

RESOLUTION NO. 2003-216

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT ON THE ELK GROVE
GENERAL PLAN, MAKING FINDINGS OF FACT RELATING TO THE FEASIBILITY
OF MITIGATION MEASURES AND PROJECT ALTERNATIVES, AND ADOPTING A
MITIGATION MONITORING AND REPORTING PROGRAM**

WHEREAS, the City of Elk Grove began preparation of its first General Plan in October 2001 that consisted of conducting (3) three visioning meetings and numerous public meetings by the General Plan Advisory Committee (GPAC), the Elk Grove Planning Commission, and the Elk Grove City Council; and,

WHEREAS, the City of Elk Grove determined that the Elk Grove General Plan (also referred to herein as "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq.) and that an Environmental Impact Report (EIR) be prepared to evaluate the potential environmental effects of the project; and,

WHEREAS, a Notice of Preparation was released for public and agency review and comment on June 21, 2002 and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on July 2, 2002; and,

WHEREAS, the City of Elk Grove distributed a Notice of Availability for the Elk Grove General Plan Draft EIR on August 11, 2003, which started the 45-day public review period, ending on September 25, 2003; and

WHEREAS, the Draft EIR was also submitted to the State Clearinghouse for state agency review; and,

WHEREAS, the City of Elk Grove Planning Commission held a public meeting on September 11, 2003 to receive public comments on the Draft EIR and those comments were received and considered in the Final EIR; and,

WHEREAS, the City of Elk Grove Planning Commission considered the Elk Grove General Plan on September 18, 2003 and recommended certification of the EIR and adoption of the Elk Grove General Plan to the City Council of the City of Elk Grove; and

WHEREAS, the City Council of the City of Elk Grove reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance with CEQA, which are more fully set forth below in Exhibit A, attached hereto and incorporated in its entirety by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

1. Certification of the Final EIR

A. The City Council of the City of Elk Grove hereby certifies that the Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.

B. The City Council of the City of Elk Grove hereby certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the Project.

C. The City Council of the City of Elk Grove hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Elk Grove.

2. Findings on Impacts

The City Council finds:

A. The EIR identifies thirteen (13) potentially significant impacts that can be mitigated to less-than-significant levels. The City Council makes the findings with respect to significant impacts as set forth in Exhibit A, attached hereto and incorporated herein by reference.

B. The EIR identifies twenty (20) potentially significant impacts that cannot be mitigated to less-than-significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit A.

3. Findings on Alternatives

Five (5) project alternatives ("No Project," "Modification of the General Plan Land Use Policy Map," "Farmland Preservation," "Elimination of the Urban Study Areas" and "Increased Density of Development") were evaluated by the City of Elk Grove during project development and in the EIR. As set forth in Exhibit A, these alternatives result in more severe environmental effects, do not meet the basic project objectives, or do not provide any substantial environmental benefits as compared to the proposed Elk Grove General Plan. The City Council hereby finds that the proposed Elk Grove General Plan, as mitigated by adoption of mitigation measures identified in the EIR, can be feasibly implemented and serves the best interests of the City of Elk Grove.

4. Statement of Overriding Considerations

Because the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental effects caused by the project, the City Council adopts a Statement Of Overriding Considerations concerning the project's

unavoidable significant impact to explain why the General Plan's benefits override and outweigh its unavoidable impacts on the environment as set forth in Exhibit A.

5. Adoption of the Mitigation Monitoring and Reporting Program

A. The City Council hereby finds that the proposed mitigation measures described in the Final EIR and Findings are feasible, and therefore will become binding upon the City and on future applicants. The Mitigation Monitoring and Reporting Program is included as Exhibit B and will involve incorporation of the mitigation measures into the General Plan.

B. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B, attached hereto and incorporated herein by reference.

6. Other Findings

A. The City Council finds that issues raised during the public comment period and written comment letters submitted after the close of the public review period of the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

B. Since completion of the Final EIR, the City Council has modified the General Plan Land Use Policy Map and policies contained in the General Plan. As set forth in Exhibit A, attached hereto and incorporated herein by reference, these modifications to the General Plan would not result in any new significant environmental impacts, a substantial increase in the severity of an environmental impact or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

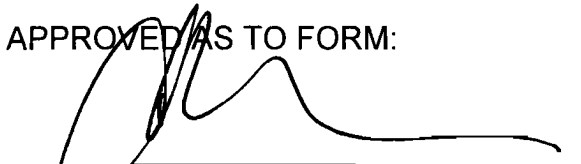
PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 19th day of November 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-216**

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

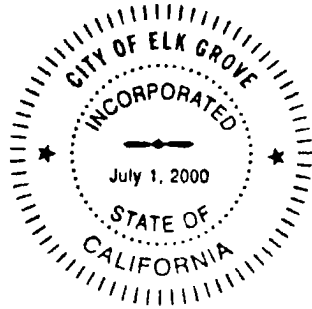
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 19th day of November 2003 by the following vote:


AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**

EXHIBIT A

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

ELK GROVE GENERAL PLAN EIR

SCH# 2002062082

PREPARED BY:

CITY OF ELK GROVE
DEVELOPMENT SERVICES, PLANNING
8400 LAGUNA PALMS WAY
ELK GROVE, CA 95758

FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

ELK GROVE GENERAL PLAN EIR

SCH# 2002062082

PREPARED BY:

CITY OF ELK GROVE
8400 LAGUNA PALMS WAY
ELK GROVE, CA 95758

November 2003

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Introduction

The Elk Grove General Plan Environmental Impact Report (EIR) identified significant impacts associated with the adoption of the Elk Grove General Plan. Approval of a project with significant impacts requires that findings be made by the Lead Agency pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 et seq.), and State CEQA Guidelines (California Administrative Code, Title 14, Chapter 3) Sections 15043, 15091, and 15093. Significant impacts of the project would either: 1) be mitigated to a less than significant level pursuant to the mitigation measures identified in the EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Consideration. Specifically, CEQA Guidelines Section 15091 requires lead agencies to make one or more of the following written findings:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, social or other considerations make infeasible the mitigation measure or project alternative identified in the Final EIR.

These Findings accomplish the following: a) they address the significant environmental effects identified in the EIR for the approved project; b) they incorporate all mitigation measures associated with these significant impacts identified in either the Draft EIR or the Final EIR c) they indicate whether a significant effect is avoided or reduced by the adopted mitigation measures to a less-than-significant level, or remain significant and unavoidable, either because there are not feasible mitigation measures or because, even with implementation of mitigation measures, a significant impact will occur; and, d) they address the feasibility of all project alternatives identified in the EIR. For any effects that will remain significant and unavoidable, a "Statement of Overriding Considerations" is presented. The conclusions presented in these Findings are based on the Final EIR (consisting of the Draft EIR, Response to Comments, and errata to the Draft EIR) and other evidence in the administrative record.

To the extent that these Findings conclude that various proposed mitigation measures outlined in the EIR are feasible and have not been modified, superseded, or withdrawn, the City of Elk Grove hereby binds itself to implement these measures. These Findings are not merely informational, but constitute a binding set of obligations that will come into effect when the City of Elk Grove adopts the General Plan (Public Resources Code, Section 21081.6[b]). The mitigation measures identified as feasible and within the City's authority to implement for the approved project become express conditions of approval which the City binds itself to upon project approval. The City of Elk Grove, upon review of the Final EIR, which includes the Draft EIR and based on all the information and evidence in the administrative record, hereby makes the Findings set forth herein.

CEQA Process Overview

In accordance with Sections 15063 and 15082 of the CEQA Guidelines, the City of Elk Grove prepared and circulated a Notice of Preparation (NOP) and Initial Study for the Elk Grove General Plan EIR for public and agency review on June 21, 2002 and held a public scoping meeting on July 2, 2002. The comments received in response to the NOP and scoping meeting were included as an appendix to the Draft EIR. Comments raised in response to the NOP were considered and addressed during preparation of the EIR.

Upon completion of the Elk Grove General Plan Draft Environmental Impact Report (State Clearinghouse No. 2002062082), the City prepared and distributed a Notice of Availability on August 11, 2003 pursuant to CEQA Guidelines Section 15087. Pursuant to CEQA Guidelines, Sections 15087 and 15105, a 45-day public comment and review period was opened on August 11, 2003 and was closed on September 25, 2003. A public meeting was held at the City of Elk Grove City Hall on September 11, 2003, before the Elk Grove Planning Commission in order to obtain comments on the Draft EIR. Written comment letters and oral comments were received during this public review period. No new significant environmental issues, beyond those already covered in the Draft EIR, were raised during the comment period, and the Final EIR was prepared. Responses to comments received on the Draft EIR did not involve any changes to the project that would create new significant impacts or provide significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. Responses to comments were provided in the Final Environmental Impact Report (FEIR), and responses were sent to public agencies that commented on the Draft EIR ten days prior to certification of the Final EIR. Comment letters on the Draft EIR received after the close of the Draft EIR public comment period were also reviewed and did not raise any issues that would warrant recirculation of the Draft EIR (Staff Report for the November 19, 2003 City Council meeting).

Administrative Record

The environmental analysis provided in the Draft and Final EIR and the Findings provided herein are based on and are supported by the following documents, materials and other evidence, which constitute the Administrative Record for the City of Elk Grove General Plan:

1. The NOP, comments received on the NOP and all other public notices issued by the City in relation to the General Plan EIR (e.g., Notice of Availability).
2. The Draft EIR, associated appendices to the Draft EIR and technical materials cited in the Draft EIR.
3. The FEIR, including comment letters, oral testimony and technical materials cited in the document.
4. All non-draft and/or non-confidential reports and memoranda prepared by the City of Elk Grove and consultants.
5. Minutes and transcripts of the discussions regarding the project and/or project components at public hearings or scoping meetings held by the City of Elk Grove Planning Commission and City Council.
6. Staff reports associated with Planning Commission and City Council meetings on the General Plan.
7. Elk Grove General Plan.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Elk Grove at 8400 Laguna Palms Way, Elk Grove, California 95758.

Document Organization

The findings are organized into the following sections:

1. Findings Associated with Less Than Significant Impacts Identified in the EIR
2. Findings Associated with Significant, Potentially Significant, and Cumulative Significant Impacts which can be Mitigated to a Less Than Significant Level
3. Findings Associated with Significant and Cumulative Significant Impacts which Cannot Feasibly be Mitigated to a Less Than Significant Level
4. Findings Associated with Project Alternatives
5. Findings Associated with the Mitigation Monitoring and Reporting Program
6. Additional Findings Associated with Final Modifications to the General Plan
7. Statement of Overriding Considerations for Significant and Unavoidable Impacts

1. Findings Associated With Less Than Significant Impacts Identified in the EIR

1.1 Land Use

- 1.1.1 **Impact 4.2.1** Implementation of the proposed General Plan could conflict with relevant land use planning documents within and adjacent to the City of Elk Grove.

Finding: Based upon the analysis presented in Section 4.2 of the Draft EIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with conflicts with relevant land use planning documents within and adjacent to the City of Elk Grove are **less than significant** because either land uses designated in the General Plan are consistent with existing land use plans or because the General Plan contains policies and action items that ensure consistency between relevant planning documents.

Reference: DEIR page 4.2-21; General Plan Policies CI-24, and LU-21 through LU-27; General Plan Action Item LU-25-Action 1.

- 1.1.2 **Impact 4.2.2** Implementation of the proposed General Plan would create conflicts with other land uses within the City.

Finding: Based upon the analysis presented in Section 4.2 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with conflicts with other land uses within the City are **less than significant** because the General Plan does not create incompatible land use designations and because the General Plan contains policies and action items which will maintain compatibility of land uses within the City.

Reference: DEIR page 4.2-22; General Plan Policies LU-2, LU-3, LU-4, and LU-35; Action Items LU-2-Action 1, LU-3-Action 1, LU-3-Action 2, LU-3-Action 3, LU-35-Action 1.

- 1.1.3 **Impact 4.2.4** Implementation of the proposed General Plan would increase the potential for land use conflicts outside of the City and within the Planning Area.

Finding: Based upon the analysis presented in Sections 4.1 and 4.2 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with land use conflicts outside of the City but within the Planning Area are **less than significant** because the General Plan contains policies and action items that ensure compatible land uses or places adequate buffer zones between potentially incompatible uses.

Reference: DEIR page 4.1-18; DEIR page 4.2-33; General Plan Policies CI-24, LU-16, LU-39; Action Item LU-16-Action 1.

1.2 Population/Housing/Employment

- 1.2.1 **Impact 4.3.1** Implementation of the proposed General Plan could result in population and housing projections that may exceed the SACOG projections for 2025.

Finding: Based upon the analysis presented in Section 4.3 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with population and housing projections that may exceed the SACOG projections for 2025 are **less than significant** because the City's population and housing projections are based on proposed land use designations under the General Plan and current persons per household factors. The environmental effects of this growth were adequately addressed in the Final EIR. Differences between SACOG and City projections would not result in significant environmental effects that have not been addressed in the Final EIR.

Reference: DEIR page 4.3-14; General Plan Policies H-1, H-4, H-10, H-12; Action Items H-1-Action 1, H-1-Action 2, H-1-Action 10.

- 1.2.2 **Impact 4.3.2** The increase in the number of employed persons versus the increase in housing units may result in a jobs-housing imbalance.

Finding: Based upon the analysis presented in Section 4.3 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with a potential jobs-housing imbalance are **less than significant** because the new General Plan would result in an improved jobs per housing ratio than what was previously projected for the City.

Reference: DEIR page 4.3-16; General Plan Policies ED-1, ED-7, ED-9, ED-10, H-12, LU-10, and LU-11.

- 1.2.3 **Impact 4.3.3** The population and housing unit increases at buildout of the General Plan may exceed SACOG's population and housing projections for the Planning Area.

Finding: Based upon the analysis presented in Section 4.3 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with cumulative population and housing projections for the Planning Area that may exceed SACOG's projections are **less than significant** because the City's population and housing projections are generally consistent land use designations and growth assumed in the Sacramento County General Plan. The direct, indirect and cumulative environmental effects of this growth were adequately addressed in the Final EIR.

Reference: DEIR page 4.3-17; General Plan Policies H-1, H-12, LU-14, LU-15, PF-1; Action Items H-1-Action 1, H-1-Action 2, H-1-Action 10.

1.3 Human Health/Risk of Upset

- 1.3.1 **Impact 4.4.2** Implementation of the proposed General Plan could result in safety hazards associated with airport operations to occur in areas proposed for development.

Finding: Based upon the analysis presented in Section 4.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with safety hazards from airports are **less than significant** because

land use designations are consistent with the Sunset Sky ranch Comprehensive Land Use Plan (CLUP) and General Plan policies require the consideration of the provisions within applicable CLUPs when considering projects.

Reference: DEIR page 4.4-24; General Plan Policies CI-24, SA-1.

- 1.3.2 **Impact 4.4.3** Implementation of the proposed General Plan could result in accidental incidents and intentional acts at existing and future facilities utilizing hazardous materials.

