

RESOLUTION NO. 2013-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING ADDENDUM 4 TO THE GRANT LINE ROAD WIDENING PROJECT MITIGATED NEGATIVE DECLARATION AND APPROVING THE PROPOSED PROJECT AS MODIFIED BY THE ADDENDUM

WHEREAS, on December 14, 2005 (Resolution No. 2005-358), the City Council of the City of Elk Grove took the following actions on the Grant Line Road Widening Project (East Stockton Boulevard to Bradshaw Road) (Project):

- 1) Adopted the Final Mitigated Negative Declaration (MND);
- 2) Adopted the Mitigation Monitoring Reporting Program; and
- 3) Approved the proposed Project; and

WHEREAS, subsequently, three addenda and a modification to Mitigation Measure 3.4.4 were approved by the City Council on October 26, 2011; and

WHEREAS, subsequently, a fourth addendum was prepared for the Project; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines Section 15164 states, "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred."; and

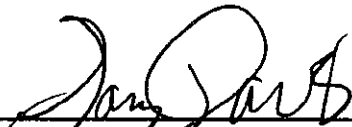
WHEREAS, MND Addendum 4 is appropriate because none of the conditions contained in the CEQA Guidelines Section 15162(a) calling for preparation of a subsequent negative declaration have occurred; and

WHEREAS, the Project is included in the approved 2012-17 Capital Improvement Program (CIP) and is funded within the approved Fiscal Year 2012-13 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

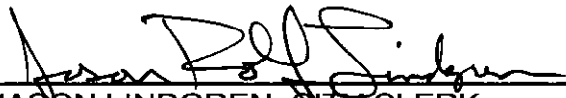
- 1) Approves Addendum 4 to the Grant Line Road Widening Project (East Stockton Boulevard to Bradshaw Road) Mitigated Negative Declaration (MND), attached as Exhibit A; and
- 2) Approves the modification to the Project as described in Addendum 4.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of March 2013.




GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**ADDENDUM No. 4 TO THE PREVIOUSLY ADOPTED
FINAL MITIGATED NEGATIVE DECLARATION
FOR THE
GRANT LINE ROAD WIDENING PROJECT**

INTRODUCTION

This Addendum to the Grant Line Road Widening Project Final Mitigated Negative Declaration (SCH# 2005102056) was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines, Sections 15162 through 15164. This document has been prepared to serve as an Addendum to the Grant Line Road Widening Project Final Mitigated Negative Declaration (Final MND) adopted by the Elk Grove City Council on December 14, 2005. The City of Elk Grove is the lead agency for the environmental review of the proposed Grant Line Road Widening Project – Phase 1 (Project). This is the fourth addendum to the Final MND. Addendum number 1 was prepared in 2006 because the Final MND did not analyze noise impacts at two sensitive receptors under one project alternative. Addendum number 2 was prepared in January 2009 because the City decided to construct the Grant Line Road/Waterman Road intersection before the rest of the project and the alignment of Waterman Road changed from that described in the Final MND. Addendum number 3 was prepared in February 2011 to address changes to the project description associated with details of the Union Pacific Railroad (UPRR) overcrossing, utility relocations, and new areas of proposed right-of-way acquisition outside the original project study limits.

Subsequent to approval of the Final MND, it was determined that improved access to Grant Line Road for property south of the road would be beneficial. These access improvements were not analyzed in the previously adopted Final Mitigated Negative Declaration and/or subsequent addendums. This additional information necessitates preparation of an addendum to address potential environmental impacts from the new right-of-way improvements. This Addendum should be read together with the full text of the previously adopted Final MND and addendums to the Final MND. Based on the discussion provided below, there would be no new significant environmental effects or substantial increases in the severity of previously identified environmental effects.

PROJECT DESCRIPTION ADDITIONS

The additional work includes right-of-way acquisition, design, and ultimate construction of a 50-foot right-of-way that extends from the existing Waterman Road/Grant Line Road intersection southeast for 1,000± feet. The right-of-way will then run southwest for 1,300± feet (see **Figure 1** for additional improvements). The right-of-way improvements consist of:

- A road, consisting of :
 - Two 12-foot travel lanes
 - Two 4-foot shoulders
- Ditches on either side, each measuring 9 feet wide

In addition to the ditches, there will be a pipe under the roadway to carry stormwater from the north side of Grant Line Road. The pipe will measure 48 inches and will outfall into an existing ditch at the end of the right-of-way section measuring 1,000± feet.

