact report and all other documents submitted to or relied on by the lead agency in the preparation of the draft environmental impact report. A document prepared by the lead agency after the date of the release of the draft environmental impact report that is a part of the record of the proceedings shall be made available to the public in a readily accessible electronic format within five business days after the document is prepared or received by the lead agency.

(c) Notwithstanding subdivision (b), documents submitted to or relied on by the lead agency that were not prepared specifically for the capitol building annex project, annex project related work, or the state office building project, as applicable, and are copyright protected are not required to be made readily accessible in an electronic format. For those copyright protected documents, the lead agency shall make an index of these documents available in an electronic format no later than the date of the release of the draft environmental impact report, or within five business days if the document is received or relied on by the lead agency after the release of the draft environmental impact report. The index must specify the libraries or lead agency offices in which hard copies of the copyrighted materials are available for public review.

(d) The lead agency shall encourage written comments on the capitol building annex project, annex project related work, and the state office building project, to be submitted in a readily accessible electronic format, and shall make any such comment available to the public in a readily accessible electronic format within five days of its receipt.

(e) Within seven business days after the receipt of any comment that is not in an electronic format, the lead agency shall convert that comment into a readily accessible electronic format and make it available to the public in that format.

(f) The lead agency shall indicate in the record of the proceedings comments received that were not considered by the lead agency pursuant to subdivision (d) of Section 21189.55 and need not include the content of the comments as a part of the record.

(g) Within five days after the filing of the notice required by subdivision (a) of Section 21152, the lead agency shall certify the record of the proceedings for the approval or determination and shall provide an electronic copy of the record to a party that has submitted a written request for a copy. The lead agency may charge and collect a reasonable fee from a party requesting a copy of the record for the electronic copy, which shall not exceed the reasonable cost of reproducing that copy.

(h) Within 10 days after being served with a complaint or a petition for a writ of mandate, the lead agency shall lodge a copy of the certified record of proceedings with the superior court.

(i) Any dispute over the content of the record of the proceedings shall be resolved by the superior court. Unless the superior court directs otherwise, a party disputing the content of the record shall file a motion to augment the record at the time it files its initial brief.

(j) The contents of the record of proceedings shall be as set forth in subdivision (e) of Section 21167.6.

(Amended by Stats. 2018, Ch. 40, Sec. 12. (AB 1826) Effective June 27, 2018.)

21189.53.

(a) In granting relief in an action or proceeding brought pursuant to this chapter, the court shall not enjoin the capitol building annex project, annex project related work, or the state office building project unless the court finds either of the following:

(1) The continuation of the capitol building annex project, annex project related work, or the state office building project presents an imminent threat to the public health and safety.

(2) The capitol building annex project, annex project related work, or the state office building project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continuation of the capitol building annex project, annex project related work, or the state office building project unless the court stays or enjoins the capitol building annex project.

(b) If the court finds that either paragraph (1) or (2) of subdivision (a) is satisfied, the court shall only enjoin those specific activities associated with the capitol building annex project, annex project related work, or the state office building project, as applicable, that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.

(Amended by Stats. 2018, Ch. 40, Sec. 13. (AB 1826) Effective June 27, 2018.)

21189.54.

(a) The draft and final environmental impact report shall include a notice in not less than 12-point type stating the following:

THIS EIR IS SUBJECT TO CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE LEAD AGENCY NEED NOT CONSIDER CERTAIN COMMENTS FILED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD FOR THE DRAFT EIR. ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE

PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21189.51 TO 21189.53, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE IS INCLUDED IN THE APPENDIX TO THIS EIR.

(b) The draft environmental impact report and final environmental impact report shall contain, as an appendix, the full text of this chapter.

(Added by Stats. 2016, Ch. 31, Sec. 271. (SB 836) Effective June 27, 2016.)

21189.55.

(a) Within 10 days after the release of the draft environmental impact report, the lead agency shall conduct an informational workshop to inform the public of the key analyses and conclusions of that report.

(b) Within 10 days before the close of the public comment period, the lead agency shall hold a public hearing to receive testimony on the draft environmental impact report. A transcript of the hearing shall be included as an appendix to the final environmental impact report.

(c) (1) Within five days following the close of the public comment period, a commenter on the draft environmental impact report may submit to the lead agency a written request for nonbinding mediation. The lead agency shall participate in nonbinding mediation with all commenters who submitted timely comments on the draft environmental impact report and who requested the mediation. Mediation conducted pursuant to this paragraph shall end no later than 35 days after the close of the public comment period.

(2) A request for mediation shall identify all areas of dispute raised in the comment submitted by the commenter that are to be mediated.

(3) The lead agency shall select one or more mediators who shall be retired judges or recognized experts with at least five years experience in land use and environmental law or science, or mediation.

(4) A mediation session shall be conducted on each area of dispute with the parties requesting mediation on that area of dispute.

(5) The lead agency shall adopt, as a condition of approval, any measures agreed upon by the lead agency and any commenter who requested mediation. A commenter who agrees to a measure pursuant to this subparagraph shall not raise the issue addressed by that measure as a basis for an action or proceeding challenging the lead agency's decision to certify the environmental impact report or to grant one or more initial project approvals.

(d) The lead agency need not consider written comments submitted after the close of the public comment period, unless those comments address any of the following:

(1) New issues raised in the response to comments by the lead agency.

(2) New information released by the public agency subsequent to the release of the draft environmental impact report, such as new information set forth or embodied in a staff report, proposed permit, proposed resolution, ordinance, or similar documents.

(3) Changes made to the project after the close of the public comment period.

(4) Proposed conditions for approval, mitigation measures, or proposed findings required by Section 21081 or a proposed reporting and monitoring program required by paragraph (1) of subdivision (a) of Section 21081.6, where the lead agency releases those documents subsequent to the release of the draft environmental impact report.

(5) New information that was not reasonably known and could not have been reasonably known during the public comment period.

(Added by Stats. 2016, Ch. 31, Sec. 271. (SB 836) Effective June 27, 2016.)

21189.56.

The provisions of this chapter are severable. If any provision of this chapter or its application is held to be invalid, that invalidity shall not affect any other provision or application that can be given effect without the invalid provision or application.

(Added by Stats. 2016, Ch. 31, Sec. 271. (SB 836) Effective June 27, 2016.)

21189.57.

Except as otherwise provided expressly in this chapter, nothing in this chapter affects the duty of any party to comply with this division.

(Added by Stats. 2016, Ch. 31, Sec. 271. (SB 836) Effective June 27, 2016.)