Finding: Based upon the analysis presented in Section 4.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with accidental incidents and intentional acts at existing and future facilities utilizing hazardous materials are **less than significant** because there are no off-site hazards that could impact a large congregation of people that are reasonably foreseeable as defined in General Plan policies SA-2 and SA-3. In addition, the General Plan also includes maximum acceptable exposure criteria for land uses that could be exposed to hazards (General Plan Policy SA-4).

Reference: DEIR page 4.4-25; General Plan Policies SA-1, SA-2, SA-3, SA-4, SA-7, SA-8, SA-9, SA-10; Action Items SA-8-Action 1, SA-8-Action 2, SA-8-Action 3, SA-9-Action 1.

- 1.3.3 **Impact 4.4.6** Implementation of the proposed General Plan and the potential development of the Urban Study Areas could result in the exposure of populated areas to accidental incidents and intentional acts at existing and future facilities utilizing hazardous materials.

Finding: Based upon the analysis presented in Section 4.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative exposure of populated areas to accidental incidents and intentional acts are **less than significant** because there are no off-site hazards that could impact a large congregation of people that are reasonably foreseeable as defined in General Plan policies SA-2 and SA-3. In addition, the General Plan also includes maximum acceptable exposure criteria for land uses that could be exposed to hazards (General Plan Policy SA-4).

Reference: DEIR page 4.4-34; General Plan Policies SA-1, SA-2, SA-3, SA-4, H-12; Action Item SA-3-Action 1.

1.4 Transportation and Circulation

- 1.4.1 **Impact 4.5.3** Implementation of the proposed General Plan would result in an increase in the demand for transit service.

Finding: Based upon the analysis presented in Section 4.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to the demand for transit service are **less than significant** because the

General Plan includes several policies and action items that would support and enhance transit opportunities in the City.

Reference: DEIR page 4.5-81; General Plan Policies CI-3 through CI-9; Action Items CI-5-Actions 1 through 5, CI-6-Action 1, CI-9-Actions 1 and 2.

- 1.4.2 **Impact 4.5.4** Implementation of the proposed General Plan would result in an increased demand for bicycle and pedestrian facilities.

Finding: Based upon the analysis presented in Section 4.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with the demand for bicycle and pedestrian facilities are **less than significant** because the General Plan includes several policies and action items that would support and enhance pedestrian and bicycle usage in the City.

Reference: DEIR page 4.5-83 and -84; General Plan Policies CI-3 through CI-5; Action Items CI-5-Actions 1 through 4.

- 1.4.3 **Impact 4.5.5** Implementation of the proposed General Plan would result in an increase in traffic volumes, which would increase the potential opportunities for safety conflicts.

Finding: Based upon the analysis presented in Section 4.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that conflicts related to the increase in the potential for opportunities for safety conflicts that result from increased traffic volumes are **less than significant** because modern construction design standards and General Plan policies and action items would ensure that the construction of roadway facilities would not result in unacceptable safety conflicts.

Reference: DEIR page 4.5-84; General Plan Policies CI-3, CI-4, and CI-17 through CI-23; Action Item CI-17-Action 1

- 1.4.4 **Impact 4.5.7** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to a cumulative increase in the demand for transit service as well as bicycle and pedestrian usage.

Finding Based upon the analysis presented in Section 4.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts associated with an increased demand for transit service and bicycle and pedestrian facilities are **less than significant** because the General Plan includes several policies and action items that would support and enhance transit, pedestrian and bicycle usage in the City.

Reference: DEIR page 4.5-89 and -90; General Plan Policies CI-3 through CI-9; Action Items CI-5-Actions 1 through 4, CI-6-Action 1, CI-9-Actions 1 and 2.

1.5 **Noise**

- 1.5.1 **Impact 4.6.3** Implementation of the proposed General Plan could result in the future development of land uses that generate noise levels in excess of applicable noise standards for non-transportation noise sources.

Finding: Based upon the analysis presented in Section 4.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that noise impacts related to the future development of land uses that generate noise levels in excess of applicable noise standards for non-transportation noise sources are **less than significant** because future land uses that could generate noise would be required to meet noise performance standards set forth in General Plan policies NO-2, NO-3, NO-4 and NO-8 that are designed to protect noise-sensitive land uses.

Reference: DEIR page 4.6-35 and -36; General Plan Policies NO-2, NO-3, NO-4, NO-8; Action Items NO-3-Actions 1 and 2.

- 1.5.2 **Impact 4.6.4** Implementation of the proposed General Plan could expose future land uses to noise associated with the operation of the Sunset Skyranch Airport or Franklin Field Airport.

Finding: Based upon the analysis presented in Section 4.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that noise impacts resulting from the operation of the Sunset Skyranch Airport or Franklin Field Airport are **less than significant** because future noise-sensitive land uses would be required to meet the performance standards set forth in General Plan Policy NO-2.

Reference: DEIR page 4.6-36; General Plan Policies CI-24, NO-2, NO-5.

- 1.5.3 **Impact 4.6.5** Implementation of the proposed General Plan could expose future land uses and residents to railroad noise.

Finding: Based upon the analysis presented in Section 4.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that noise impacts to future land uses and residents from railroad noise are **less than significant** because future noise-sensitive land uses would be required to meet the performance standards set forth in General Plan Policy NO-2.

Reference: DEIR page 4.6-37; General Plan Policies NO-2, NO-5, NO-6, No-7, NO-8; Action Items NO-7-Action 1.

- 1.5.4 **Impact 4.6.6** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in increased traffic noise conflicts.

Finding: Based upon the analysis presented in Section 4.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative noise impacts from increased traffic noise are **less than significant** because

future noise-sensitive land uses would be required to meet the performance standards set forth in General Plan as well as other relevant policies.

Reference: DEIR page 4.6-39; General Plan Policies NO-2, NO-5, NO-6, NO-7; Action Item NO-7-Action 1.

- 1.5.5 **Impact 4.6.7** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in noise conflicts with the Sunset Sky ranch Airport.

Finding: Based upon the analysis presented in Section 4.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative noise impacts with the Sunset Sky ranch Airport are **less than significant** because implementation of General Plan policies CI-24, LU-16 and Action Item LU-16-Action 1 would avoid this impact.

Reference: DEIR page 4.6-40; General Plan Policies CI-24, LU-16; Action Item LU-16-Action 1.

1.6 Air Quality

- 1.6.1 **Impact 4.7.3** Implementation of the proposed General Plan would include sources of criteria pollutants, toxic air contaminants or odors that may affect surrounding land uses. Sensitive land uses may also be located near existing sources of criteria pollutants, toxic air contaminants or odors.

Finding: Based upon the analysis presented in Section 4.7 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with exposure of surrounding land uses to criteria pollutants, toxic air contaminants or odors are **less than significant** because the Sacramento Metropolitan Air Quality Management District (SMAQMD) rules and regulations impose limits on emissions and requires use of Best Available Control Technology (BACT) and purchase of emission off-sets for industrial sources exceeding certain emission levels. These regulations include the identification and quantification of emissions of Toxic Air Contaminants and, if warranted, estimation of cancer and non-cancer risk associated with any source. The issuance of SMAQMD Air Quality permits, compliance with all District, state and federal regulations regarding stationary and TACs, the use of Best Available Control Technology (BACT) and, the purchase of emission off-sets for industrial sources would reduce potential stationary and mobile sources toxic air emissions.

Reference: DEIR page 4.7-16; General Plan Policies CAQ-26 through CAQ-32; Action Items CAQ-26-Actions 1 through 3, CAQ-27-Actions 1 through 4, CAQ-28-Actions 1 and 2, CAQ-29-Actions 1 and 2, CAQ-30-Action 1, CAQ-31-Actions 1 through 3.

1.7 Hydrology and Water Quality

- 1.7.1 **Impact 4.8.1** Implementation of the proposed General Plan could result in adverse impacts to construction water quality.

Finding: Based upon the analysis presented in Section 4.8 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with construction water quality are **less than significant** because measures included in subsequent grading plans for development projects would be required to comply with the City's Land Grading and Erosion Control Ordinance and Stormwater Management and Discharge Control Ordinance to help eliminate erosion potential and water quality degradation. These plans would also need to be consistent with the City's NPDES permit #CAS082597. The permit requires that the City impose water quality and watershed protection measures for all development projects. Implementation of Policies CAQ-5, CAQ-17, CAQ-19 with associated action items, and CAQ-21, as well as compliance with the City's Land Grading and Erosion Control Ordinance and the City's NPDES permit requirements would reduce impacts to construction water quality.

Reference: DEIR page 4.8-36; General Plan Policies CAQ-5, CAQ-17, CAQ-19, CAQ-21; Action Items CAQ-19-Actions 1 through 10.

- 1.7.2 **Impact 4.8.2** Implementation of the proposed General Plan would result in direct and indirect operational water quality impacts.

Finding: Based upon the analysis presented in Section 4.8 of the DEIR and considering the information contained in the administrative record, the City hereby finds that direct and indirect impacts associated with operational water quality are **less than significant** because implementation of Policies CAQ-5, CAQ-17, and CAQ-19 with associated action items, CAQ-21, and CAQ-12 with associated action items would reduce impacts to operational surface water quality.

Reference: DEIR page 4.8-39; General Plan Policies CAQ-5, CAQ-12, CAQ-17, CAQ-19, CAQ-21; Action Items CAQ-19-Actions 1 through 10, CAQ-12-Actions 1 and 2.

1.8 **Geology and Soils**

- 1.8.1 **Impact 4.9.1** Implementation of the proposed General Plan could result in increased soil, wind, and water erosion, due to minor or major grading over large areas of land. This would result in potential soil erosion.

Finding: Based upon the analysis presented in Section 4.9 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts resulting from soil, wind, and water erosion from minor or major grading activities are **less than significant** because the City's Land Grading and Erosion Control Ordinance has established procedures to minimize erosion and sedimentation during construction activities. The Regional Water Quality Control Board (RWQCB) requires that a National Pollutant Discharge Elimination System (NPDES) construction activity permit be issued prior to construction. The permit requires that the City impose water quality and watershed protection measures for all development projects. Under the City's NPDES permit (#CAS082597), the City of Elk Grove is required to implement the Construction Element of its Stormwater Quality Improvement Plan (SQIP) to reduce pollutants in runoff from construction sites during all construction phases. In addition, the

City is required to adopt a Development Standards Plan (DSP) describing measures to reduce pollutant discharges to the maximum extent practical from all new development projects. Implementation of Policy CAQ-5, CAQ-12 and CAQ-12-Actions 1 and 2 would also assist in reducing soil erosion hazards in the City.

Reference: DEIR page 4.9-8; General Plan Policies CAQ-5 and CAQ-12; Action Item CAQ-12-Actions 1 and 2.

- 1.8.2 **Impact 4.9.3** Implementation of the proposed General Plan could result in the construction of projects over a seismically hazardous area.

Finding: Based upon the analysis presented in Section 4.9 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts resulting from the construction of projects over seismically hazardous areas are **less than significant** because implementation of Policy SA-25 and its associated action item reduces potential impacts related to seismic hazards.

Reference: DEIR page 4.9-10; General Plan Policy SA-25; Action Item SA-25-Action 1.

- 1.8.3 **Impact 4.9.4** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could contribute to cumulative soil erosion impacts.

Finding: Based upon the analysis presented in Section 4.9 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to soil erosion are **less than significant** because compliance with the City's Land Grading and Erosion Control Ordinance as well as the City's NPDES permit would reduce the City's contribution to cumulative soil erosion impacts. Implementation of Policy CAQ-5 as well as Policy SA-25 and its associated action item would further mitigate the City's contribution to cumulative soil erosion impacts.

Reference: DEIR page 4.9-11; General Plan Policies CAQ-5, SA-25; Action Item SA-25-Action 1.

- 1.8.4 **Impact 4.9.5** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in cumulative impacts to expansive soils and seismic hazards.

Finding: Based upon the analysis presented in Section 4.9 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to expansive soils and seismic hazards are **less than significant** because implementation of Policy SA-25 and its associated action item as well as Mitigation Measure MM 4.9.2 identified under Impact 4.9.2 would reduce soil stability impacts.

Reference: DEIR page 4.9-12; General Plan Policy SA-25; Action Item SA-25-Action 1.

1.9 Cultural and Paleontological Resources

- 1.9.1 **Impact 4.11.1** Implementation of the proposed General Plan could result in the disturbance of known and undiscovered prehistoric and historic resources in the City.

Finding: Based upon the analysis presented in Section 4.11 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with the disturbance of known and undiscovered prehistoric and historic resources in the City are **less than significant** because implementation of General Plan policies and action items HR-1, HR-2, HR-3, HR-4, HR-6; Action Items HR-1-Actions 1 through 4, HR-3-Actions 1 through 3, HR-4-Actions 1 and 2, HR-6-Actions 1 and 2 would mitigate potential impacts to known and undiscovered cultural resources.

Reference: DEIR page 4.11-8; General Plan Policies HR-1, HR-2, HR-3, HR-4, HR-6; Action Items HR-1-Actions 1 through 4, HR-3-Actions 1 through 3, HR-4-Actions 1 and 2, HR-6-Actions 1 and 2.

- 1.9.2 **Impact 4.11.2** Implementation of the proposed General Plan could result in the disturbance of Pleistocene nonmarine sedimentary rocks (Riverbank Formation) and Quaternary alluvium geologic units, which have potential to contain paleontological resources.

Finding: Based upon the analysis presented in Section 4.11 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with the disturbance of paleontological resources are **less than significant** because implementation of General Plan Policy and Action Item HR-6 and HR-6-Action 2 would mitigate potential impacts to paleontological resources.

Reference: DEIR page 4.11-10; General Plan Policy HR-6; Action Item HR-6-Action 2.

- 1.9.3 **Impact 4.11.3** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could contribute to the disturbance of known and undiscovered prehistoric and historic resources in the Elk Grove area.

Finding: Based upon the analysis presented in Section 4.11 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts associated with the disturbance of known and undiscovered prehistoric and historic resources are **less than significant** because implementation of General Plan policies and action items HR-1, HR-2, HR-3, HR-4, HR-6; Action Items HR-1-Actions 1 through 4, HR-3-Actions 1 through 3, HR-4-Actions 1 and 2, HR-6-Actions 1 and 2 would mitigate potential cumulative impacts to known and undiscovered cultural resources.

Reference: DEIR page 4.11-14; General Plan Policies HR-1, HR-2, HR-3, HR-4, HR-6; Action Items HR-3-Actions 1 through 3, HR-4-Actions 1 and 2, HR-6-Actions 1 and 2.

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- 1.9.4 **Impact 4.11.4** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could contribute to the loss of paleontological resources in the Elk Grove area.

Finding: Based upon the analysis presented in Section 4.11 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to paleontological resources are **less than significant** because implementation of General Plan Policy and Action Item HR-6 and HR-6-Action 2 would mitigate potential impacts to paleontological resources.

Reference: DEIR page 4.11-16; General Plan Policy HR-6; Action Items HR-6-Actions 1 and 2.

1.10 Public Services

- 1.10.1 **Impact 4.12.1.1** Implementation of the proposed General Plan would increase the demand for fire protection and emergency medical service.