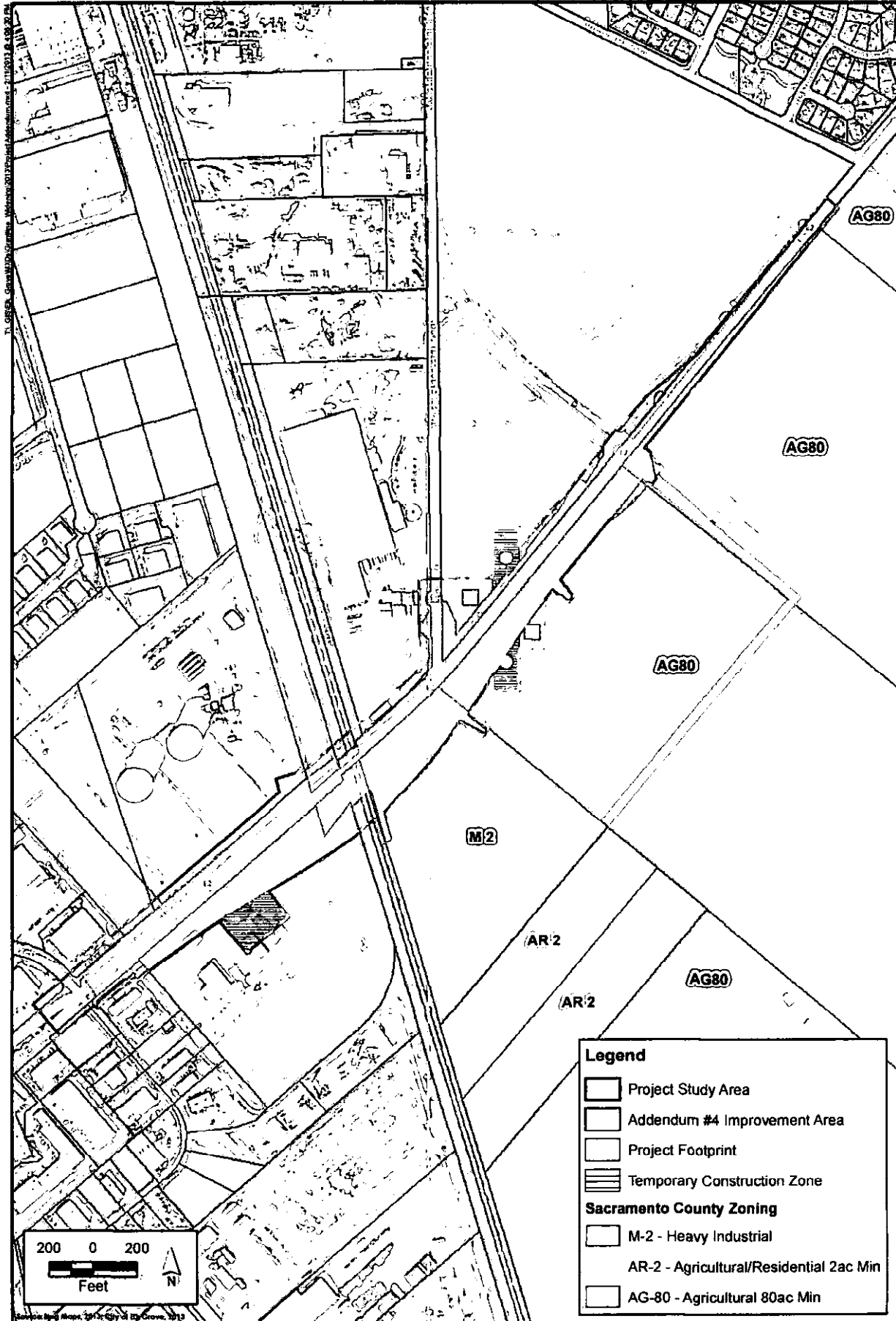
EXPLANATION OF THE DECISION NOT TO PREPARE A SUBSEQUENT MITIGATED NEGATIVE DECLARATION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate environmental documents, if any, which must be completed when a Final MND has already been adopted for a particular project. These guidelines allow a lead agency to prepare an addendum to a Final MND if all of the following conditions are met:

