

EXHIBIT “A”

PERFORMANCE STANDARDS AND CONDITIONS

Notes: GP = Sacramento County General Plan CP = Rio Linda and Elverta Community Plan RLEPP = Rio Linda/Elverta Power Plant CPAC = Rio Linda and Elverta Community Planning Advisory Council
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Environmental Justice

Board comment: To the extent allowed by the CEC process, evaluate the project against the issue of environmental justice to address whether the project is being proposed in an area which is economically or socially disadvantaged (e.g., minority and/or low income population) and whether there is a link to higher than average exposure to toxic pollution than the general population.

Property Values

Board comment: To the extent allowed by the CEC process, evaluate concerns raised regarding how the proposed project will affect surrounding property values.

Revised Water Supply Plan

Board comment: Analyze the water supply plan against the following General Plan policies to determine any potential impacts on the viability of agricultural property under the revised water use plan.

- GP AG-1 The County shall protect prime farmlands and land with intensive agricultural investments from urban encroachments.

- GP AG-5 Mitigate the loss of prime farmlands or lands with intensive agricultural investments through CEQA requirements to provide in-kind protection of nearby farmland.

- GP AG-25 The County shall actively encourage water conservation by both agricultural and urban water users.

Land Use

Visual:

- GP LU-22 Exterior building materials on nonresidential structures shall be composed of a minimum of 50 percent low-reflectance, non-polished finishes.

- GP LU-23 Bare metallic surfaces such as pipes, flashing, vents, and light standards on new construction shall be painted so as to minimize reflectance.
- GP LU-24 Require overhead light fixtures to be shaded and directed away from adjacent residential areas.
- GP LU-25 Require exterior lighting to be low-intensity and only used where necessary for safety and security purposes.
- CP LU-42 Prohibit or adequately mitigate impacts from industrial uses that would create odor, noise, dust, or air pollution problems within or immediately adjacent to residential or commercial areas.

Additional performance standards:

- β RLEPP shall not cause odors that impact adjacent residential or commercial land uses.
- β Project construction and operation noise shall comply with County noise ordinances including General Plan Policies NO-2 and NO-3.
- β RLEPP shall employ Best Available Control Technology as required by the Rules and Regulations of the Sacramento Metropolitan Air Quality Management District (SMAQMD). The project shall also comply with SMAQMD Rule 402 (Nuisance) and SMAQMD Rule 403 (Fugitive Dust).
- β Low-frequency noise impacts at residential receptors shall not exceed 70 dB(C).
- β Consider the comments and questions of the Sacramento County Environmental Management Department as provided in their detailed review of the Hazardous Materials Section of the AFC, in the letter dated November 16, 2001, incorporated herein.
- β CPAC Comment: Fund a baseline health study of community residents so that any health effects on the public once the plant is operational can be measured and monitored.

- CP LU-44 Prohibit the development of industrial uses that would generate liquid or solid waste that may cause surface or groundwater contamination.

Additional performance standards:

- β RLEPP shall not store, handle or otherwise generate liquid or solid waste in a manner that may cause surface or groundwater contamination. Waste handling and storage shall conform to all applicable federal, state, and County laws; including, but not limited to the: Resource Conservation Control Act, 42 U.S.C. §§ 6901 et seq.; Toxic Substances Control Act 15 U.S.C. §§ 2601 et seq.; and the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) (Health and Safety Code, § 25249.5 et seq.).

- CP LU-48 Adequately mitigate impacts associated with nuisance, pollutant, and other problems that exist between urban and non-urban uses.

CP LU-50 New development should contribute to the preservation of open space through the dedication of permanent park and open space areas in accordance with the natural resource policies of this Plan.

Additional performance standards:

- β The project shall dedicate an easement across the property for multi-purpose (including equestrian) trails along the Natomas East Main Drainage Channel (NEMCD).
- β RLEPP shall mitigate impacts to wetlands.

CP LU-51 Preserve the stream environment of the Natomas East Main Drainage Canal (NEMDC) tributaries in their natural condition.

Additional performance standards:

- β The project shall not be constructed or operated in any manner that interferes with the existing natural stream flows of the NEMDC tributaries, or degrades the existing water quality of the tributaries.
- β RLEPP shall construct and operate the project in compliance with all applicable federal, state and County laws including, but not limited to : the Clean Water Act; the California Porter-Cologne Water Quality Control Act; and the Sacramento City/County Drainage Manual (December 1996).
- β The RLEPP shall obtain a National Pollutant Discharge Elimination System (NPDES) permit to be administered by the Sacramento County Water Resources Department.
- β RLEPP shall prepare and submit to the County a Storm Water Pollution Prevention Plan (SWPPP) to be administered throughout all phases of operation, grading and project construction. The SWPPP shall incorporate BMPs to ensure that potential water quality impacts during construction and operation are minimized.