Finding: Based upon the analysis presented in Section 4.12.1 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts to the increased demand for fire protection and emergency medical service are **less than significant** because development proposed under the General Plan would increase revenues and result in additional funding for the Elk Grove Community Services District Fire Department (EGCSDFD). The capital needs for the Fire Department include construction of the new training facility, additional new Fire Stations, apparatus/equipment for the new stations and the replacement of existing apparatus. The potential environmental effects associated with the provision of new fire protection and related facilities in the City have been considered in the FEIR. Implementation of the EGCSDFD Master Plan would provide adequate level of service and support services necessary to back up the Department's response infrastructure through the current EGCSDFD Master Plan period, which ends in 2010. However, construction of Stations 77 (Laguna Ridge Specific Plan Area) and 78 (Lent Ranch Mall) and possibly Station 72, will place the EGCSDFD in a proactive (ahead of the growth curve) coverage position for all new growth areas south of Elk Grove Boulevard and west of State Route 99. The EGCSDFD fire protection services are expected to be able to accommodate the growth projected within its service boundaries, which includes development proposed under the City of Elk Grove General Plan. Implementation of General Plan Policies PF-1, PF-2, PF-7, PF-19, PF-20, PF-21, SA-32; Action Items PF-1-Action 1, SA-32-Actions 1 through 7 would further assist in mitigating fire protection and emergency service impacts.

Reference: DEIR page 4.12-7; General Plan Policies PF-1, PF-2, PF-7, PF-19, PF-20, PF-21, SA-32; Action Items PF-1-Action 1, SA-32-Actions 1 through 7.

- 1.10.2 **Impact 4.12.1.2** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to the cumulative demand for fire protection and emergency medical services.

Finding: Based upon the analysis presented in Section 4.12.1 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to the increased demand for fire protection and emergency medical services are **less than significant** because EGCSDFD fire protection services (currently guided by the EGCSDFD are expected to be able to accommodate the growth projected within its service boundaries, which includes development proposed under the City of Elk Grove General Plan. Implementation of General Plan Policies PF-1, PF-2, PF-7, PF-19, PF-20, PF-21, SA-32; Action Items PF-1-Action 1, SA-32-Actions 1 through 7 would further assist in mitigating cumulative fire protection and emergency service impacts.

Reference: DEIR page 4.12-10; General Plan Policies PF-1, PF-2, PF-7, PF-19, PF-20, PF-21, SA-32; Action Items PF-1-Action 1, SA-32-Actions 1 through 7.

- 1.10.3 **Impact 4.12.2.1** Implementation of the proposed General Plan would result in an increased demand for law enforcement services.

Finding: Based upon the analysis presented in Section 4.12.2 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts resulting from an increased demand for law enforcement services are **less than significant** because while the proposed General Plan would increase demand for law enforcement services, it would also provide additional funding to accommodate the growth. Additionally, potential environmental effects associated with the provision of new law enforcement facilities in the City are addressed in the appropriate section of the FEIR (e.g., Biological Resources, Cultural Resources, etc.). Implementation of General Plan Policies PF-1, PF-23, SA-29, SA-30 and SA-31 would further assist in mitigating law enforcement service impacts.

Reference: DEIR page 4.12-14; General Plan Policies PF-1, PF-23, SA-29, SA-30, and SA-31.

- 1.10.4 **Impact 4.12.2.2** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in the increase of the demand for cumulative law enforcement services.

Finding: Based upon the analysis presented in Section 4.12.2 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts resulting from an increased demand for law enforcement services are **less than significant** because while the proposed General Plan would increase demand for law enforcement services, it would also provide additional funding to accommodate the growth. Additionally, potential environmental effects associated with the provision of new law enforcement facilities in the City are addressed in the appropriate section of the FEIR (e.g., Biological Resources, Cultural Resources, etc.). Implementation of General Plan Policies PF-1, PF-23, SA-29, SA-30 and SA-31 would further assist in mitigating cumulative law enforcement service impacts.

Reference: DEIR page 4.12-16; General Plan Policies PF-1, PF-23, SA-29, SA-30, and SA-31.

- 1.10.5 **Impact 4.12.3.1** Implementation of the proposed General Plan would increase demand for EGUSD facilities and services.

Finding: Based upon the analysis presented in Section 4.12.3 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts resulting from an increased demand for Elk Grove Unified School District (EGUSD) facilities and services are **less than significant** because several funding sources will be used by the EGUSD to facilitate the construction and maintenance of the additional facilities needed to serve the projected growth. The environmental effects of constructing additional school facilities in the City have been generally considered in the FEIR. Sources include but are not limited to Prop 47 funds, increased developer and local tax fees, and the local general obligation bond funds. In addition, California Government Code Sections 65995(h) and 65996(b) note that payment of fees provide full and complete school facilities mitigation. Implementation of General Plan Policies PF-15, PF-16, PF-17, PF-22, PF-25, PF-26 and PF-27 would further assist in mitigating public school impacts.

Reference: DEIR page 4.12-26; General Plan Policies PF-16, PF-17, PF-18, and PF-23.

- 1.10.6 **Impact 4.12.3.2** Implementation of the proposed General Plan as well as potential development of the Urban Study Areas, would result in cumulative public school impacts.

Finding: Based upon the analysis presented in Section 4.12.3 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative public school impacts are **less than significant** because several funding sources will be used by the EGUSD to facilitate the construction and maintenance of the additional facilities needed to serve the projected growth. The environmental effects of constructing additional school facilities in the City have been generally considered in the FEIR. Sources include but are not limited to Prop 47 funds, increased developer and local tax fees, and the local general obligation bond funds. In addition, California Government Code Sections 65995(h) and 65996(b) note that payment of fees provide full and complete school facilities mitigation. Implementation of General Plan Policies PF-15, PF-16, PF-17, PF-22, PF-25, PF-26 and PF-27 would further assist in mitigating cumulative public school impacts.

Reference: DEIR page 4.12-28; General Plan Policies PF-16, PF-17, PF-18, and PF-23.

- 1.10.7 **Impact 4.12.4.1** Implementation of the proposed General Plan would increase wastewater flows and demand for sanitary sewer facilities, which may exceed the capacity of the SRWTP.

Finding: Based upon the analysis presented in Section 4.12.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that increased demands for sanitary sewer facilities are **less than significant** because Sacramento Regional Wastewater Treatment Plant (SRWTP) is in the process of being expanded to accommodate 250 average dry weather flow (ADWF) and maintaining the 400 mgd for average wet weather flow (AWWF). The ADWF at the SRWTP is expected to be 218 mgd under buildout conditions in the year 2020, approximately 32 mgd under capacity with proposed expansion improvements in place. These expansions are projected to accommodate all projected regional growth through the

year 2020. The EIR for the 2020 SRWTP Master Plan is a project and a program EIR addressing a full range of environmental issue areas. The capacity of the SRWTP is determined by regional population estimates; therefore, is not related to any specific land uses or designations and is location independent. The SRWTP Master Plan considered all projected growth within its service area boundaries, which includes development within the City limits of Elk Grove and the remaining portions of the Sacramento County General Plan area. Therefore, wastewater generated from the proposed land uses of the General Plan would not impact operations at the SRWTP or cause its planned capacity to be exceeded. The SRWTP will have sufficient capacity to serve the land uses associated with the proposed General Plan. Implementation of General Plan Policies PF-8, PF-9, PF-20, PF-21, PF-23, Action Items PF-8-Action 1, PF-7, Action-2 would further assist in mitigating wastewater treatment capacity impacts.

Reference: DEIR page 4.12-38; General Plan Policies PF-8, PF-9, PF-20, PF-21, PF-23; Action Items PF-8-Action 1, PF-8, Action-2.

- 1.10.8 **Impact 4.12.4.2** Implementation of the proposed City of Elk Grove General Plan would increase wastewater flows and demand for additional sanitary sewer infrastructure.

Finding: Based upon the analysis presented in Section 4.12.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to additional demand for sanitary sewer infrastructure are **less than significant** because all future Sacramento County Sanitation District (CSD-1) trunk sewer systems are developed in conjunction with the planning of the SRCSD interceptor system and land use planning information. The general land uses proposed under the General Plan were considered in preparation of the final report. Trunk sewer expansions are grouped based on location and anticipated need. The Facilities Expansion Master Plan (October, 2000) identified 114 trunk system expansion projects consisting of approximately 145 miles of new trunk sewer pipelines. Many of these trunk sewer expansion projects are within the Planning Area. The potential environmental effects associated with the expansion of facilities were addressed in the Regional Interceptor Master Plan EIR (State Clearinghouse No. 200112085), the SRCSD Master Plan, and the Sewerage Facilities Expansion Master Plan (Final Report, October 2000). The construction of SRCSD Interceptors are determined by regional population estimates; therefore, is not related to any specific land uses or designations and is location independent. Whereas, individual trunk systems are determined by land uses in a specific geographical area. The SRCSD Interceptor Master Plan considered all projected growth within its service area boundaries, which includes development within the City limits of Elk Grove and the remaining portions of the General Plan area. Therefore, wastewater generated from the proposed land uses of the General Plan would not in inadequate wastewater conveyance facilities. Implementation of General Plan Policies PF-8, PF-9, PF-20, PF-21, PF-23, Action Items PF-8-Action 1, PF-7, Action-2 would further assist in mitigating wastewater conveyance impacts.

Reference: DEIR page 4.12-41; General Plan Policies PF-8, PF-9, PF-20, PF-21, PF-23; Action Items PF-8-Action 1, and PF-8-Action-2.

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- 1.10.9 **Impact 4.12.4.3** Implementation of the proposed General Plan would increase wastewater flows and demand for additional sanitary sewer facilities, which may conflict with the use of septic service in the Planning Area.

Finding: Based upon the analysis presented in Section 4.12.4 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts related to the demand for additional sanitary sewer facilities are **less than significant** because those areas within the City anticipated to be utilizing septic systems (generally east of Bradshaw Road, north of Calvine Road, and east of Grant Line Road) have been identified by Sacramento County Environmental Management Department (EMD) staff as having above average percolation and does not have a higher occurrence of septic failures or malfunctions than any other area in the County. Additionally, the EMD employs various alternative methods to reduce or eliminate potential septic failures. Additionally, any new development's sewer disposal methods must comply with the requirements of the EMD prior to approval, which include but are not limited to soil evaluations (i.e., percolation tests, soil analysis, etc.), site review, system permitting, and final inspection of completed system. Implementation of General Plan Policies PF-10 through PF-14; Action Items PF-12-Actions 1 and 2 would further assist in mitigating septic system impacts.

Reference: DEIR page 4.12-43; General Plan Policies PF-10 through PF-14; Action Items PF-12-Actions 1 and 2

- 1.10.10 **Impact 4.12.5.1** Implementation of the proposed General Plan would increase solid waste generation and the demand for related services.

Finding: Based upon the analysis presented in Section 4.12.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to the increased demand for solid waste services are **less than significant** because the Kiefer Landfill has sufficient disposal capacity to handle the current and estimated waste stream until at least the year 2022, which includes land uses associated with the proposed General Plan. Implementation of General Plan Policy CAQ-25 and Action Items CAQ-25-Actions 1 through 7 would further assist in mitigating solid waste impacts.

Reference: DEIR page 4.12-52; General Plan Policy CAQ-25; Action Items CAQ-25-Actions 1 through 7.

- 1.10.11 **Impact 4.12.5.2** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in cumulative solid waste impacts.

Finding: Based upon the analysis presented in Section 4.12.5 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative solid waste impacts are **less than significant** because all development proposed under the General Plan is subject to mandatory source reduction and recycling programs. Implementation of General Plan Policy CAQ-25 and Action Items CAQ-25-Actions 1 through 7 would further assist in mitigating cumulative solid waste impacts.

Reference: DEIR page 4.12-53; General Plan Policy CAQ-25; Action Items CAQ-25-Actions 1 through 7.

- 1.10.12 **Impact 4.12.6.1** Implementation of the proposed General Plan would increase population and subsequently increase the demand for park and recreation related services.

Finding: Based upon the analysis presented in Section 4.12.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to the demand for park and recreation related services are **less than significant** because the Elk Grove Community Services District (EGCSD or CSD) has identified that the need for parks and recreational facilities would be met through Benefit Zones, development impact fees, parkland dedications, Mello-Roos Community Facilities Districts (CFD), General Fund Reserves, grants and/or the expanded use of the District-wide Landscaping and Lighting District to fund capital expansion through the issuance of debt. Implementation of General Plan Policies PTO-1, PTO-4 through PTO-8, PTO-10, PTO-13, PTO-15 through PTO-17; Action Items PTO-1-Action 1, PTO-6-Action 1, PTO-8-Action 1 and 2, PTO-10-Action 1, PTO-16-Action 1 would further assist in mitigating park and recreation impacts.

Reference: DEIR page 4.12-59; General Plan Policies PTO-1, PTO-3 through PTO-8, PTO-10, PTO-13, PTO-15 through PTO-17; Action Items PTO-1-Action 1, PTO-6-Action 1, PTO-8-Action 1 and 2, PTO-10-Action 1, PTO-16-Action 1.

- 1.10.13 **Impact 4.12.6.2** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in cumulative park and recreation impacts.

Finding: Based upon the analysis presented in Section 4.12.6 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative park and recreation impacts are **less than significant** because the Elk Grove Community Services District (EGCSD or CSD) has identified that the need for parks and recreational facilities would be met through Benefit Zones, development impact fees, parkland dedications, Mello-Roos Community Facilities Districts (CFD), General Fund Reserves, grants and/or the expanded use of the District-wide Landscaping and Lighting District to fund capital expansion through the issuance of debt. Implementation of General Plan Policies PTO-1, PTO-4 through PTO-8, PTO-10, PTO-13, PTO-15 through PTO-17; Action Items PTO-1-Action 1, PTO-6-Action 1, PTO-8-Action 1 and 2, PTO-10-Action 1, PTO-16-Action 1 would further assist in mitigating cumulative park and recreation impacts.

Reference: DEIR page 4.12-63; General Plan Policies PTO-1, PTO-3 through PTO-8, PTO-10, PTO-13, PTO-15 through PTO-17; Action Items PTO-1-Action 1, PTO-6-Action 1, PTO-8-Action 1 and 2, PTO-10-Action 1, PTO-16-Action 1

- 1.10.14 **Impact 4.12.7.1** Implementation of the proposed General Plan would increase the demand for electric, telephone and natural gas services.

Finding: Based upon the analysis presented in Section 4.12.7 of the DEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to the increased demand for electric, telephone and natural gas services are **less than significant** because the Sacramento Municipal Utility District (SMUD) has identified that there is adequate electrical supply to accommodate the growth proposed under the Elk Grove General Plan and does not anticipate any facility or other service problems. Pacific Gas and Electric Company (PG&E) does not anticipate any availability or other services problems in serving the land uses proposed under the General Plan. In general, fee-based utilities and services, such as gas, electric, and telephone would provide for the proposed development through capital improvements based on service fees. Implementation of General Plan Policies PF-1, PF-21, PF-23 would further assist in mitigating utility service impacts.