- Substantial changes to the project do not require major revisions to the previously adopted Final MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified potentially significant effects.
- Substantial changes with respect to the circumstances under which the project is undertaken do not require major revisions of the previous Final MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- No new mitigation measures or alternatives which are considered different from those analyzed in the Final MND or which were previously found not to be feasible are identified.
- No new information of substantial importance becomes available which shows new significant effects or significant effects substantially more severe than previously discussed.
- Only minor technical changes or additions are necessary to make the Final MND under consideration adequate under CEQA.
- The changes to the Final MND made by the addendum do not raise important new issues about the significant effects on the environment.

An Addendum to the Grant Line Road Widening Project Final MND is considered the appropriate CEQA document for the proposed right-of-way acquisition and improvements, as described above, because:

- There are no new substantial changes to the project that would result in new significant environmental effects or a substantial increase in the severity of a previously identified potentially significant effect;
- All impacts resulting from implementation of the proposed improvements would be less than significant with implementation of mitigation measures included in the Final MND; and
- The changes to the Final MND made by the Addendum do not raise important new issues about significant adverse effects on the environment.

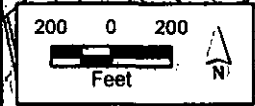


Legend

- Project Study Area
- Addendum #4 Improvement Area
- Project Footprint
- Temporary Construction Zone

Sacramento County Zoning

- M-2 - Heavy Industrial
- AR-2 - Agricultural/Residential 2ac Min
- AG-80 - Agricultural 80ac Min



City of Elk Grove

Figure 1
 Grant Line Road Widening Project MND
 Additional Improvements Addendum #4

POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Activities associated with this Addendum will be subject to the Mitigation Monitoring and Reporting Program (MMRP) adopted with the Final MND. All mitigation measures will be implemented by phase of construction to ensure that impacts are mitigated prior to site disturbance with each phase. The following sections describe how the additions to the project relate to the prior analysis.

Impacts for which Mitigation Measures have been Identified

The right-of-way improvements would result in 2.64 additional acres of ground disturbance (50 foot x 2,300 feet of roadway) beyond what was considered in the Final MND. This additional ground disturbance could result in impacts related to air quality (construction emissions and impacts to sensitive receptors during construction) and biological resources (special status species including Sanford's arrowhead, Giant garter snake, Swainson's hawk and other raptors and vernal pool species; sensitive riparian habitat; wetlands effects; impacts to nesting raptors; impacts to oak and other large trees). This additional roadway could also result in further impacts to humans, including impact to aesthetics (degradation of existing visual character), hazards and hazardous materials (accidental release of hazardous materials) and noise (traffic noise).

The MND identified that air quality impacts were reduced to less than significant levels through implementation of mitigation that requires construction-related air pollution control measures, such as control of construction-generated particulate matter. In comparison to SMAQMD's screening criteria, short-term emissions of fugitive dust attributable to the right-of-way improvements would not exceed SMAQMD's screening level of 15 acres. In addition, the right-of-way improvements would be required to comply with applicable SMAQMD rules and regulations, including SMAQMD's Rule 403, Fugitive Dust. For these reasons and with implementation of adopted mitigation measure MM 3.3.1 included in the Final MND, emissions of fugitive dust generated during construction of the proposed Phase 1 improvements would be considered less than significant.

Biological resources impacts were reduced to less than significant levels through implementation of mitigation measures that consist of relocation of existing sensitive plant species; evaluation for the presence of and avoidance of giant garter snakes; preparation of nest surveys; Swainson's hawk foraging habitat preservation or payment of mitigation fees; creation, restoration, and/or preservation of listed vernal pool invertebrate habitat; implementation of a riparian vegetation mitigation and monitoring plan; construction and development of wetlands avoidance measures; and preparation of a wetlands mitigation plan (MM 3.4.1 through 3.4.11). The proposed right-of-way improvements would be subject to these mitigation measures, the implementation of which would result in similar impacts that through application of the adopted mitigation measures, the project would mitigate potential air quality and biological resource impacts to less than significant levels.