CP LU-52 Encourage design concepts, including landscaped corridors, that help retain a rural character along major transportation routes.

Additional performance standard:

- β RLEPP shall prepare and implement a design and landscape plan for further review by the County of Sacramento. The plan shall be reviewed by the Landscape Section of Public Works, Transportation Division. Measures to be considered include fencing and dense, fast-growing, and drought resistant landscaping of either the property boundary or the actual developed portion of the site. The final plan shall balance the requirements of the zoning code for fencing and perimeter landscaping with a landscape concept more in keeping with the rural character of the area.
- β CPAC Comment: No sound walls should be allowed. They interfere with the drainage of the property and, as importantly, interfere with the visual impact of open space. When considering the Specific Plan, the Citizens' Advisory Committee was adamant about no sound walls. This project should be no different. Perhaps landscaped berms could be used instead.

Public Facilities

GP PF-71 Locate and design production and distribution facilities so as to minimize visual intrusion problems in urban areas and areas of scenic and/or cultural value including the following:

Recreation and historic areas.

Scenic highways.

Landscape corridors.

State or federal designated wild and scenic rivers.

Visually prominent locations such as ridges, designated scenic corridors, and open viewsheds.

Native American sacred sights.

(See performance standard for CP LU-52.)

GP PF-72 Locate and design energy production and distribution facilities in a manner that is compatible with surrounding land uses by employing the following methods when appropriate to the site:

Visually screen facilities with topography and existing vegetation and install landscaping consistent with surrounding land use zone development standards where appropriate, except where it would adversely affect photovoltaic performance or interfere with power generating capability.

Provide site-compatible landscaping.

Minimize glare through siting, facility design, nonreflective coatings, etc.

Site facilities in a manner to equitably distribute their visual impacts in the immediate vicinity.

GP PF-73 Minimize the potential adverse impacts of energy production and distribution facilities to environmentally sensitive areas by, when possible, avoiding siting in the following areas:

Wetlands.

Permanent marshes.

Riparian habitat.

Vernal pools.

Oak woodlands.

Historic and/or archaeological sites and/or districts.

Additional performance standard:

- β Onsite wetland areas that will remain following project construction shall be fenced to protect from further grazing impacts or human intrusion.
- β Coordinate with the Sacramento County Airport System on the location and design of the proposed natural gas pipeline north of the Sacramento International Airport. Obtain any necessary easements and permits from the County to cross property owned by the County. Obtain approval from the Sacramento County Airport System regarding the design and placement (including depth) of the pipeline to ensure that

there are no conflicts with existing airport operations, possible airport expansion, and to address any safety concerns associated with the pipeline's location.

- GP PF-74 Energy production and distribution facilities shall be designed and sited in a manner so as to protect the residents of Sacramento County from the effects of a hazardous materials incident.
- GP PF-85 New transmission corridors should, whenever possible, avoid existing and planned urban areas; specifically those areas designated for residential and commercial uses. When avoidance is not possible transmission lines should be placed underground.
- GP PF-86 New transmission lines constructed within existing and planned urban areas should utilize existing transmission corridors whenever practical. Secondary preferred locations are railway and freeway corridors. If feasible, existing towers should be upgraded to accommodate additional circuits rather than erecting new towers.
- GP PF-87 To minimize visual impacts and protect the county's visual and aesthetic resources, new bulk substations should be located in industrial and non-retail commercial areas. To further minimize visual intrusion and potential land use conflicts, substations shall be enclosed with an eight-foot high security fence in concert with a 25-foot landscaped setback along all public street frontages.
- GP PF-88 Proposals to locate all new bulk substations and all other large scale energy distribution facilities shall be submitted to the Planning Department for review and comment in the form of a General Plan Conformity request.
- GP PF-89 Locate and design new transmission towers in urban areas in a manner that minimizes visual and environmental impacts, including impacts to historic buildings and view sheds.
- GP PF-92 Wherever feasible, utilize existing transmission poles to accommodate new overhead transmission lines. Existing and future transmission corridors should be shared by more than one utility company.
- GP PF-93 Transmission rights-of-way should avoid bisecting parcels wherever possible.
- GP PF-118 Route new high pressure gas mains within railway and electric transmission corridors, along collector roads, and wherever possible, within existing easements. If not feasible these gas mains shall be placed as close to the easement as possible.
- CP PF-4 All new development in urban zones must have public sewer. New development on lots of two acres or less in agricultural-residential zones must provide or make provisions for public sewer service.