Reference: DEIR page 4.12-72; General Plan Policies PF-1, PF-21, PF-23.

- 1.10.15 **Impact 4.12.7.3** Implementation of the proposed General Plan along with potential development in the Urban Study Areas would result in cumulative electric, telephone and natural gas service impacts.

Finding: Based upon the analysis presented in Section 4.12 of the DEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to electric, telephone and natural gas service are **less than significant** because SMUD and PG&E are anticipated to be able to accommodate cumulative development conditions. In general, fee-based utilities and services, such as gas, electric, and telephone would provide for the proposed development through capital improvements based on service fees. Implementation of General Plan Policies PF-1, PF-21, PF-23 would further assist in mitigating cumulative utility service impacts.

Reference: DEIR page 4.12-74; General Plan Policies PF-1, PF-21, PF-23.

2. Findings Associated with Significant, Potentially Significant, and Cumulative Significant Impacts which can be Mitigated to a Less Than Significant Level

The City of Elk Grove (City) hereby adopts and makes the following findings relating to its approval of the Elk Grove General Plan. Having received, reviewed, and considered the entire record, both written and oral, relating to the Elk Grove General Plan and associated Draft and Final Environmental Impact Report, the City makes the following findings associated with significant, potentially significant, and cumulative significant impacts which can be mitigated to a less than significant level through implementation of mitigation measures identified in the Final EIR:

2.1 Human Health/Risk of Upset

- 2.1.1 **Impact 4.4.1** Implementation of the proposed General Plan may contain the potential for the discovery of known and unknown hazardous material contamination in areas proposed for development under the General Plan. This is considered a **potentially significant** impact.

Mitigation Measure

MM 4.4.1 Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material/waste database search shall require that the site and surrounding area be review, tested, and remediated for potential hazardous materials in accordance with all local, state and federal regulations. **(This mitigation measure has been incorporated into the General Plan as Action Item SA-8-Action 4).**

Finding: Mitigation Measure Feasible and Required. Implementation of General Plan policies SA-7 and SA-8, action items SA-8-Action 1, SA-8-Action 2 and SA-8-Action 3 and the incorporation of mitigation measure MM 4.4.1 into the General Plan will ensure that potential health hazards from hazardous materials and sites are mitigated by evaluating, investigating and remediating identified hazards consistent with local, state and federal regulations such as those described in the Draft EIR (Draft EIR pages 4.4-15 through -20). Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.1.2 **Impact 4.4.4** Implementation of the proposed General Plan could result in public hazards associated with railroad-at-grade crossings. This is considered a **potentially significant** impact.

Mitigation Measure

MM 4.4.4 The City shall initiate as well as cooperate in improvements at existing railroad-at-grade crossings to improve public safety. This may include construction of grade-separated crossings and other appropriate safety features. **(This mitigation measure has been incorporated into the General Plan as Polcny SA-27).**

Finding: Mitigation Measures Feasible and Required. Implementation of this mitigation measure and General Plan policies SA-5, SA-27, and SA-28, and action items SA-28-Action 1 and SA-28-Action 2, would ensure that the City cooperates in improving existing railroad-at-grade crossings to improve public safety, possibly to include the construction of grade-separated crossings and other appropriate safety features. These measures will reduce the risk of at-grade railroad crossings because they constitute a process of review and design for safe crossing alternatives. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.1.3 **Impact 4.4.5** Implementation of the proposed General Plan and potential development of the Urban Study Areas could result in site-specific hazards being encountered.

Mitigation Measure

MM 4.4.5 The City shall ensure that new development near airports be designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, Caltrans, and the Federal Aviation Administration. **(This mitigation measure has been incorporated into the General Plan as Policy CI-25).**

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measure MM 4.4.5 as well as General Plan policies CI-24, CI-25, SA-1, SA-2, SA-7, SA-8, SA-9, and SA-10 along with associated action items will ensure that site-specific hazards are reduced. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.2 Hydrology and Water Quality

2.2.1 **Impact 4.8.3** Implementation of the proposed General Plan could result in the degradation of groundwater quality resulting from future land uses.

Mitigation Measure

MM 4.8.3 Future land uses that are anticipated to utilize hazardous materials or waste shall be required to provide adequate containment facilities to ensure that surface water and groundwater resources are protected from accidental releases. This shall include double-containment, levees to contain spills, and monitoring wells for underground storage tanks, as required by local, state and federal standards. **(This mitigation measure has been incorporated into the General Plan as Policy CAQ-16).**

Finding: Mitigation Measure Feasible and Required. Implementation of this mitigation measure and General Plan policies PF-6 and PF-12, as well as action items PF-12-Action 1 and PF-12-Action 2, will reduce potential adverse impacts to groundwater to a less than significant level. By requiring adequate containment facilities and other similar measures, these policies and associated action items will ensure that impacts to surface water groundwater quality resulting from future land uses do not occur. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.2.2 **Impact 4.8.4** Implementation of the proposed General Plan would increase impervious surfaces and alter drainage conditions and rates in the City, which could result in potential flooding impacts.

Mitigation Measure

MM 4.8.4 The City shall require that all new projects not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas. **(This mitigation measure has been incorporated into the General Plan as Policy SA-13).**

Finding: Mitigation Measure Feasible and Required. Implementation of this mitigation measure and General Plan policies CAQ-17, CAQ-19, SA-14, SA-15, SA-16, SA-17, SA-18, SA-19, SA-20, SA-21, SA-22, SA-23, and SA-24, along with associated action items, would ensure that all new projects would not result in new or increased flooding impacts on adjoining parcels on upstream or downstream areas because these measures would minimize disturbances to existing waterways, prohibiting development in the 100-year floodplain, participation in flood control improvements and coordination with other agencies and control of drainage flows in order to avoid new and/or increased flooding on adjoining areas. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.2.3 **Impact 4.8.6** Implementation of the proposed General Plan along with the potential development of the Urban Study Areas, could contribute to cumulative water quality impacts.

Mitigation Measure

Implement mitigation measure MM 4.8.3, which has been incorporated into the General Plan as Policy CAQ-16.

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measure MM 4.8.3 as well as General Plan policies CAQ-5, CAQ-12, CAQ-17, CAQ-19, CAQ-21, PF-6, and PF-12 along with associated action items will ensure that cumulative water quality impacts are reduced. By requiring adequate containment facilities and other similar measures, these policies and associated action items will ensure that impacts to surface water groundwater quality resulting from future land uses do not occur. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.2.4 **Impact 4.8.7** Implementation of the proposed General Plan as well as potential development of the Urban Study Areas would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could contribute to cumulative flood conditions in the Sacramento River, Cosumnes River, and inland creeks.

Mitigation Measure

Implement mitigation measure MM 4.8.4, which has been incorporated into the General Plan as Policy SA-13.

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measure MM 4.8.4 as well as General Plan policies CAQ-17, CAQ-19, SA-12, SA-14, SA-15, SA-16, SA-17, SA-18, SA-19, SA-20, SA-21, SA-22, SA-23, and SA-24 along with associated action items will ensure that drainage conditions and rates would be minimized as to not contribute to cumulative flood conditions in the Sacramento River, Cosumnes River, and inland creeks. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.3 Geology and Soils

- 2.3.1 **Impact 4.9.2** Implementation of the proposed General Plan could expose buildings, pavements, and utilities to significant damage as a result of underlying expansive or unstable soil properties.

Mitigation Measure

MM 4.9.2 Require a geotechnical report or other appropriate analysis be conducted that determines the shrink/swell potential and stability of the soil for public and private construction projects and identifies measures necessary to ensure stable soil conditions. **(This mitigation measure has been incorporated into the General Plan as SA-26-Action 1).**

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measure MM 4.9.2 as well as General Plan Policy SA-25 and SA-25-Action 1, will ensure that buildings, pavements, and utilities are not exposed to significant damage as a result of underlying expansive or unstable soil properties because these risks will be properly assessed through professional technical analyses such as a geotechnical report. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.4 Biological Resources

- 2.4.1 **Impact 4.10.1** Implementation of the proposed General Plan could impact habitat for special-status plant species.

Mitigation Measures

MM 4.10.1a The City shall seek to preserve areas, where feasible, where special-status plant and animal species and critical habitat areas are known to be present or potentially occurring based on City biological resource mapping and data provided in the General Plan EIR or other technical material that may be adversely affected by public or private development projects. "Special-status" species are generally defined as species considered to be rare, threatened, endangered, or otherwise protected under local, state and/or federal policies, regulations or laws. **(This mitigation measure has been incorporated into the General Plan as Policy CAQ-11).**

MM 4.10.1b The City shall require a biological resources evaluation for private and public development projects in areas identified to contain or possibly contain special-status plant and animal species based on City biological resource mapping and data provided in the General Plan EIR or other technical material. The biological resources evaluation shall determine the presence/absence of these special-status plant and animal species on the site. The surveys associated with the evaluation shall be conducted during the appropriate seasons for proper identification of the species. Such evaluation will consider the potential for significant impact on special-status plant and animal species, and will identify feasible mitigation measures to mitigate such impacts to the satisfaction of the City and appropriate governmental agencies (e.g., U.S. Fish and Wildlife Service, California Department of Fish and Game and U.S. Army Corps of Engineers) where necessary (e.g., species listed under the State and/or Federal Endangered Species Act). Mitigation measures may include, but are not limited to, the following:

- For special-status plant species: On- or off-site preservation of existing populations from direct and indirect impacts, seed and soil collection or plant transplant that ensures that the plant population is maintained.
- For special-status animal species: avoidance of the species and its habitat as well as the potential provision of habitat buffers, avoidance of the species during nesting or breeding seasons, replacement or restoration of habitat on- or off-site, relocation of the species to another suitable habitat area, payment of mitigation credit fees.
- Participation in a habitat conservation plan. **(This mitigation measure has been incorporated into the General Plan as Action Item CAQ-11-Action 1).**

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measures 4.10.1a and 4.10.1b as well as General Plan policies CAQ-7, CAQ-9, CAQ-10, CAQ-17, CAQ-19, CAQ-20, CAQ-21, CAQ-22, and CAQ-24, along with associated action items, would ensure that habitat for special-status plant species is protected because

these measures will require detailed field review of potential site-specific impacts on special-status species and will require the development mitigation measures that would avoid impacts to the species in consultation with the appropriate resource agencies. In addition, these policy measures include provisions for the clustering of development, buffers along natural waterways, avoidance of wetland riparian areas, use of natural vegetation for revegetation activities and participation in habitat conservation plans. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.4.2 **Impact 4.10.3** Implementation of the proposed General Plan could result in the loss of sensitive habitat areas in the City.

Mitigation Measure

MM 4.10.3 The City shall require that impacts to riparian areas be mitigated to ensure that no net loss occurs, which may be accomplished by avoidance, revegetation and restoration onsite or creation of riparian habitat offsite. **(This mitigation measure has been incorporated into the General Plan as Policy CAQ-9).**

Finding: Mitigation Measures Feasible and Required. Implementation of the above mitigation measure MM 4.10.3 as well as General Plan policies CAQ-7, CAQ-8, CAQ-9, CAQ-10, CAQ-17, CAQ-19, CAQ-20, CAQ-21, CAQ-22, and CAQ-24, along with associated action items, would ensure that no net loss of riparian habitat occurs, accomplished by avoidance, revegetation and restoration onsite or creation of riparian habitat offsite. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.5 Public Services and Utilities

- 2.5.1 **Impact 4.12.7.2** Implementation of the proposed General Plan would require the extension of electrical, natural gas and telephone infrastructure within the City.

Mitigation Measure

MM 4.12.7.2 The City shall require new utility infrastructure for electrical, natural gas and other infrastructure services avoid sensitive resources, be located as to not be visually obtrusive, and, if possible, be located within roadway rights-of-ways or existing utility easements. **(This mitigation measure has been incorporated into the General Plan as Policy PF-4).**

Finding: Mitigation Measures Feasible and Required. Implementation of the above mitigation measure MM 4.12.7.2 as well as General Plan policies PF-1, PF-21, and PF-23, would ensure that new utility infrastructure would be located as to avoid sensitive

resources, and not be visually obtrusive, and if possible, be located within roadway rights-of-way or existing utility easements. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

2.6 Visual Resources/Light and Glare

- 2.6.1 **Impact 4.13.2** Implementation of the proposed General Plan could result in the introduction of a substantial amount of daytime glare sources to the area.

Mitigation Measure

MM 4.13.2 The Design Guidelines shall include a provision to minimize the use of reflective materials in building design in order to reduce the potential impacts of daytime glare. **(This mitigation measure has been included on page 116 of the Non-Residential Design Guidelines).**

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measure MM 4.13.2 as well as General Plan Policy LU-35, along with action item LU-35-Action 1, will ensure that reflective materials utilized in building design are minimized (through implementation of the Non-Residential Design Guidelines), thereby reducing daytime glare impacts. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

- 2.6.2 **Impact 4.13.3** Implementation of the proposed General Plan would increase the amount of nighttime lighting in developed portions of the City and create new sources in undeveloped areas. These increased nighttime lighting levels could have an adverse effect on adjacent areas and land uses.

Mitigation Measure

MM 4.13.3 The Citywide Design Guidelines shall include provisions for the design of outdoor light fixtures to be directed/shielded downward and screened to avoid adverse nighttime lighting spillover on adjacent land uses and nighttime sky glow conditions. **(This mitigation measure has been included on page 92 of the Non-Residential Design Guidelines).**

Finding: Mitigation Measures Feasible and Required. Implementation of mitigation measure MM 4.13.3 as well as General Plan Policy LU-35, along with action item LU-35-Action 1, will ensure that nighttime lighting levels would not adversely affect developed portions of the City as well as create new sources in undeveloped areas through implementation of the Non-Residential Design Guidelines. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the

project which avoid or substantially lessen the significant environmental effect to a **less than significant** level.

3. Findings Associated with Significant and Cumulative Significant Impacts Which Cannot Feasibly Be Mitigated to a Less Than Significant Level

Based upon the criteria set forth in the Draft Environmental Impact Report and the Final Environmental Impact Report, the City finds that the following environmental effects of the project are significant and unavoidable. However, as explained in the Statement of Overriding Considerations contained in Section 7 below, these effects are considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project.

3.1 Agriculture

- 3.1.1 **Impact 4.1.1** Implementation of the proposed General Plan would result in the loss of important farmlands (Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) as designated under the Farmland Mapping and Monitoring Program as well as lands under active Williamson Act contracts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies CAQ-2, CAQ-3, LU-12, PTO-15 and action items LU-12-Action 1, PTO-15-Action 1 through 3 provide some agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Subsequent land use development and associated public improvements (e.g., roadway improvements, infrastructure facilities, parks and public schools) within current City limits under the proposed City of Elk Grove General Plan would result in the conversion of important farmland. Draft EIR pages 4.1-17 and -18 provide an assessment possible mitigation measures to reduce the conversion of important farmland and why these measures would not meet the definition of "mitigation" under CEQA Guidelines Section 15370, which is supported by the recent case law (*Friends of the Kangaroo Rat v. the California Department of Corrections*).