Impacts to geology and soils, greenhouse gas emissions, and hydrology and water quality were all found to be less than significant in the Final MND with implementation of existing regulations. These regulations would apply to the proposed right-of-way improvements as well. Application of these existing regulations for the right-of-way improvements would also reduce potential impacts related to geology and soils, greenhouse gas emissions, and hydrology and water quality to a less than significant level.

Aesthetics impacts were reduced to less than significant levels through implementation of mitigation that required protection of oak trees identified for preservation, tree monitoring and relocation and replacing removed trees (MM 3.1.1 through MM 3.1.3). Hazards and hazardous

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materials impacts were reduced to less than significant levels through implementation of mitigation that required a hazardous waste investigation in the event that contaminated soils are found, implementation of a construction traffic control plan and designation of staging areas for fueling (MM 3.7.1 through 3.7.3). Noise impacts were reduced to less than significant levels through implementation of mitigation requiring installation of noise-controlling design improvements to housing along the project roadway (3.11.1). The right-of-way improvements would be subject to these mitigation measures. The right-of-way improvements would result in similar impacts that would be mitigated to less than significant levels through application of the adopted mitigation measures.

Impacts to land use and planning, population and housing, public services, recreation, transportation and utilities were all found to be less than significant in the Final MND with implementation of existing regulations. These regulations would apply to development of the right-of-way improvements as well, and the modification of the project would result in similar impacts that would result in less than significant impacts through application of these existing regulations.

Therefore, these impacts were adequately addressed in the Final MND, and no further analysis is required.

Impact Found to be Less than Significant

The right-of-way improvements would eventually result in 2.64 additional acres of ground disturbance beyond what was considered in the Final MND. This additional roadway would not result in further natural resources impacts. Impacts to agricultural resources, cultural resources and mineral resources were found to be less than significant in the Final MND with implementation of existing regulations. These regulations would apply to the right-of-way improvements as well, and the modification of the project would result in similar impacts that would result in less than significant impacts through application of these existing regulations. The right-of-way improvements would provide access to a parcel that is currently in agricultural production, but it is zoned for industrial uses. The right-of-way improvements would convert an additional 2.64 acres of agricultural land. However, conversion of this additional agricultural land to nonagricultural use would be considerably below the County's significance threshold of 50 acres.

In regards to cultural resources, per policy HR-6-Action 2 of the Elk Grove General Plan, requirements shall be included in the construction contract that the Planning Division shall be notified immediately if any archaeological is uncovered during construction. In the event of this type of discovery, construction would stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology would be retained to evaluate the finds and recommend appropriate action. Per policy HR-6-Action 2 of the Elk Grove General Plan, requirements shall be included in the construction contract that the Planning Division shall be notified immediately if any paleontologic artifact is uncovered during construction. Should human remains be discovered during project construction, requirements shall be included in the construction contract that all construction must stop and the County Coroner must be notified pursuant to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, City policy would dictate that the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. Implementation of these measures would ensure that impacts of the right-of-way improvements would be less than significant.

The area of the right-of-way improvements is not used for mineral resource extraction and would not result in the loss of important mineral resources. There would no additional impact beyond

that identified in the MND. Therefore, natural resources impacts were adequately addressed in the Final MND, and no further analysis is required.

CONCLUSION

The City has reviewed the potential environmental impacts related to the additional right-of-way improvements of the Project. The City finds that no new or substantially greater impacts would result from these improvements and that mitigation measures included in the Final MND would be adequate to reduce all impacts to a less than significant level. Based on the criteria discussed above, an addendum is considered the appropriate level of documentation to satisfy the requirements of CEQA, and no further analysis is required.

MND ADDENDUM NO. 4

REFERENCES

City of Elk Grove Development Services, Planning Division. 2005a. *Grant Line Road Widening Project –Initial Study/Mitigated Negative Declaration.*

———. 2005b. *Grant Line Road Widening Project – Final Mitigated Negative Declaration.*

———. 2006. *Addendum to the Previously Adopted Mitigated Negative Declaration for the Grant Line Road Widening Project.*

———. 2009. *Addendum #2 to the Previously Adopted Mitigated Negative Declaration for the Grant Line Road Widening Project.*

———. 2011. *Addendum #3 to the Previously Adopted Mitigated Negative Declaration for the Grant Line Road Widening Project.*

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-42

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)


I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 13, 2013 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Detrick, Cooper, Hume, Trigg*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California