Additional performance standard:

- β RLEPP shall connect to public sewer service upon extension of the northwest interceptor to or through the vicinity of the Project site.
- β CPAC Comment: Funding for “fair share” of public sewer. This project proposes to use a septic system, and the staff has recommended a condition that the applicant be required to hook up to a sewer, should one ever become available. The CPAC believes that, at the very least, the applicant should be required to fund a fair share of the sewer feeder line – as any developer of a 70 acre site might be expected to do – not just be required to hook up to it should it ever magically appear. A “hook-up only” requirement virtually guarantees that the line will never be built, due to the size of the site for this facility.

CP PF-7 In the event a conjunctive use water supply is not obtained, the County shall not take actions that will result in long-term damage from draw-down to the groundwater aquifer(s).

Additional performance standards:

- β Average annual groundwater use by the Project shall not exceed 2,823 acre feet. If the Sacramento North Area Groundwater Management Authority determines, pursuant to the Water Forum Agreement, that surface water supplies are necessary to maintain the long-term sustainable yield of the Sacramento North Area Groundwater Basin, the Project shall bear its pro rata portion of the cost of such surface supplies.
- β In its review of the Project, the California Energy Commission (“CEC”) will determine which neighboring wells will be dewatered by increased groundwater withdrawals for the RLEPP. Those wells that will be impacted, if any, will be deepened and re-plumbed prior to Project operation, as a condition of license by the CEC to avoid any significant adverse impact. RLEPP also will be responsible for any increased electricity costs associated with the dewatering of those wells.
- β Also as a condition of license by the CEC, wells in a zone where impacts are uncertain will be monitored through measurements prior to Project operation and at a subsequent interval, as determined by the CEC and not less than 12 months after startup, to determine whether the RLEPP has any dewatering effect on those wells. Those wells that monitoring determines have been impacted, if any, will be deepened and re-plumbed to mitigate any adverse impact. RLEPP also will be responsible for any increased electricity costs associated with the dewatering of those wells.
- β Coordinate with the Sacramento Groundwater Authority to ensure that the project is in compliance with the Water Forum and the governance principles for water use in the North Area Basin.
- β CPAC Comment: One of the many difference between this project and the SEPCO project is that this project proposes to use groundwater. The SEPCO license absolutely forbade the use of groundwater. The CPAC believes that this should be a condition for this project as well.

CP PF-10 DR-1 – Significant increases in peak flows within the Natomas East Stream Group (NESG), specifically Natomas East Main Drainage Canal Tributaries F, G

and I, shall be mitigated through the implementation of regional detention facilities. In addition, restoration of any lost floodplain storage within the NESG (particularly Tributary G) shall require in-kind replacement, preferably on site. DR-2 – Potential cumulative impacts to water quality resulting from construction activities within the Rio Linda and Elverta Community Plan area shall be mitigated through the enforcement of all appropriate “Best Management Practices” and other requirements under the NPDES program.

Additional performance standards:

- β The project shall result in no net decrease in floodplain storage. The surface drainage systems shall be designed to handle the flow resulting from a 25-year, 24-hour duration rainfall event. The project engineer shall consult with the County when designing the proposed detention basin(s), flood management plan, and road access. In-kind replacement of lost floodplain storage caused by the project shall include mitigation measures required by the County Water Resources Division. The RLEPP shall comply with all applicable provisions of the Cobey-Alquist Flood Plain Management Act (Wat. Code, §§ 8401 et seq.), the Sacramento City/County Drainage Manual (December 1996), and the Water Quality Control Plan (Basin Plan) prepared by the Central Valley Regional Water Quality Control Board (1998).
- β The applicants shall continue to coordinate with County Water Resources regarding the design of the Sorento Road access.