- 3.1.2 **Impact 4.1.2** Implementation of the proposed General Plan could result in the placement of urban uses adjacent to agricultural uses within and adjacent to the City.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies CAQ-4, LU-35 and action items CAQ-4-Action 1 and 2 and LU-35-Action 1 provide some mitigation of agriculture/urban interface conflicts, these measures would not fully mitigate agriculture/urban interface conflicts, especially in regards to farm equipment and vehicle conflicts on area roadways, and potential trespassing and vandalism to active farmlands and growth pressures on farmland in proximity to urban uses in the City. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed City of Elk Grove General Plan would result in the placement of urban uses adjacent to agricultural uses. Based on Policy CAQ-2 in the proposed City of Elk Grove General Plan, loss of agricultural land is accepted as a consequence of development within the City limits. Therefore, there will be no agriculture/urban interface conflicts within the City limits at buildout, only between the City limit line and the remainder of the Planning Area, which is also part of the unincorporated area of Sacramento County. However, it is acknowledged that as the City builds out, short-term agriculture/urban interface conflicts may occur. As further noted under Policy CAQ-4, the proposed City of Elk Grove General Plan Conservation and Air Quality Element acknowledges that implementation of the General Plan would result in the loss of agricultural productivity within the current City limits, but that existing agricultural uses may continue. However, CAQ-4 specifically restricts the use of buffers between urban and farmland uses. In addition, Policy CAQ-4 includes two actions that consist of the use of the City's Right to Farm Ordinance.

Implementation of General Plan Policy CAQ-4 and CAQ-4-Action 1 and 2 as well as Policy LU-35 and LU-35-Action 1 and implementation of the proposed General Plan circulation system would assist in reducing agriculture/urban interface conflicts within and adjacent to the City's associated nuisance effects (dust, smoke, noise, odor), and restrictions on agricultural operations from interfaces with urban uses. However, these measures would not fully mitigate agriculture/urban interface conflicts, especially in regards to farm equipment and vehicle conflicts on area roadways, and potential trespassing and vandalism to active farmlands and growth pressures on farmland in proximity to urban uses in the City.

- 3.1.3 **Impact 4.1.3** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute significantly to the conversion of important farmland and agriculture/urban interface conflicts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby

finds that while implementation of General Plan policies CAQ-2, CAQ-3, LU-12, LU-16, LU-35, PTO-15 and action items LU-12-Action 1, PTO-15-Action 1 through 3 provide some agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the City of Elk Grove General Plan would result in the conversion of approximately 175 acres of Prime Farmland, approximately 5,893 acres of Farmland of Statewide Importance, and approximately 327 acres of Unique Farmland within the City. In addition to this loss, potential urban development of the Urban Study Areas (though not specifically proposed for any development under the General Plan) could result in the conversion of approximately 400 acres of Prime Farmland, 132 acres of Unique Farmland, and 5,236.6 acres of Farmland of Statewide Importance. These conversions would make up approximately 2.5 percent of the total important farmland acreage known to exist in Sacramento County in 2000 (approximately 234,120 acres). This would be in addition to important farmland conversions associated with development anticipated under the applicable land use plans of Sacramento County and the cities of Sacramento, Folsom (Sphere of Influence), Galt and the future City of Rancho Cordova. Given the statewide conversion of important farmland areas and the extent of conversion in Sacramento County anticipated as a result of subsequent development under the General Plan and potential development of the Urban Study Areas, the project's contribution to this cumulative impact is considered significant.

In addition to the conversion of important farmland from subsequent development under the General Plan and potential urban development of the Urban Study Areas, the project would also contribute to significant cumulative agriculture/urban interface conflicts that are also considered a regional and statewide issue.

The proposed General Plan includes implementation of the design guidelines and design review ordinances for residential and non-residential uses (Policy LU-35 and LU-35-Action 1). These design guidelines are expected to include provisions for landscape corridors, walls and other features that provide buffering. In addition, the proposed circulation system for the General Plan includes six and eight lane roadway facilities (Calvine Road, Grant Line Road and Kammerer Road) that would provide approximately 80 to over 100-foot buffers between the City and adjoining agricultural uses.

Implementation of General Plan Policies CAQ-4 and CAQ-4-Action 1 and 2, LU-12 and action item LU-12-Action 1, LU-16 and LU-16-Action 1, as well as Policy LU-35 and LU-35-Action 1 and implementation of the proposed General Plan circulation system would assist in reducing the project's contribution to cumulative agriculture/urban interface conflicts, but not to less than significant (see the discussion under DEIR Impact 4.1.2). Therefore, as described under DEIR Impact 4.1.1, no feasible mitigation measures are available to reduce the General Plan's contribution to cumulative important farmland conversion impacts. Draft EIR pages 4.1-17 and -18 provide an assessment possible mitigation measures to reduce the conversion of important farmland and why these

measures would not meet the definition of "mitigation" under CEQA Guidelines Section 15370, which is supported by the recent case law (*Friends of the Kangaroo Rat v. the California Department of Corrections*).

3.2 Land Use

- 3.2.1 **Impact 4.2.3** Implementation of the proposed General Plan could impact land use plans or study areas outside of the city limits, but within the Planning Area.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies CAQ-6, CI-24, LU-16, LU-39 and action items CAQ-6-Action 1 and 2 and LU-16-Action 1 provide some mitigation of this impact, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan policies CAQ-6, CI-24, LU-16, and LU-39, along with action items CAQ-6-Action 1, CAQ-6-Action 2, and LU-16-Action 1, would reduce potential impact to land use plans or study areas outside the city limits. However, these measures cannot reduce the impact to a less than significant level because of conflicts between Sacramento County General Plan policies and the City of Elk Grove's vision for the potential consideration of development of the Urban Study Areas (Draft EIR page 4.2-32).

3.3 Transportation and Circulation

- 3.3.1 **Impact 4.5.1** Implementation of the proposed General Plan would result in increased traffic volumes, V/C ratios, and a decrease in LOS on area roadways during the A.M. and P.M. peak hours.

Mitigation Measure

MM 4.5.1 The City shall coordinate and participate with the City of Sacramento, Sacramento County and Caltrans on roadway improvements that are shared by the jurisdictions in order to improve operations. This may include joint transportation planning efforts, roadway construction and funding. **(This mitigation measure has been incorporated into the General Plan as Policy CI-2).**

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby

finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.5.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan policies CI-2, CI-3, CI-4, CI-5, CI-6, CI-7, CI-8, CI-9, CI-10, CI-13, CI-14, CI-15, CI-16, CI-17, and CI-18, and action items CI-5-Action 1, CI-5-Action 2, CI-5-Action 3, CI-5-Action 4, CI-6-Action 1, CI-9-Action 1, CI-9-Action 2, CI-10-Action 1, CI-14-Action 1, CI-15-Action 1, and CI-17-Action 1, as well as the above mitigation measure would reduce impacts to local roadways. However, some roadway shown in DEIR **Tables 4.5-7** and **4.5-8** would not reach LOS D levels, even with improvements. Additionally, further improvements of these rights-of-way that would be necessary to reduce impacts are not possible as extensive residential and commercial development is located immediately adjacent to these roadways (Draft EIR page 4.5-80).

- 3.3.2 **Impact 4.5.2** Implementation of the proposed General Plan would result in increased traffic volumes, V/C ratios, and a decrease in LOS on state highways during the A.M. and P.M. peak hours.

Mitigation Measure

Implement mitigation measure MM 4.5.1.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.5.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures which might avoid or reduce this impact to a less than significant level because implementation of this mitigation measure lies outside the jurisdiction of the City. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The proposal and timing of these improvements are not known and will depend on if and when Caltrans (acting as the lead agency) submits the projects for inclusion into the Metropolitan Transportation Plan (MTP) and begins design of improvements to the highway facilities. Adding one through lane in each direction on this segment of SR 99 (between Eschinger Road and Grant Line Road – northbound and southbound) would improve traffic operations to LOS C during both the A.M. and P.M. peak hours, which would be considered an acceptable LOS, and a less than significant impact. However, SR 99 is a state highway facility and this improvement is not currently

programmed in the MTP. Additionally, SR 99 is under the jurisdiction of Caltrans; therefore, it is outside the City's jurisdiction to implement this improvement.

- 3.3.3 **Impact 4.5.6** Implementation of the proposed General Plan as well as potential development of the Urban Study Areas would contribute to significant impacts on local roadways and state highways under cumulative conditions.

Mitigation Measure

Implement mitigation measure MM 4.5.1.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.5.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of mitigation measure MM 4.5.1 along with General Plan policies CI-3, CI-4, CI-6, CI-7, CI-8, CI-9, CI-10, CI-11, CI-13, CI-14, CI-15, CI-16, CI-17, and CI-18 and associated action items will reduce impacts to local roadways and SR 99 under cumulative conditions. However, since there are some local roadways that would not reach a LOS D even with improvements, impacts to these roadways are significant and unavoidable (see DEIR Tables 4.5-7 and 4.5-8). Further improvement of these impacted roadways is considered infeasible given that the necessary right-of-way is not available as a result of extensive residential and commercial development immediately adjacent to these roadways. In addition, the City does not have jurisdiction to improve SR 99, which is a state highway.

3.4 **Noise**

- 3.4.1 **Impact 4.6.1** Implementation of the proposed General Plan would result in subsequent development projects and cause in [an] increase in construction noise levels that would exceed the City of Elk Grove noise standards.

Mitigation Measure

MM 4.6.1 The City shall require that stationary construction equipment and construction staging areas be setback from existing noise-sensitive land uses. The setback distance will be considered on a case-by-case basis approved by the City of Elk Grove Planning Director. **(This mitigation measure has been incorporated into the General Plan as Action Item NO-3-Action 3).**

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby

finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.6.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan policies NO-1, NO-2, and NO-3, action item NO-3-Action 1, as well as the above mitigation measure MM 4.6.1 would reduce noise impacts resulting from construction noise. DEIR **Table 4.6-10** shows the maximum noise level generated by construction equipment at a distance of 50 feet. These levels exceed the noise standards shown in DEIR Tables 4.6-11 and 4.6-12. Although construction noise is temporary, the noise levels would still exceed the City's noise standards for temporary periods of time. Mitigation measure MM 4.6.1 does not sufficiently reduce this impact to a less than significant level.

- 3.4.2 **Impact 4.6.2** Implementation of the proposed General Plan would result in increases in traffic noise levels that would be in excess of City of Elk Grove noise standards.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies NO-2, NO-5, NO-6, and NO-7, as well as action item NO-7-Action 1 would provide mitigation of traffic noise, there are no feasible mitigation measures available that will lessen this significant adverse effect in all cases where noise-sensitive land uses are expected to be impacted (Draft EIR page 4.6-35). Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: General Plan policies NO-2, NO-5, NO-6, and NO-7, as well as action item NO-7-Action 1, would reduce impacts from traffic noise. DEIR Table 4.6-13 shows the difference between in L_{dn} levels at existing conditions and with implementation of the General Plan. Traffic noise levels would be increased beyond the City's noise standards. Residential and other noise sensitive uses adjacent to area roadways would be affected by increased traffic noise, especially those areas with no soundwalls adjacent to the roadway. Possible mitigation includes installation and/or expansion of sound barriers, however, sound barriers (in some cases) would need to be placed in front yards and would be ineffective given the need for openings for driveways. Additionally, traffic noise levels in the City could affect noise levels in the City of Sacramento and Sacramento County. The City does not have jurisdiction to place sound barriers outside of the City limits (Draft EIR page 4.6-35).

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- 3.4.3 **Impact 4.6.8** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in impacts to regional noise attenuation levels.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies NO-2, NO-3, NO-4, NO-5, NO-6, NO-7 and NO-8, as well as action items NO-3-Action 1, NO-3-Action 2, and No-7-Action 1 would provide mitigation of regional traffic noise, there are no feasible mitigation measures available that will lessen this significant adverse effect in all cases where noise-sensitive land uses are expected to be impacted (Draft EIR page 4.6-43). Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan policies NO-2, NO-3, NO-4, NO-5, NO-6, NO-7, and NO-8 along with action items NO-3-Action 1, NO-3-Action 2, and No-7-Action 1, would help reduce regional noise attenuation levels. Implementation of the proposed General Plan and the potential development of the Urban Study Areas would result in the contribution to increased regional noise impacts, specifically traffic noise (see DEIR **Table 4.6-13**). Additional development of the City of Elk Grove, along with neighboring jurisdictions such as Galt, Folsom, Sacramento, and Placer and El Dorado counties, would result in significant cumulative traffic noise increases. However, there is no mitigation available that would reduce the impacts to a less than significant level for impacts within the City and in the City of Sacramento and Sacramento County. Possible mitigation includes installation and/or expansion of sound barriers. However, sound barriers (in some cases) would need to be placed in front yards and would be ineffective given the need for openings in driveways. In addition, the City does not have jurisdiction to place sound barriers outside of City limits (Draft EIR page 4.6-43).

3.5 Air Quality

- 3.5.1 **Impact 4.7.1** Implementation of the proposed General Plan would result in period exhaust emissions and fugitive dust from construction activities that would affect local air quality.

Mitigation Measure

MM 4.7.1 The City shall require that private and public development projects utilize low emission vehicles and equipment as part of project construction and operation, unless determined to be infeasible. **[This mitigation measure has been incorporated into the General Plan as Policy CAQ-33].**

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.7.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: General Plan policies CAQ-26, CAQ-27, CAQ-28, CAQ-30, CAQ-31, and CAQ-32, with associated action items, along with mitigation measure MM 4.7.1 would reduce air quality impacts from construction related emissions. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is already in severe non-attainment for PM₁₀ and ozone forming gases, which both result from construction activities. Although construction activities are generally short term or temporary, and would generate pollutants intermittently, the intensification of individual development projects within the City would be the source for the majority of construction related emissions. Because the SMAQMD is already in non-attainment for these construction related emissions, there is no sufficient mitigation available to reduce impacts to a less than significant level (Draft EIR pages 4.7-11 through -13).

3.5.2 **Impact 4.7.2** Implementation of the proposed General Plan would increase air pollutant emissions from operational activities of land uses within the City.

Mitigation Measure

Implement mitigation measure 4.7.1.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.7.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures which might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: General Plan policies CAQ-26, CAQ-27, CAQ-28, CAQ-29, CAQ-30, CAQ-31, and CAQ-32, along with associated action items, as well as mitigation measure MM 4.7.1 would reduce impacts from operational related emissions. DEIR **Table 4.7-3** shows that implementation of the General Plan would not result in carbon monoxide emissions at levels over state and federal ambient air quality standards. However, implementation of the General Plan would result in regional emissions of ROG, NO_x, and PM₁₀. DEIR **Table 4.7-5** (Draft EIR page 4.7-20) shows the levels of these pollutants after implementation of the General Plan. Since the SMAQMD is already in non-attainment for these pollutants,

any additional emissions would result in a **significant and unavoidable** impact (Draft EIR pages 4.7-14 through -16).

- 3.5.3 **Impact 4.7.4** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would exacerbate existing regional problems with ozone and particulate matter.

Mitigation Measure

Implement mitigation measure 4.7.1.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.7.1). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of mitigation measure MM 4.7.1 along with General Plan policies CAQ-26 through CAQ-32 and associated action items would help reduce impacts to regional ozone and particulate matter problems. Sacramento County is classified a severe non-attainment area for the federal ozone standards. In order to improve air quality and attain the health-based standards, reductions in emissions are necessary within the non-attainment area. The growth in population, vehicle usage and business activity within the non-attainment area, when considered with growth proposed under the General Plan, would contribute to cumulative regional air quality impacts. Additionally, implementation of the proposed General Plan may either delay attainment of the standards or require the adoption of additional controls on existing and future air pollution sources to offset project-related emission increases. Although the above policies and action items and MM 4.7.1 would assist in reducing the cumulative effects of these pollutants, there is no feasible mitigation that would reduce the impacts to less than significant (Draft EIR pages 4.7-20 through -22).

3.6 Hydrology and Water Quality

- 3.6.1 **Impact 4.8.5** Implementation of the proposed General Plan would increase demand for water supply to the City requiring increased groundwater production and the use of surface water supplies.

Mitigation Measure

MM 4.8.5 The City shall encourage water supply service providers and County Sanitation District 1 to design water supply and recycled water supply facilities in a manner that avoids and/or minimizes significant environmental effects. The City shall specifically encourage the Sacramento County Water Agency

to design well facilities and operation to minimize surface flow effects to the Cosumnes River. **(This mitigation measure has been incorporated into the General Plan as Policy CAQ-15).**

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.8.5). However, these measures will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document. It should be noted that since completion of the Final EIR, the Sacramento County Water Agency released the 2002 Zone 40 Water Supply Master Plan Draft EIR (State Clearinghouse No. 2002122068) identify that implementation of the proposed 2002 Zone 40 Master Plan would not result in significant impacts to the Cosumnes River (2002 Zone 40 Water Supply Master Plan Draft EIR, November 2003).

Evidence: Implementation of the above mitigation measure MM 4.8.5 along with General Plan policies CAQ-1, PF-3, PF-5, and PF-6, as well as action items CAQ-1-Action 1, CAQ-1-Action 2, CAQ-1-Action 3, CAQ-1-Action 4, PF-3-Action 1, and PF-3-Action 2 would assist in reducing impacts to water supply facilities. However, since the City does not provide water service and currently has no direct jurisdiction over water service, facilities, or entitlements, there are no feasible mitigation measures available to reduce impacts associated with water supply provisions to a less than significant level (Draft EIR page 4.8-55).

- 3.6.2 **Impact 4.8.8** Implementation of the proposed General Plan along with potential development of the Urban Study Areas, would contribute to an increased demand for water supply requiring increased groundwater production and the use of surface water supplies that could result in significant environmental impacts.

Mitigation Measures

Implement mitigation measure MM 4.8.5.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measure MM 4.8.5). However, this measure will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document. It should be noted that since completion of the Final EIR, the Sacramento County Water Agency

released the 2002 Zone 40 Water Supply Master Plan Draft EIR (State Clearinghouse No. 2002122068) identify that implementation of the proposed 2002 Zone 40 Master Plan would not result in significant impacts to the Cosumnes River (2002 Zone 40 Water Supply Master Plan Draft EIR, November 2003).

Evidence: Implementation of mitigation measure MM 4.8.5 and General Plan policies CAQ-1, PF-3, PF-5, and PF-6, along with associated action items would reduce impacts to cumulative water supply. Buildout conditions under the proposed General Plan would result in the development of approximately 23,492 acres with various land uses and an ultimate water demand of approximately 51,487 AF/yr. The availability of groundwater was addressed in the SCWA Zone 40 Water Supply Master Plan, which established sustainable yields of Sacramento County groundwater basins to meet the projected water demands through the year 2030. According to SCWA estimates, the sustainable groundwater yield for the Central Basin (which includes the Planning Area) is 273,000 AF/yr. Additionally, potential development in the Urban Study Areas would include the development of approximately 7,150 acres and result in a further increase in the demand for water service and related facilities. Assuming a similar mix of land uses as set forth in the proposed General Plan for the City, the Urban Study Areas could result in an additional cumulative water demand of approximately 16,000 AF/yr, which was not considered in the Zone 40 Master Plan. This would add to the environmental effects (including effects to the Cosumnes River) described under DEIR Impact 4.8.5. Since the City does not provide water service or currently has no direct jurisdiction over water service, facilities, or entitlements; as such, there are no feasible mitigation measures available to the City to avoid significant environmental impacts associated with water supply provisions (Draft EIR page 4.8-63).

3.7 Biological Resources

- 3.7.1 **Impact 4.10.2** Implementation of the proposed General Plan could result in direct and indirect impacts on special-status wildlife species and their associated habitats.

Mitigation Measures

Implement mitigation measures MM 4.10.1a and 4.10.1b.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measures MM 4.10.1a and MM 4.10.1b). However, these measures will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of mitigation measures MM 4.10.1a and 4.10.1b, as well as General Plan policies CAQ-7, CAQ-8, CAQ-9, CAQ-10, CAQ-17, CAQ-19, CAQ-20, CAQ-21, CAQ-22, and CAQ-24, along with associated action items would reduce impact to

special-status wildlife species and their associated habitats. As identified in DEIR **Table 4.10-2** and DEIR **Figures 4.10-1 and 4.10-2**, the City contains areas of suitable habitat conditions (e.g., vernal pool and wetland areas, waterways, grasslands, elderberry shrubs, agricultural lands and trees) for special-status wildlife species to occur. This is especially true for large undeveloped land areas in the eastern and southern portions of the City that are adjacent to undeveloped lands outside of the City that are known to be utilized by Swainson's hawks. Subsequent development under the proposed General Plan would result in direct loss of habitat areas and obstruct movement associated with these special-status wildlife species, since these habitat conditions do occur in areas planned for substantial urban development. In addition to direct impacts associated with habitat loss, indirect effects of development under the proposed General Plan could impact these species, including water quality impacts, introduction of non-native species that disrupts habitat conditions, increased human presence effects associated from disturbance from domestic pets and humans, lighting and noise, kills from being struck by motor vehicles and other associated effects from human presence. These indirect effects would affect remaining habitat areas in the City as well as adjoining land areas outside the City including the Stone Lakes National Wildlife Refuge and habitat conditions along the Cosumnes River. While implementation of these mitigation measures and the above policies and actions would reduce and potentially avoid direct loss of some special-status wildlife species, implementation of the proposed General Plan would still result in the loss of habitat associated with special-status species known to occur in the City (e.g., Swainson's hawk) as well as result in indirect effects to special-status species and their habitat outside of the City (Draft EIR pages 4.10-43 through -47).

- 3.7.2 **Impact 4.10.4** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to cumulative impacts associated with significant effects to special-status plant and wildlife species and habitat loss.

Mitigation Measures

Implement mitigation measures MM 4.10.1a, MM 4.10.1b and MM 4.10.3.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measures MM 4.10.1a, MM 4.10.1b and MM 4.10.3). However, these measures will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Subsequent development under the proposed General Plan would result in direct and indirect impacts to special-status species and habitat conditions (DEIR Impacts 4.10.1 through 4.10.3). Potential development of the Urban Study Areas would

further increase City impacts on biological resources and would increase indirect impacts on adjoining land areas including the Stone Lakes National Wildlife Refuge and habitat conditions along the Cosumnes River. These impacts would contribute to cumulative impacts on biological resources in the region. Development of the Urban Study Areas could also potentially preclude land areas for preservation associated with the proposed South County Habitat Conservation Plan, Swainson's hawk foraging habitat preservation, and other preservation activities in the area (e.g., Cosumnes River Preserve). While implementation of the above mitigation measures and General Plan policies CAQ-6, CAQ-7, CAQ-8, CAQ-9, CAQ-10, CAQ-17, CAQ-19, CAQ-20, CAQ-21, CAQ-22, CAQ-24, LU-16, and LU-39 and associated action items would reduce and potentially avoid direct loss of some special-status wildlife species and habitat, implementation of the proposed General Plan and potential development of the Urban Study Areas would still contribute to significant cumulative biological resource impacts (Draft EIR pages 4.10-51 through -56).

3.8 Public Services

- 3.8.1 **Impact 4.12.4.4** Implementation of the proposed General Plan along with potential development of the Urban Study Areas and growth in the SRCSD service area would result in cumulative wastewater impacts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies PF-8, PF-9, PF-10, PF-11, PF-12, PF-13, and PF-14 would reduce cumulative wastewater impacts, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: General Plan policies PF-8, PF-9, PF-10, PF-11, PF-12, PF-13, and PF-14 would reduce cumulative wastewater impacts. Development proposed under the General Plan, potential development in the Urban Study Areas, and other projects planned in SRCSD's service area would result in cumulative demands for wastewater service. The SRCSD considered all projected growth within its service area boundaries, including the development proposed under the General Plan and within the County's Urban Service Boundary. Development in the Urban Study Areas could result in approximately 21,651 additional dwelling units and other non-residential land uses, which would also contribute a cumulative demand for wastewater service. However, the SRCSD has indicated that it has no current plans to serve the Urban Study Areas, and such growth outside of the County's Urban Service Boundary is not planned for in the CSD-1 Sewerage Facilities Master Plan and the Sacramento Wastewater Treatment Plant Master Plan. There is no feasible mitigation that would reduce cumulative wastewater

impacts to less than significant if these areas were to develop (Draft EIR pages 4.10-45 through -47).

3.9 Visual Resources/Light and Glare

- 3.9.1 **Impact 4.13.1** Implementation of the proposed General Plan would result in the alteration of scenic resources.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that while implementation of General Plan policies CAQ-8 and LU-35 would reduce impacts to the alteration of scenic resources, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan policies CAQ-8 and LU-35 would reduce impacts to the alteration of scenic resources. The implementation of the proposed City of Elk Grove General Plan would result in irreversible alterations to existing landscape characteristics of the City (agricultural land, rural residential areas, and tree-lined streets). There would be a significant change from agricultural land to urban land uses in the southern portion of the City, specifically in the approved East Franklin Policy Area, and the proposed Laguna Ridge Policy Area and Southeast Policy Area. Land uses and the visual character of the City is subject to be altered as a result of implementation of the General Plan and increased development. There is no feasible mitigation to reduce this impact to less than significant (Draft EIR pages 4.13-5 and -6).

- 3.9.2 **Impact 4.13.4** Implementation of the proposed General Plan along with the potential development of the Urban Study Areas would result in the further conversion of the region's rural landscape to residential, commercial, and other land uses. This would contribute to the alteration of the visual resources in the region.

Mitigation Measures

Implement mitigation measures MM 4.13.2 and MM 4.13.3.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that there are feasible changes or alterations required in, or incorporated into the project that will lessen this significant adverse effect on the environment (Mitigation Measures MM 4.13.2 and MM 4.13.3). However, these measures will not reduce the impact to a less than significant level. Therefore, the City further finds that there are no

feasible mitigation measures that might avoid or reduce this impact to a less than significant level. Thus, this impact is **significant and unavoidable**. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of mitigation measures MM 4.13.2 and MM 4.13.3 as well as General Plan policies CAQ-8 and LU-35 and associated action items would reduce cumulative impacts to visual resources. Approximately 5,900 acres of the City are anticipated to be substantially altered with urban levels of development under the implementation of the proposed General Plan, proposed projects such as the Laguna Ridge Specific Plan, the South Pointe Policy Area, Calvine Pointe, as well as the potential development of the Urban Study Areas. Other potential projects in the region include the Florin Vineyard Community Plan and the Sunrise-Douglas Community Plan in the City of Rancho Cordova. Development of any of these areas would cause increased impacts to visual resources in the region, by the conversion from agricultural land to urban land uses. The Sacramento County General Plan provides policies that reduce impacts to visual resources within the remainder of the Planning Area, which includes the Urban Study Areas as discussed in Section 4.0 of the Draft EIR. However, with implementation of the proposed General Plan, increased development would occur and changes to existing scenic resources would be inevitable (Draft EIR pages 4.13-8 through -10).

4. Findings Associated with Project Alternatives

CEQA Guidelines require that an EIR "describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly obtain the basic objectives of the Project..." (CEQA Guidelines 15126.6[a]).

The City recognizes that while several of the alternatives described below would yield environmental benefits, the procurement of these benefits may also have corresponding negative environmental impacts and may conflict with the goals and objectives of the City associated with the General Plan. In addition, the City also considered land use designation modification requests to the Land Use Policy Map in the alternatives analysis that (in several cases) do not provide substantial environmental benefits over the General Plan.

The alternatives analyzed are as follows:

- Alternative 1 - No Project Alternative;
- Alternative 2 – Modification of the General Plan Land Use Policy Map Alternative;
- Alternative 3 – Farmland Preservation Alternative;
- Alternative 4 – Elimination of the Urban Study Areas Alternative;
- Alternative 5 – Increased Density of Development Alternative.

4.1 Alternative 1 – No Project

Description: CEQA Guidelines Section 15126.6(e)(1) states that a No Project alternative shall be analyzed. The purpose of describing and analyzing a No Project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. The No Project alternative analysis is not the baseline for determining whether the environmental impacts of a proposed project may be significant, unless the analysis is identical to the environmental setting analysis, which does establish that baseline.

Under this alternative, the proposed Elk Grove General Plan and its associated Land Use Policy Map would not be adopted and the existing 2000 City of Elk Grove General Plan (1993 Sacramento County General Plan) policy document would remain in effect. This would include General Plan amendments that have been approved by the City since incorporation. Buildout under the existing General Plan Land Use Map could result in approximately 70,047 residential dwelling units and an associated population of 215,046, as well as commercial, industrial, open space and recreation uses. Given that the General Plan's intent is to look at land use conditions and patterns to the year 2025, similar land uses identified in the proposed General Plan for the Agriculture-Urban Reserve area designated under the 2000 City of Elk Grove General Plan in the southern portion of the City (Southeast and a portion of the Laguna Ridge Policy Areas) were assumed for the No Project Alternative. This analysis of the No Project Alternative is consistent with the requirements of CEQA Guidelines 15126.6(e)(3)(A), which specifically identify that when the project under evaluation is the revision of an existing land use or regulatory plan, that the "no project" alternative will be the continuation of the existing plan.

Finding: The City finds that the No Project Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would be inconsistent or not as effective at meeting the Guiding Goals of the General Plan including:
 1. Diversified Economic Base (Guiding Goal 2) – The proposed General Plan provides a better jobs/housing ratio than this alternative.
 2. Preservation of the Rural Character of Elk Grove (Guiding Goal 5) – The No Project Alternative would have greater impacts on rural conditions in the eastern portion of the City (east of Waterman Road).
 3. Housing Goals (Housing Goals 1 through 6) – The No Project Alternative would not be as effective at meeting the City's identified housing needs.
- This alternative would result in greater project-specific effects in the areas of jobs/housing balance, air quality impacts and water supply impacts than the proposed General Plan.
- This alternative would result in utilizing a General Plan policy document that was not developed by the City and does not consist of the current community vision for future development and operation of the City.