- CP PF-17 Prevent encroachment (by fill or building) into the floodplains of the tributaries of the NEMDC and Robla Creek, unless compensating flood storage capacity acceptable to the Water Resources Division is provided.
- CP PF-18 Police the encroachment into floodplains of creeks and tributaries within the community plan area, including agricultural activities that adversely affect flooding situations.
- CP PF-28 Promote the use of fire mitigation measures, such as automatic sprinkler systems, smoke alarms and other fire detection devices, for appropriate development projects.
- CP PF-29 New development in rural and Agricultural-Residential area must meet the American River Fire Protection District’s most current Policy Statement for Rural Fire Flows. *(Now the Sacramento Metropolitan Fire District; also see District comments.)*
- CP PF-30 Require that new urban development be provided an adequate amount of water supply, in gallons per minute, to meet all fire flow standards as established by the American River Fire Protection District. *(Now Sacramento Metropolitan Fire District.)*
- CP PF-31 Developers shall coordinate with the American River Fire Protection District *(now the Sacramento Metropolitan Fire District)* the Rio Linda Water District, and the Citizens Utility District early in the project design stage in designing

water distribution systems, hydrant locations and fire flow requirements for all new development proposed within the community area.

Additional performance standards:

Sheriff Safety

- β The power plant must have an antiterrorism, sabotage and civil disobedience program for management and employees. Submit a substantial outline of the program to the Sacramento County Sheriff's Department for review and approval.

Fire Safety

- β Fire Department access for emergency response is critical at all times during construction and operation. The Sacramento Metropolitan Fire District will require two points of access. The access roadways will be required to be installed above the level of the 100 year floodplain. The access roadways shall be installed and made serviceable prior to and during the time of construction.
- β Details on the onsite water supply which show how the dedicated fire protection water will be provided need to be reviewed and approved by the Sacramento Metropolitan Fire District.
- β Provide approved steamer type fire hydrants located a maximum of 300 feet between hydrants.
- β Fire department notes and details shall be shown on the civil drawings.
- β An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief.
- β Provide access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with a minimum turning radius of 38 feet inside/58 feet outside dimension. It shall be capable of supporting the imposed loads of fire apparatus and having a minimum of 13 feet, 6 inches of vertical clearance. The access roadway shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Dead-end fire department access roads in excess of 150 feet long shall be provided with approved provisions for the turning around of fire apparatus. Submit a detailed drawing to the Sacramento Metropolitan Fire District for review.
- β There shall be no parking on any street narrower than 28 feet. Parking shall be allowed only on one (1) side on streets from 28 feet to 36 feet wide. Streets that are wider than 36 feet, parking shall be allowed on both sides. Measurements shall be from edge of pavement to edge of pavement. On private streets, marking of the fire lanes per the County Fire Marshal's standard may be required.
- β Provide approved address numbers on the building in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background and on all new buildings, shall be illuminated at night.
- β Should security gates be considered for this project, the developer shall contact the Sacramento Metropolitan Fire District for approval of specific clearances, locking

mechanisms, or systems which will accommodate emergency fire department use and then follow established permit procedures pursuant to Sacramento County Code, Chapter 16.70. *Note: Further information can be obtained by calling the Crime Prevention Unit of the Sacramento County Sheriff's office at (916) 440-5151.*

- β Remove any accumulations of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste material, waste petroleum products or rubbish of any kind. All weeds, grass, vines or other growth, when same endangers property or is liable to be fired shall be cut down and removed by the owner or occupant of the property. When total removal of growth from a piece of property is impractical due to size or to environmental factors, approved fuel breaks may be established between the land and the endangered property. The width of the fuel break shall be determined by height, type and amount of growth, wind conditions, geographical conditions and type of exposures threatened.
- β All fire protection equipment is to be maintained in operative condition.
- β CPAC Comment: Fund a full-time, paid staff at the nearest fire station (at the intersection of Elverta Road and Elwyn Avenue) with hazardous materials training and the appropriate equipment to respond to emergencies at the plant.
- β CPAC Comment: Institute a community notification system for any potentially hazardous situation, especially to allow timely evacuation of the local elementary school. An example would be the system in place at Citizens' Utilities which can be implemented in the event of a chlorine gas leak.

Noise

GP NO-1 Noise created by new transportation¹ noise sources should be mitigated so as not to exceed 60 dB Ldn/CNEL² at the outdoor activity areas of any affected residential lands or land use situated in the unincorporated areas. When a practical application of the best available noise-reduction technology cannot achieve the 60dB Ldn CNEL standard, then an exterior noise level of 65dB Ldn CNEL may be allowed in outdoor activity areas.

Policy Regulates: Noise Sources
Noise Source Type: Transportation
Noise Receptor Type: Residential

Additional performance standard:

- β RLEPP shall comply with the 60 dB Ldn/CNEL standard. Construction activities shall also comply with County Noise Ordinance Section 6.68.090, and limit construction activities to 6:00 a.m. to 8:00 p.m. during the weekdays, and 7:00 a.m. to 8:00 p.m. during the weekends. Low-frequency noise impacts at residential receptors shall not exceed 70 dB(C).

GP NO-2 Noise created by new nontransportation noise sources shall be mitigated so as not to exceed any of the noise level standards of Table II-1, as measured immediately within the property line of any affected residentially designated lands or residential land use situated in the unincorporated areas.

Policy Regulates: Noise Sources
Noise Source Type: Nontransportation
Noise Receptor Type: Residential

GP NO-3 Where proposed nontransportation noise sources are likely to produce noise levels exceeding the performance standards of Table II-1 at existing or planned residential uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. (Requirements for the content of an acoustical analysis are given by Table II-2.)

Policy Regulates: Noise Source
Noise Source Type: Nontransportation
Noise Receptor Type: Residential

CP NS-1 Future development projects within the Rio Linda and Elverta Community Plan area shall comply with the noise standards of the County's General Plan, implementing noise attenuation measures where necessary to ensure compliance.

Agricultural

GP AG-27 The County shall minimize flood risks to agricultural lands resulting from new urban developments by:

- a) requiring that such developments incorporate adequate runoff control structures and/or
- b) assisting in implementing comprehensive drainage management plans to mitigate increased risks of farmland flooding resulting from such developments.

See performance standard for CP PF-10.

Conservation

Erosion:

GP CO-13 Roads and structures shall be designed, built and landscaped so as to minimize erosion during and after construction.

Ground Water Recharge:

GP C0-30 Locate septic systems outside of primary ground water recharge areas, or if that is not possible, require the use of shallow leaching systems for disposal of septic effluent.

Additional Performance standard:

- β Conduct and submit evidence of a "test drill" or soil evaluation prior to sizing the individual sewage disposal system to the satisfaction of the County Environmental Health Department.

Water Conservation and Reuse:

- GP C0-39 Development project approvals shall include a finding that all feasible and cost effective options for conservation and water reuse are incorporated into project design. Wastewater reuse options shall be reviewed and agreed upon by the area water purveyor when the reclaimed water is to be used within the water purveyor's boundaries.

Habitat Protection & Restoration:

- GP C0-62 Ensure no net loss of marsh and riparian woodland acreage, values or functions.
- GP C0-66 Encroachments within the designated floodway of Sacramento waterways shall be consistent with policies to protect marsh and riparian areas.
- GP C0-69 Review projects for potential to restore marsh/riparian woodlands, considering effects on vernal pools, ground water, flooding, and proposed fill or removal of marsh and riparian habitat.
- GP CO-70 Public or private projects involving filling or removal of marsh/riparian habitat shall be mitigated outside of natural preserves where on-site mitigation is not desirable or appropriate shall be mitigated through the purchase of mitigation credits for restored wetlands/riparian areas at no net loss.

Vernal Pools:

- GP C0-78 Focus vernal pool preservation in permanent open space areas beyond the Urban Area.
- GP C0-83 Ensure no net loss of vernal pool acreage, and/or values and functions, and mitigate any loss in relation to the values of quality of habitat.
- GP CO-84 Evaluate feasible on-site alternatives in the environmental review process that reduce impacts on vernal pools and provide effective on-site preservation in terms of minimum management requirements, effective size, and evaluation criteria identified in the report "Sacramento County Vernal Pools" (1990).
- GP CO-85 Require in-kind compensation for the type and functional values of vernal pools eliminated by development.
- GP CO-86 When on-site preservation or mitigation is infeasible or undesirable, require off-site mitigation at County-approved mitigation banks within Sacramento County.
- GP CO-87 Mitigation for vernal pool loss shall be considered in the environmental review process, and mitigation shall be required based on information contained within

the environmental documents on the quality of those resources and their ability to be sustained within an urban setting.

- GP CO-95 Until such time as mitigation credits consistent with the above policies are available, development entitlements involving filling or removal of vernal pools may be granted provided that the project applicant:
- a) purchase and dedicate the development rights for a vernal pool preserve, the extent of which shall not be less than the acreage of vernal pool and upland watershed necessary to sustain the viability of the pools that are proposed to be developed, and, which, in conjunction with adjoining planned vernal pool preserves, will provide a long-term, ecologically viable preserve.
 - b) prepare a mitigation and management plan for the preserve area consistent with policies of this section.
 - c) Enter into a long-term agreement with an agency or organization qualified to create, manage and monitor vernal pools.
 - d) Post bond guaranteeing the management funding for a minimum of 50 years.
 - e) Obtains permission from the U.S. Army Corps of Engineers.
 - f) Demonstrate that no rare, threatened or endangered species occur on the site.