Facts that support the finding: Draft EIR pages 6.0-1 through –25 provide an analysis of the No Project Alternative as compared to the proposed General Plan. Environmental benefits of this alternative over the proposed General Plan are generally limited to consideration of cumulative impacts and the assumption that the Urban Study Areas could be developed (though the proposed General Plan does not specifically propose any development of these areas). As noted on Draft EIR page 6.0-56, the No Project Alternative would not be considered the environmentally superior alternative. Determination of inconsistencies with preservation of the rural character of Elk Grove is based on comparison of the No Project Alternative Land Use Map (Draft EIR Figure 6.0-1) and the proposed General Plan Land Use Policy Map, while determinations regarding housing goals are based on current demographic data and needs analyses provided in Section 4.3 of the Draft EIR and the Housing Element.

4.2 Alternative 2 – Modification of the General Plan Land Use Policy Map Alternative

Description. Under this alternative, a series of land use designation modifications would be made to the proposed General Plan Land Use Policy Map. This includes consideration of land uses under the previous 2000 City of Elk Grove General Plan. These modifications are summarized and evaluated in DEIR **Table 6.0-4** and shown in DEIR **Figures 6.0-2a** and **b**. All other aspects of the General Plan and its associated Land Use Policy Map would remain as proposed.

Finding: The City finds that, with the exception of Sites 22, 31, 35 and 38, the Modification of the General Plan Land Use Plan Alternative is less desirable than the project and is infeasible for the following reasons:

-
- This alternative would not result in any substantial environmental benefits to the General Plan.
 - Several of the land use modification requests would result in new significant or more severe traffic impacts as compared to the proposed General Plan.

Facts that support the finding: Draft EIR pages 6.0-25, -27, -29 and -33 provide an analysis of this alternative as compared to the proposed General Plan. As noted in the Draft EIR, these alternatives do not provide any substantial environmental benefits to significant environmental effects identified for the proposed General Plan. In addition, several land use designation modification requests would result in new significant or more severe traffic impacts than the proposed General Plan (General Plan Staff Report to the City Council, November 5, 2003).

4.3 Alternative 3 – Farmland Preservation Alternative

Description. This alternative would involve the elimination of the proposed Urban Study Areas identified in the General Plan Land Use Concept Map and in Policy LU-16 and its associated Action. In addition, this alternative would also re-designate a portion of the Laguna Ridge Policy Area and the entire Southeast, and South Pointe Policy areas identified in the proposed General Plan Land Use Policy Map for agricultural/rural residential uses in order to retain large areas of existing Prime and Farmland of Statewide Importance farmlands. This alternative would reduce potential residential development in the City by approximately 7,700 units as well as office and commercial development. All other aspects of the General Plan and its associated Land Use Policy Map would remain as proposed.

Finding: The City finds that the Farmland Preservation Alternative is less desirable than the Project and is infeasible for the following reasons:

- This alternative would be inconsistent or not as effective at meeting Guiding Goals of the General Plan including:
 1. Diversified Economic Base (Guiding Goal 2) – The proposed General Plan provides a better jobs/housing ratio than this alternative as well as provides for land areas for future economic and job development (Southeast Policy Area).
 2. Housing Goals (Housing Goals 1 through 6) – The Farmland Preservation Alternative would not be as effective at meeting the City's current housing needs.

Facts that support the finding: Draft EIR pages 6.0-26 through –40 provide an analysis of the Farmland Preservation Alternative as compared to the proposed General Plan, and Draft EIR page 6.0-56 does note that this alternative would be considered the environmentally superior alternative. However, based on comparison of the Farmland Preservation Alternative Land Use Map (Draft EIR Figure 6.0-3) and the proposed General Plan Land Use Policy Map, this alternative would eliminate future growth areas of the City that would provide necessary land area for City housing needs and job/economic development.

Alternative 4 – Elimination of the Urban Study Areas Alternative

Description. This alternative would involve the elimination of the proposed Urban Study Areas identified in the General Plan Land Use Concept Map and in Policy LU-16 and its associated Action. These areas would be identified as maintaining existing land use policy, which designates this area for agricultural and open space uses). New urban development under the General Plan would be limited to within the City's existing limits. All other aspects of the General Plan and its associated Land Use Policy Map would remain as proposed.

Finding: The Elimination of the Urban Study Areas Alternative is less desirable than the Project and is infeasible for the following reasons:

- This alternative would be inconsistent with the City's vision for the Planning Area for identifying areas that could be considered for future development to meet growth needs beyond the current incorporated boundaries of Elk Grove.
- This alternative would eliminate policies which provide for future coordination and study with Sacramento County, the Sacramento Local Agency Formation Commission and other agencies and parties regarding proper consideration of growth beyond the current City limits.

Facts that support the finding: Draft EIR pages 6.0-40 through –46 provide an analysis of the Elimination of the Urban Study Areas Alternative as compared to the proposed General Plan. Environmental benefits of this alternative over the proposed General Plan are limited to consideration of cumulative impacts and the assumption that the Urban Study Areas could be developed (though the proposed General Plan does not specifically propose any development of these areas). As noted on Draft EIR page 6.0-56, this alternative would not be considered the environmentally superior alternative. Consideration of potential future growth beyond the current City limits is considered appropriate given Sacramento Area Council of Governments (SACOG) estimates of the addition of one million new residents and 900,000 new jobs to the region within the next 50 years (Draft EIR pages 6.0-47 and –48).

4.4 Alternative 5 – Increased Density of Development Alternative

Description. This alternative is based on SACOG's "Blueprint" process and the Sacramento Air Quality and Transportation Collaborative's (SAQTC) efforts at recommending future land use patterns in the Sacramento region. The overall purpose of these processes is to collect information on projected growth in the Sacramento region; to develop alternative "scenarios" which provide for different growth patterns; and to determine the effects of these scenarios on such factors as:

- Urbanization of presently agricultural or otherwise vacant land
- Travel patterns and the use of private motor vehicles
- Biotic resources
- Air pollution

Underlying both the Blueprint and SAQTC processes is a forecast for growth in the SACOG region that projects approximately one million new residents and 900,000 new jobs beyond the time frame of the proposed General Plan. The "base case" and other scenarios being examined in

the Blueprint and SAQTC plans all examine various methods to accommodate this growth; no scenario is being developed which envisions a lower level of residential or employment growth.

At this time, SACOG and the SAQTC have developed a number of growth scenarios for Sacramento County, all of which include the City of Elk Grove and other cities in the SACOG region. These include:

- A "base case" scenario, which assumes continuation of current development and land use patterns and trends;
- A "holding capacity" scenario, which assumes a shift to higher density development under existing city and county general plans;
- Two "compact growth" scenarios which focus new development within the area currently planned by County of Sacramento for urban development; and
- A "land use balance" scenario that divides Sacramento County into ten "nodes," each of which is intended to be balanced in terms of jobs per housing unit.

All of the scenarios (other than those which continue current trends and/or land use plans) would result in significant, wholesale changes in the types of new development that take place in the region, including a shift to higher-density, attached residential housing units in place of detached, single-family homes. Although Elk Grove does not have large commercial corridors suitable for redevelopment or revitalization, the scenarios generally seek to direct a significant portion of new development (up to 30 percent of new housing units) into older commercial corridors.

This alternative would result in the City buildout of approximately 126,680 dwelling units (approximately 8 dwelling units per gross acre of designated residential areas under the proposed General Plan) and a population of approximately 388,000 persons. No development is assumed to occur within the Urban Study Areas identified in the proposed General Plan.

Finding: The Increased Density of Development Alternative is less desirable than the Project and is infeasible for the following reasons:

- This alternative would result in increased impacts in many environmental issue areas, as well as create new significant impacts in areas that are considered less than significant under the proposed General Plan.
- This alternative would result in development at an overall density which is higher than the desired intensity of development in Elk Grove as determined through the Visioning process and reflected in the proposed General Plan.

Facts that support the finding: Draft EIR pages 6.0-46 through -56 provide an analysis of the environmental effects of this alternative as compared to the proposed General Plan. As documented by the Draft EIR, this alternative would result in more severe environmental impacts than the proposed General Plan.

5. Findings Associated with Mitigation Monitoring and Reporting Program

Section 21081.6 of the California Public Resources Code requires the City Council to adopt a monitoring and reporting program regarding changes in the Project or mitigation measures imposed to lessen or avoid significant effects on the environment.

The Mitigation and Monitoring Program, in the form presented to the City Council, is adopted because it effectively fulfills the CEQA mitigation monitoring requirement:

- A. The mitigation measures are specific and, as appropriate, define performance standards to measure compliance under the Program and subsequent implementation as part of the General Plan.
- B. Compliance with the Program is itself a requirement of the project through implementation of the General Plan.

6. Additional Findings Associated with Final Modifications to the General Plan

Since release of the Draft EIR and Final EIR, the City Council directed that the following changes be made to the General Plan Land Use Policy Map:

- Southeast corner of Bruceville Road and Big Horn Boulevard – change from Office to Commercial/Office
- Site 22 (Considered in Draft EIR) – change from Rural Residential to Commercial
- Site 31 (Considered in Draft EIR) – change from Low Density Residential to Commercial/Office/Multi-Family
- Site 35 (Considered in Draft EIR) – change from Medium Density Residential to Commercial/Office/Multi-Family
- Site 38 (Considered in Draft EIR) – change to Rural Residential to Commercial
- Tegan Road – change from Rural Residential to Low Density Residential
- Laguna Boulevard/State Route 99 – change from Office/Multi-Family to Commercial/Office/Multi-Family
- Southwest quadrant of Sheldon Road and State Route 99 – Commercial to Commercial and Medium Density Residential

In addition, there have been several minor edits and changes to the General Plan policies and action items since release of the Draft EIR and Final EIR. These edits are associated with the Circulation Element, Conservation and Air Quality Element, Land Use Element, Parks, Trails and Open Space Element, Public Facilities and Finance Element and Safety Element.

Finding: Modifications to the General Plan Land Use Policy Map, policies and action items would not result in any new significant environmental effects or an increased severity of environmental effects beyond what has been disclosed in the Draft EIR and Final EIR.

Facts that support the finding: The City has reviewed the changes to the General Plan and has determined that no new significant environmental effects or an increased severity of environmental effects beyond what has been disclosed in the Draft EIR and Final EIR would occur as described below under each environmental issue area.

Agriculture

Agricultural land loss and agricultural/urban interface conflict impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

Land Use

Impacts associated with Consistency with the Sacramento County General Plan regarding the Urban Study Areas would still occur at the extent as identified in the Final EIR because no change to the Urban Study Areas or associated policies would occur.

Population/Housing/Employment

As noted in Section 4.3 (Population/Housing/Employment), the proposed General Plan would not result in any significant impacts associated with population, housing and employment. The modifications to the General Plan Land Use Policy Map would not substantially alter the jobs/housing ratio estimate of 1.16 and would not impact affordable housing needs of the City.

Human Health/Risk of Upset

Potential hazard exposure impacts and at-grade railroad crossings under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR. Policy changes in the General Plan would also provide further protections from hazards.

Transportation and Circulation

Traffic level of service operation impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR. As identified in the General Plan City Council Staff Report for November 5, 2003, the modifications to the General Plan Land Use Policy Map will not result in any new significant traffic impacts or a substantial increase in severity of identified traffic impacts.

Noise

Noise impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR. Alterations in traffic volumes are not significant enough to result in perceptible changes in noise levels.

Air Quality

Air quality impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR. Alterations in land use mix are not significant enough to result in substantial changes in anticipated air pollutant emission levels.

Hydrology and Water Quality

Water quality, supply and drainage impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR. Water supply demands are anticipated to be reduced by approximately 300 acre-feet annually as a result of land use changes.

Geology and Soils

Soil stability impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

Biological Resources

Biological resource impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

Cultural and Paleontological Resources

Cultural and paleontological resource impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

Public Services

Public service impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR. While there will be slight increases in population and job generation, this increase is less than one percent and is not expected to result in any new or increase the severity of public service impacts.

Visual Resources

Visual resource impacts under project and cumulative conditions would still occur at the extent as identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

7. Statement of Overriding Considerations

In approving the City of Elk Grove General Plan, which is evaluated in the Final Environmental Impact Report (FEIR), the City makes the following Statement of Overriding Considerations in support of its findings on the FEIR. The City has considered the information contained in the FEIR (Draft EIR, Response to Comments on the Draft EIR, and Errata) and has fully reviewed and considered the public testimony and record in this proceeding.

The City has carefully balanced the benefits of the project against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of the impacts that are identified in the EIR as being significant which have not been eliminated, lessened or mitigated to a level of insignificance, the City, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the project outweigh the unmitigated adverse impacts and the project should be approved. The EIR describes certain environmental impacts that cannot be avoided if the project is implemented.

This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the EIR and the public hearing records.

Twenty significant and unavoidable impacts have been identified in the EIR.

First, implementation of the project would result in the loss of important farmland (175 acres of Prime Farmland, 5,893 acres of Farmland of Statewide Importance, 3,997 acres of Farmland of Local Importance, and 327 acres of Unique Farmland). The loss of farmland is inevitable as the development of the City progresses. For this reason, this impact is considered **significant and unavoidable**.

Second, implementation of the project would result in the placement of urban uses adjacent to agricultural uses. Based on policy provisions in the General Plan, loss of agricultural land is accepted as a consequence of development within the City limits. There will be no agriculture/urban interface conflicts with the City limits at buildout, but short-term agriculture/urban interface conflicts may occur. For these reasons, impacts to short-term agriculture/urban interface conflicts are considered **significant and unavoidable**.

Third, under cumulative conditions, implementation of the project would contribute significantly to the conversion of important farmland and agriculture/urban interface conflicts. The loss of farmland in the City would contribute to regional losses of farmland. In addition, the project would contribute to agriculture/urban interface conflicts on the border between the City, Urban Study Areas, and Planning Area. Given the statewide conversion of important farmland areas and the extent of conversion in Sacramento County anticipated as a result of subsequent development under the General Plan and potential development of the Urban Study Areas, the project's contribution to this cumulative impact is considered **significant and unavoidable**.

Fourth, implementation of the project, under cumulative conditions, would result in conflicts with land use plans or study areas outside the City limits. The policies provided by the Sacramento County General Plan, that are applicable to the Planning Area outside the City limits, are in conflict with the City of Elk Grove's vision for the Urban Study Areas. For these reasons, this impact is considered **significant and unavoidable**.

Fifth, implementation of the project would result in increased traffic volumes, V/C ratios, and a decrease in LOS on area roadways during the A.M. and P.M. peak hours. DEIR **Tables 4.5-7 and 4.5-8** show the roadway segments that would not reach the acceptable LOS D even with improvements. Further improvement of these impacted roadways is considered infeasible given that the necessary right-of-way is not available as a result of extensive residential and commercial development immediately adjacent to these roadways. For these reasons, this impact is considered **significant and unavoidable**.