- GP CO-96 Prior to adoption of the mitigation banking ordinance, utilize on a county-wide basis, the adopted interim wetland mitigation/compensation policy: All wetland acreage proposed to be disturbed by any project over which the Board of Supervisors has discretionary approval shall be mitigated/compensated for by either one or a combination of the following methods:
- 1) Preserve or create wetlands sufficient to result in no net loss of wetland acreage, and protect their required watersheds as is necessary for the continued function of wetlands on the project site. The appropriate hearing body shall determine that project design, configuration, and wetland management plan, provide reasonable assurances that the wetlands will be protected and their long-term ecological health maintained.
 - 2) Where a Section 404 Permit has been issued by the Corps of Engineers, or an application has been made to obtain a Section 404 Permit, the Mitigation and Management Plan required by that permit or proposed to satisfy the requirements of the Corps for granting a permit may be submitted for purposes of satisfying paragraph 1, provided a no net loss of wetlands is achieved and, provided, further, that such mitigation and management plan shall be subject to the independent, discretionary approval of the Board of Supervisors.
 - 3) Pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands, which shall constitute mitigation for purposes of implementing adopted no net loss

policies and CEQA required mitigation. The payment shall be collected by the Department of Planning and Community Development at the time of Improvement Plan or Building Permit approval, whichever occurs earlier, and deposited in the Wetlands Restoration Trust Fund.

GP C0-99 Ensure that minimum management requirements for vernal pool preserves and mitigation banks include protection in perpetuity through acquisition of fee title or a permanent conservation easement; a funding source for long-term operation, maintenance, and management; preparation and implementation of a management plan; and establishment of an interagency oversight committee.

GP C0-100 The price of mitigation credits offered for sale to compensate for vernal pool losses shall incorporate estimated management costs for a minimum of 50 years.

Tree Resources:

GP C0-130 Make every effort to protect and preserve non-oak native, excluding cottonwoods, and landmark trees and protect and preserve native oak trees measuring 6 inches in diameter at 4.5 feet above ground in urban and rural areas, excluding parcels zoned exclusively for agriculture.

GP CO-131 Native trees other than oaks, which cannot be protected shall be replaced with in-kind species in accordance with established tree planting specifications, the combined diameter of which shall equal the combined diameter of the trees removed. In addition, with respect to oaks, a provision for a comparable on-site area for the propagation of oak trees may substitute for replacement tree planting requirements at the discretion of the County Tree Coordinator when removal of a mature oak tree is necessary in accordance with consistent policy.

Rare and Endangered Species:

GP C0-143 Control human access to critical habitat areas on public lands to minimize impact upon and disturbance of threatened and endangered species.

Cultural Resources:

GP C0-155 Utilize the California Archeological and the Sacramento History and Science Division to assist in determining need for survey.

GP CO-156 Refer projects with identified archeological and cultural resources to the Cultural Resources Committee to determine significance of resource and recommend appropriate means of protection and mitigation. The Committee shall coordinate with the Native American Heritage Commission in developing recommendations.

GP CO-157 Significant archeologic, prehistoric, or historic sites shall be protected as open space for potential future excavation.

- GP CO-158 Native American burial sites encountered during preapproved survey or during construction shall, whenever possible, remain in situ. Excavation and reburial shall occur when in situ preservation is not possible or when the archeologic significance of the site merits excavation and recording procedure. On-site reinterment shall have priority. The project developer shall provide the burden of proof that off site reinterment is the only feasible alternative. Reinterment shall be the responsibility of local tribal representatives.
- GP CO-159 The cost of all excavation conducted prior to completion of the project shall be the responsibility of the project developer.
- GP CO-160 Monitor projects during construction to ensure crews follow proper reporting, safeguards, and procedures.
- GP CO-161 As a condition of approval of discretionary permits, a procedure shall be included to cover the potential discovery of archaeological resources during development or construction.
- GP CO-162 As a condition of approval for discretionary projects which are in areas of cultural resource sensitivity, the following procedure shall be included to cover the potential discovery of archeological resource during development or construction:
- Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Sacramento County Department of Environmental Review and Assessment shall be immediately notified. At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the site with appropriate specialists, as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.98 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.
- CP NR-20 (CR-1) Encourage the retention of important cultural features in the design of future projects.
 (CR-2) When projects are located in areas of sensitivity for Native American cultural resources, the Native American Heritage Commission and members of the local Native American community shall be contacted.
 (CR-3) If ground disturbing activities are planned within or adjacent to the boundaries of any known archaeological sites, the following shall be required:
 (A) The site area will be inspected by a qualified, professional archaeologist to assess the condition of the property and to determine the current status of the deposit.