Sixth, implementation of the project would result in increased traffic volumes, V/C ratios, and a decrease in LOS on state highways during the A.M. and P.M. peak hours. The state highway segment along SR 99 northbound and southbound directions between Eschinger Road and Grant Line Road would experience LOS F during the A.M. and P.M. peak hours. Since SR 99 is under the jurisdiction of Caltrans, it is outside the City's jurisdiction to implement any improvement. For this reason, this impact is considered **significant and unavoidable**.

Seventh, under cumulative conditions, the project would contribute to impacts on local roadways and state highways. DEIR **Tables 4.5-7 and 4.5-8** show the roadway segments that would not reach the acceptable LOS D even with improvements. Further improvement of these impacted roadways is considered infeasible given that the necessary right-of-way is not available as a result

of extensive residential and commercial development immediately adjacent to these roadways. The state highway segment along SR 99 northbound and southbound directions between Eschinger Road and Grant Line Road would experience LOS F during the A.M. and P.M. peak hours. Since SR 99 is under the jurisdiction of Caltrans, it is outside the City's jurisdiction to implement any improvement. For these reasons, these impacts are considered **significant and unavoidable**.

Eighth, subsequent development projects under the project would result in temporary noise increases that would exceed the City's noise standards. Even though these impacts are temporary, they would still be above the noise levels acceptable by the City. DEIR Table 4.6-10 shows the level of noise associated with construction equipment. DEIR Tables 4.6-11 and 4.6-12 show these levels being above the City's standards. For these reasons, this impact is considered **significant and unavoidable**.

Ninth, implementation of the project would result in increased traffic noise levels in excess of the City's noise standards. Residential and other noise-sensitive uses adjacent to area roadways and highways would be affected by increased traffic noise, especially those areas with no soundwalls adjacent to the roadway. Possible mitigation includes installation and/or expansion of sound barriers, however, sound barriers (in some cases) would need to be placed in front yards and would be ineffective given the need for openings for driveways. In addition, the City does not have jurisdiction to place sound barriers outside of the City limits. For these reasons, this impact is considered **significant and unavoidable**.

Tenth, under cumulative conditions, implementation of the project would result in impacts to regional noise attenuation levels. The project would contribute to regional noise levels, along with the development of neighboring jurisdictions. Possible mitigation includes the installation or expansion of sound barriers. However, sound barriers (in some cases) would need to be placed in front yards and would be ineffective given the need for openings for driveways. In addition, the City does not have jurisdiction to place sound barriers outside of the City limits. For these reasons, this impact is considered **significant and unavoidable**.

Eleventh, implementation of the project would result in increased air quality emissions related to construction activities. Since the SMAQMD is already in severe non-attainment for fugitive dust emissions (PM10) and ozone forming gases. Any additional emissions related to the increase in pollutants would result in impacts that are considered **significant and unavoidable**.

Twelfth, implementation of the project would increase air pollution emissions from operational activities of land uses within the City. Implementation of the project would result in regional emissions of ROG, NOx, PM10, and CO. Buildout conditions would increase the number of vehicle-miles traveled (VMT), this increasing potential operational air quality impacts. Because of the non-attainment conditions for the area, any increases from operational related emissions are considered **significant and unavoidable**.

Thirteenth, under cumulative conditions, the project would exacerbate existing regional problems with ozone and particulate matter. Sacramento County is classified as a severe non-attainment area for the federal ozone standards. In order to improve air quality and attain the health-based standards, reductions in emissions are necessary within the non-attainment area. The growth in population, vehicle usage and business activity within the non-attainment area, when considered with growth proposed under the General Plan, would contribute to cumulative regional air quality impacts. For these reasons, this impact is considered **significant and unavoidable**.

Fourteenth, implementation of the project would increase demand for water supply to the City. The City does not provide water service to the City and currently has no jurisdiction over water

service, facilities, or entitlements. The Sacramento County Water Agency did not take into account the land uses assumed under the General Plan. For these reasons, this impact is considered **significant and unavoidable**.

Fifteenth, under cumulative conditions, the project would result in an increased demand for water supply services. The City does not provide water service to the City and currently has no jurisdiction over water service, facilities, or entitlements. In addition, the Sacramento County Water Agency did not take into account the land uses assumed under the General Plan, which includes an assumption for the Urban Study Areas. For these reasons, this impact is considered **significant and unavoidable**.

Sixteenth, implementation of the project would result in direct and indirect impacts on special-status wildlife species and their associated habitats. Subsequent development under the proposed project would result in the direct loss of habitat areas and obstruct movement associated with special-status wildlife species, as habitat conditions do occur in areas planned for development. The project would also contribute to indirect impacts to special-status wildlife species. Even though some habitat may be avoided, the project would still result in the loss of habitat associated with special-status species known to occur in the city. For these reasons, this impact is considered **significant and unavoidable**.

Seventeenth, under cumulative conditions, implementation of the project would result in impacts related to the loss of special-status plant and wildlife species and their associated habitat. Buildout of the General Plan creates the inevitable situation of the loss of special-status species habitat. For this reason, this impact is considered **significant and unavoidable**.

Eighteenth, under cumulative conditions, implementation of the project would result in cumulative wastewater impacts. The SRCSD has considered all projected growth within its service area boundaries, including the development proposed under the General Plan and within the County's Urban Service Boundary. However, the SRCSD has indicated that it has no current plans to serve the Urban Study Areas, and such growth outside of the County's Urban Service Boundary is not planned for in the CSD-1 Sewerage Facilities Master Plan or the Sacramento Wastewater Treatment Plant Master Plan. For these reasons, these cumulative impacts are considered **significant and unavoidable**.

Nineteenth, implementation of the project would result in the alteration of scenic resources. There would be changes to existing landscape characteristics of the City, especially from agricultural land to urban land uses. In order to implement the General Plan, there would be changes to land uses and the existing visual character of the City. For this reason, this impact is considered **significant and unavoidable**.

Lastly, under cumulative conditions, implementation of the project would contribute to the further conversion of the region's rural landscape to residential, commercial, and other land uses. As a consequence of buildout of the General Plan, visual characteristics must be altered. For this reason, this impact is considered **significant and unavoidable**.

SPECIFIC FINDINGS

Project Benefits Outweigh Unavoidable Impacts. The City hereby finds that the remaining significant and unavoidable impacts of the project are acceptable in light of the long-term social, environmental, land-use and other considerations set forth herein. Specifically, these detrimental changes are outweighed by the following project benefits.

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1. **The project would provide for future City housing needs.** The proposed General Plan contains a number of policies which, when implemented, would serve to diversify and expand the City's affordable housing stock as well as provide necessary housing for future conditions.
 2. **The project would provide additional employment opportunities in the City.** Land use designations and policies of the proposed General Plan encourage the establishment of uses that will generate employment opportunities for the residents of the City and improve the jobs/housing balance of the City.
 3. **The project would increase City revenues, through sales tax revenues from the commercial component, and property taxes from the parcels created by the project.**
 4. **The project would assist the City to make appropriate land use decisions.** The land use designations and policies of the proposed General Plan will allow decision makers to approve development within the City consistent with the City's vision for growth.

Balance of Competing Goals. The City hereby finds it is imperative to balance competing goals in approving the project and the environmental documentation of the project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. The City has chosen to accept certain environmental impacts because complete eradication of impacts would unduly compromise some other important community goals.

The City hereby finds and determines that the project proposal and the supporting environmental documentation provide for a positive balance of the competing goals and that the social, environmental, land-use and other benefits to be obtained by the project outweigh any remaining environmental and related potential detriment of the project.

OVERRIDING CONSIDERATIONS

Based upon the objectives identified for the project and through the extensive public participation, the City has determined that the project should be approved and that any remaining unmitigated environmental impacts attributable to the project are outweighed by the specific social, environmental, land-use and other overriding considerations. These include the project providing additional affordable housing opportunities, job opportunities, commercial opportunities, and the ability to control land use decisions and guide the development of the City.

The City has determined that any environmental detriment caused by the General Plan has been minimized to the extent feasible through mitigation measures identified herein, and, where not feasible, has been outweighed and counterbalanced by the significant social, educational, environmental, and land-use benefits to be generated to the City.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

FOR THE

ELK GROVE GENERAL PLAN EIR

SCH# 2002062082

PREPARED BY:

CITY OF ELK GROVE
DEVELOPMENT SERVICES, PLANNING
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ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the City of Elk Grove General Plan. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A MMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

MITIGATION MONITORING AND REPORTING PROGRAM

The mitigation measures identified in the City of Elk Grove General Plan Final EIR have been structured to be incorporated as policies and/or action items into the General Plan policy document and thus, would be implemented as part of consideration of subsequent projects within the City. Implementation would consist of determining whether subsequent projects are consistent with the General Plan, utilization of policies and action items as conditions of approval and/or mitigation measures and City-initiated planning activities as required by specific policies and action items. The MMRP, as outlined in the following table describes mitigation measures and where they are to be placed in the City of Elk Grove General Plan.

The City of Elk Grove will be the primary agency for monitoring the mitigation measure implementation associated with implementation of the General Plan.

The MMRP is presented in tabular form on the following pages.

ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

**TABLE 5.0-1
MITIGATION MONITORING AND REPORTING PROGRAM**

Proposed Mitigation	Mitigation Measure Description	Placement in General Plan	Verification
<i>4.4 Human Health/Risk of Upset</i>			
MM 4.4.1	Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material/waste database search shall require that the site and surrounding area be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.	Safety Element SA-8-Action 4	
MM 4.4.4	The City shall initiate as well as cooperate in improvements at existing railroad-at-grade crossings to improve public safety. This may include construction of grade-separated crossings and other appropriate safety features.	Safety Element Policy SA-27	
MM 4.4.5	The City shall ensure that new development near airports be designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, Caltrans, and the Federal Aviation Administration.	Circulation Element Policy CI-25	
<i>4.5 Transportation and Circulation</i>			
MM 4.5.1	The City shall coordinate and participate with the City of Sacramento, Sacramento County and Caltrans on roadway improvements that are shared by the jurisdictions in order to improve operations. This may include joint transportation planning efforts, roadway construction and	Circulation Element Policy CI-2	

ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

	funding.		
<i>4.6 Noise</i>			
MM 4.6.1	The City shall require that stationary construction equipment and construction staging areas be setback from existing noise-sensitive land uses. The setback distance will be considered on a case-by-case basis approved by the City of Elk Grove Planning Director.	Noise Element NO-3-Action 3	
<i>4.7 Air Quality</i>			
MM 4.7.1	The City shall require that private and public development projects utilize low emission vehicles and equipment as part of project construction and operation, unless determined to be infeasible.	Conservation and Air Quality Element Policy CAQ-33	
<i>4.8 Hydrology and Water Quality</i>			
MM 4.8.3	Future land uses that are anticipated to utilize hazardous materials or waste shall be required to provide adequate containment facilities to ensure that surface water and groundwater resources are protected from accidental releases. This shall include double-containment, levees to contain spills, and monitoring wells for underground storage tanks, as required by local, state and federal standards.	Conservation and Air Quality Element Policy CAQ-16	
MM 4.8.4	The City shall require that all new projects not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas.	Conservation and Air Quality Element Policy SA-13	
MM 4.8.5	The City shall encourage water supply service providers and County Sanitation District 1 to design water supply and recycled water supply facilities in a manner that avoids and/or	Conservation and Air Quality Element Policy CAQ-15	

ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

	minimizes significant environmental effects. The City shall specifically encourage the Sacramento County Water Agency to design well facilities and operation to minimize surface flow effects to the Cosumnes River.		
<i>4.9 Geology and Soils</i>			
MM 4.9.2	Require a geotechnical report or other appropriate analysis be conducted that determines the shrink/swell potential and stability of the soil for public and private construction projects and identifies measures necessary to ensure stable soil conditions.	Safety Element SA-26-Action 1	
<i>4.10 Biological Resources</i>			
MM 4.10.1a	The City shall seek to preserve areas, where feasible, where special-status plant and animal species and critical habitat areas are known to be present or potentially occurring based on City biological resource mapping and data provided in the General Plan EIR or other technical material that may be adversely affected by public or private development projects. "Special-status" species are generally defined as species considered to be rare, threatened, endangered, or otherwise protected under local, state and/or federal policies, regulations or laws.	Conservation and Air Quality Element Policy CAQ-11	
MM 4.10.1b	The City shall require a biological resources evaluation for private and public development projects in areas identified to contain or possibly contain special-status plant and animal species based on City biological resource mapping and data provided in the General Plan EIR or other technical material. The biological resources evaluation shall determine the	Conservation and Air Quality Element CAQ-11-Action 1	

ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

	<p>presence/absence of these special-status plant and animal species on the site. The surveys associated with the evaluation shall be conducted during the appropriate seasons for proper identification of the species. Such evaluation will consider the potential for significant impact on special-status plant and animal species, and will identify feasible mitigation measures to mitigate such impacts to the satisfaction of the City and appropriate governmental agencies (e.g., U.S. Fish and Wildlife Service, California Department of Fish and Game and U.S. Army Corps of Engineers) where necessary (e.g., species listed under the State and/or Federal Endangered Species Act). Mitigation measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • For special-status plant species: On- or off-site preservation of existing populations from direct and indirect impacts, seed and soil collection or plant transplant that ensures that the plant population is maintained. • For special-status animal species: avoidance of the species and its habitat as well as the potential provision of habitat buffers, avoidance of the species during nesting or breeding seasons, replacement or restoration of habitat on- or off-site, relocation of the species to another suitable habitat area, payment of 		
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ELK GROVE GENERAL PLAN MITIGATION MONITORING AND REPORTING PROGRAM

	<p>mitigation credit fees.</p> <ul style="list-style-type: none"> • Participation in a habitat conservation plan. 		
MM 4.10.3	<p>The City shall require that impacts to riparian areas be mitigated to ensure that no net loss occurs, which may be accomplished by avoidance, revegetation and restoration onsite or creation of riparian habitat offsite.</p>	<p>Conservation and Air Quality Element This measure has been included in Policy CAQ-9.</p>	
4.12 Public Services			
MM 4.12.7.2	<p>The City shall require new utility infrastructure for electrical, natural gas and other infrastructure services avoid sensitive resources, be located so as to not be visually obtrusive, and, if possible, be located with roadway rights-of-ways or existing utility easements.</p>	<p>Public Facilities and Finance Element Policy PF-4</p>	
4.13 Visual Resources			
MM 4.13.2	<p>The Design Guidelines shall include a provision to minimize the use of reflective materials in building design in order to reduce the potential impacts of daytime glare.</p>	<p>This has been included on page 116 of the Non-Residential Design Guidelines.</p>	
MM 4.13.3	<p>The Citywide Design Guidelines shall include provisions for the design of outdoor light fixtures to be directed/shielded downward and screened to avoid adverse nighttime lighting spillover effects on adjacent land uses and nighttime sky glow conditions.</p>	<p>This has been included on page 92 of the Non-Residential Design Guidelines.</p>	