- (B) Based on this review and, as appropriate, a subsurface testing program will be developed and implemented to determine if the property meets criteria specified in Appendix K of CEQA to qualify as an important archaeological resource. The course of the testing program should be clearly delineated in a research design which outlines prehistory of the area; research domains, questions and data requirements; research methods inclusive of field and laboratory studies; report preparation; and significance criteria.
- (C) Following field investigations, a technical report describing the evaluation program should be prepared. At a minimum, this report shall include the elements discussed in the research design, as well as a description of the recovered site assemblage and a significance evaluation. If, based on the results of the testing program, a site is not determined to be an important archaeological resource, then effects to it would have been reduced to less than significant.
- (D) If the site is determined to be an important archaeological resource, then additional mitigation measures, namely data recovery investigations may be necessary to reduce impacts to less than significant.
- (E) As Native American archaeological resources are involved, identification and treatment shall be conducted in consultation with the local Native American community.
- (F) Archaeological investigations shall be conducted by a qualified, professional archaeologist who either meets the federal standards as stated in the Code of Federal Regulations (36 CFR 61) or is certified by the Society of Professional Archaeologists (SOPA).

Additional performance standard:

- β If cultural resources are encountered during construction, all construction activity shall cease within approximately 50-feet of the suspected resources until a qualified archeologist can conduct an evaluation. In addition, pursuant to Section 5097.98 of the California Public Resources Code and Section 7050.5 of the Health and Safety Code, in the event of discovery of human remains, all work is to stop within approximately 50-feet of the find, and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

CP NR-2 Ensure no net loss of wetlands habitat acreage, values or functions. If the lot of wetlands habitat cannot be avoided, the replacement of wetlands habitat should be located within the Rio Linda-Elverta area.

CP NR-3 Establish and identify wetland mitigation/compensation requirements for project subjected to “no net loss” policy.

Additional performance standard:

- β The Project shall preserve wetland habitats on the Project site that are not within the footprint of the Project facilities. The Project shall mitigate the loss of wetlands by establishing replacement wetlands and/or by paying a fee into an approved mitigation bank fund. The replacement wetlands or the wetlands to be

supported by the mitigation fee shall be located in the Rio Linda-Elverta Community Plan Area, unless RLEPP demonstrates to the satisfaction of the County that it is not feasible to do so.

- β CPAC comment: The applicant should be required to create wetlands habitat at a ratio of 2:1 for wetlands habitat loss, if there is currently no offset available in the community, as called for in the Community Plan. No payment of a fee to a mitigation bank should be allowed.

CP NR-4 Public or private projects involving the filling or removal of marsh/riparian habitat or wetlands habitat outside of areas designated Natural Preserve where on-site mitigation is not desirable or appropriate shall be mitigated through the purchase of mitigation credits for restored wetlands/riparian areas at a ratio of 2:1.

CP NR-9 Native vegetation shall be used in any riparian or wildlife habitat restoration efforts.

CP NR-11 The use of native drought tolerant plant species is encouraged in developed areas adjacent to Dry Creek and other environment corridors.

Additional performance standard:

- β Because the Project is located near an environmental corridor (NEMDC and Tributaries) native drought tolerant plant species shall be included in the landscape plan. Such plants include, but are not limited to: Island or Common Manzanita, Laurel Sumac, Sage, or Blue Elderberry.

CP NR-14 Provide recreation trails and other passive recreation activities along the natural environment corridors, including but not limited to NEMDC, Dry Creek Parkway, Sacramento Northern, utility corridors and Ueda Parkway, connecting the American River Parkway, thus creating linkages and networks of linked trails.

CP NR-17 (BR-1) Future development within the Community Plan area shall minimize impacts to biological resources through the implementation of the following measures, where appropriate:

- β Addition of natural preserve designations;
- β Avoidance of significant resource areas;
- β Enhancement of existing high- or medium-quality habitats;
- β Restoration of degraded, polluted or otherwise disturbed low-quality habitats.

CP NR-18 (AI-1) Applicants for future development proposals within the Plan area shall prepare and implement a plan designed to control dust emissions resulting from project activities. At a minimum, the contents of this plan shall contain requirements for the following:

- β Application of dust palliatives (e.g. water) at least twice daily (at the beginning and end of daily construction activities) and more often as necessary;

- β Watering the construction area or applying some other dust palliatives whenever visible dust clouds appear; and
- β Ceasing grading activities whenever sustained winds exceed 25 miles per hour.

(AI-2) To reduce construction-related ROG and Nox impacts to a less than significant level, all construction vehicles and equipment shall be maintained according to manufacturer's specifications. Construction contractors shall be required to show written evidence of appropriate maintenance prior to bringing equipment on site.

Additional performance standard:

- β RLEPP shall prepare and implement a dust control plan that mitigates for construction dust impacts, and is in compliance with SMAQMD Rule 403. To control fugitive dust emissions, the construction contract shall require the contractor to water all exposed soil surfaces at least 3 times per day during the grading and construction phases of the project.

Air Quality

GP AQ-5 Require the use of Best Available Control Technology (BACT) to reduce air pollution emissions.

Additional performance standard:

- β RLEPP shall construct and operate the facility in compliance with the Clean Air Act (42 U.S.C. §§ 7401 et. Seq.); SMAQMB 403; SMAQMD Rule 202 (New Source Review) and using BACT for NO_x, VOC, PM₁₀ and SO₂ emissions. BACT shall include, but not be limited to the use of dry low NO_x (DLN) combusters and SCR (with ammonia injection) for reducing NO_x emissions from the CTGs/HRSGs (achieving a NO_x emission level of 2.0 parts per million (ppm)); post-combustion oxidation catalysts located in the HRSGs to achieve CO emissions of not more than 6.0 ppm; and the use of clean burning pipeline quality natural gas (with a sulfur content of less than 0.33 gr/100scf) to reduce sulfur dioxide and PM₁₀ emissions.

GP AQ-17 Require that development projects be located and designed in a manner which will conserve air quality and minimize direct and indirect emission of air contaminants.

GP AQ-37 Maximize air quality benefits through selective use of vegetation in landscaping and through revegetation of appropriate areas.

(See performance standard for CP LU-52.)

CP NR-1 (AI-1) Applicants for future development proposals within the Plan area shall prepare and implement a plan designed to control dust emissions resulting from project activities. At a minimum, the contents of this plan shall contain requirements for the following:

- β Application of dust palliatives (e.g. water) at least twice daily (at the beginning and end of daily construction activities) and more often as necessary;
 - β Watering the construction area or applying some other dust palliatives whenever visible dust clouds appear; and
 - β Ceasing grading activities whenever sustained winds exceed 25 miles per hour.
 - β RLEPP shall prepare and implement a dust control plan that mitigates for construction dust impacts, and is in compliance with SMAQMD Rule 403. To control fugitive dust emissions, the construction contract shall require the contractor to water all exposed soil surfaces at least three (3) times per day during the grading and construction phases of the project.
- (AI-2) To reduce construction-related ROG and NOx impacts to a less than significant level, all construction vehicles and equipment shall be maintained according to manufacturers specifications. Construction contractors shall be required to show written evidence of appropriate maintenance prior to bringing equipment on site.

Additional performance standards:

- β Category 1: Reducing NOx emissions from off-road diesel powered equipment: The prime contractor shall provide a plan for approval by the County of Sacramento, in consultation with SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and the prime contractor shall submit to the County of Sacramento, in consultation with SMAQMD, a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the prime contractor shall provide SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and on-site foreman.

And

- β Category 2: Controlling visible emissions from off-road diesel powered equipment: The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the County of Sacramento, in consultation with SMAQMD, shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation

equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

The use of “Lubrizol” as a fuel for diesel-powered equipment is also recommended, and could be used to help comply with Comment 1, Category 1 (above). This alternative fuel operates in any diesel engine, is certified by the California Air Resources board, and is commercially available. Use of this fuel in a diesel engine will reduce NOx emissions by 14% and PM10 emissions by 63%. Questions regarding the use of Lubrizol should be directed to Mr. Tom Swenson, at the District Offices, by calling (916) 874-4889.

During the construction phase(s) of the project, District Rule 403 – Fugitive Dust, will apply. The developer/contractor is required to control dust emissions from earth moving activities to prevent airborne dust from leaving the project site.