

**RESOLUTION NO. 2004-142**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
CERTIFYING A REVISED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE  
LAGUNA RIDGE SPECIFIC PLAN PROJECT, MAKING FINDINGS OF FACT,  
ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTING  
A MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, The Hodgson Company has proposed development of approximately 1,900 acres of land with a mix of land uses including low, medium, and high density residential, neighborhood and community commercial, parks, open space, schools and infrastructure, known as the Laguna Ridge Specific Plan; and,

**WHEREAS**, the project site is located in the southern portion of the City of Elk Grove, south of Elk Grove Boulevard bounded by Bruceville Road in the west, SR99 in the east, Elk Grove Boulevard in the north, and Bilby road on the south; and,

**WHEREAS**, the City of Elk Grove determined that the Laguna Ridge Specific 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**, in compliance with Public Resources Code §21080.4 a Notice of Preparation (NOP) was prepared by the City of Elk Grove and was distributed the State Clearinghouse, Office of Planning and Research, responsible agencies and other interested parties on August 31, 2000; and,

**WHEREAS**, the City of Elk Grove distributed a Notice of Availability for the Laguna Ridge Specific Plan Draft EIR on October 31, 2001, which started the 45-day public review period, ending on December 7, 2001; and

**WHEREAS**, the City of Elk Grove subsequently prepared and distributed a Revised Draft EIR on July 2, 2003, which started a second 45-day public review period, ending on August 18, 2003; and

**WHEREAS**, the City of Elk Grove prepared and distributed a Final EIR on October 7, 2003 that responded to the comments received; and,

**WHEREAS**, since the release of the Final EIR, minor modifications to the project design have occurred and the Final EIR was modified to note these changes; and,

**WHEREAS**, since the release of the Final EIR, the City has included additional and revised mitigation measures associated with the loss of agricultural lands and impacts to Swainson's hawk; and

**WHEREAS**, the City of Elk Grove prepared and distributed a Revised Final EIR on June 4, 2004 that responded to the comments and included the additional and revised mitigation measures associated with the loss of agricultural lands and impacts to Swainson's hawk; 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 Revised 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 Revised Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Revised Final EIR prior to taking action on the Project.

C. The City Council of the City of Elk Grove hereby certifies that the Revised 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 thirty-seven (37) 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-one (21) 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**

Four (4) project alternatives ("No Project," "Agricultural Preservation," "Reduced Density," and "Office 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 Laguna Ridge Specific Plan. The City Council hereby finds that the proposed Laguna Ridge Specific 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.

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 added a mitigation measure associated with the loss of agricultural lands (Mitigation Measure 4.1.1) and revised Mitigation Measure 4.8.7.a related to impacts to Swainson's hawk. As set forth in Exhibit A, attached hereto and incorporated herein by reference, these modifications to the Final EIR 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 16<sup>th</sup> day of June 2004.

  
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. 2004-142**

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 16<sup>th</sup> day of June 2004 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**

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FINDINGS OF FACT  
AND  
STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE  
LAGUNA RIDGE SPECIFIC PLAN EIR

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SCH# 2000082139

PREPARED BY:

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

June 2004

<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
Introduction.....	3
CEQA Process Overview.....	4
Administrative Record.....	4
Consideration of the Final EIR.....	5
Document Organization.....	5
1. Findings Associated With Less Than Significant Impacts Identified in the EIR.....	7
1.1 Transportation and Circulation .....	7
1.2 Air Quality.....	8
1.3 Hazards and Hazardous Materials .....	9
1.4 Public Services and Utilities .....	10
1.5 Hydrology and Water Quality .....	13
1.6 Biological Resources .....	14
1.7 Geology and Soils.....	14
1.8 Land Use/Population, Employment and Housing .....	15
2. Findings Associated with Significant, Potentially Significant, and Cumulatively Significant Impacts which can be Mitigated to a Less Than Significant Level.....	17
2.1 Agricultural Resources .....	17
2.2 Transportation and Circulation .....	18
2.3 Noise.....	28
2.4 Hazards and Hazardous Materials .....	30
2.5 Public Services and Utilities .....	33
2.6 Hydrology and Water Quality .....	38
2.7 Biological Resources .....	40
2.8 Geology and Geotechnical Hazards.....	51
2.9 Cultural Resources.....	52
3. Findings Associated with Significant and Cumulative Significant Impacts Which Cannot Feasibly Be Mitigated to a Less Than Significant Level.....	55
3.1 Agricultural Resources .....	55
3.2 Transportation and Circulation .....	57
3.3 Air Quality.....	73
3.4 Noise.....	77
3.5 Public Services and Utilities .....	80
3.6 Biological Resources .....	81
3.7 Visual Resources.....	82
4. Findings Associated with Project Alternatives .....	85
4.1 Alternative 1 - No Project Alternative.....	85
4.2 Alternative 2 – Agricultural Preservation Alternative .....	87
4.3 Alternative 3 – Reduced Density Alternative .....	88
4.4 Alternative 4 – Office Development Alternative .....	88
5. Findings Associated with the Mitigation Monitoring and Reporting Program .....	90
6. Additional Findings Associated with Project Modifications .....	91
7. Statement of Overriding Considerations .....	94

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## Introduction

The Laguna Ridge Specific Plan project (the "Project") is a proposal for the planned development of approximately 1,900 acres within the City of Elk Grove, for residential, commercial, park, public school and mixed-use land uses. An Environmental Impact Report was prepared for the Project (the "EIR") that identified and analyzed the potentially significant environmental effects of the Project, feasible mitigation measures to avoid or substantially lessen such effects, and alternatives to the Project that may avoid or substantially lessen those effects.

Approval of a project with significant adverse 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.

The Findings presented in this document provide the written analysis, reasoning and conclusions of the City of Elk Grove City Council (the "City") regarding the Project's adverse environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations which, in the City's view, justify approval of the Project despite its significant adverse environmental effects. These Findings accomplish the following: a) they address the significant adverse environmental effects identified in the EIR for the proposed project; b) they incorporate all mitigation measures associated with these significant adverse impacts identified in either the Revised Draft EIR or the Revised Final EIR c) they indicate whether a significant adverse 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 adverse impact will occur; and, d) they address the feasibility of all project alternatives identified in the EIR. For any adverse effects that will remain significant and unavoidable, a "Statement of Overriding Considerations" is presented that explains the specific economic, legal, social, technological, or other benefits of the Project, which the City finds outweigh the unavoidable adverse environmental effects. The conclusions presented in these Findings are based on the Revised Final EIR (consisting of the Revised Draft EIR, the technical appendices, the comments received on the Revised Draft EIR, and the responses to those comments) 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



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informational, but constitute a binding set of obligations that will come into effect when the City of Elk Grove adopts resolutions approving the proposed Project (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 Revised 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 Laguna Ridge specific Plan EIR for public and agency review on August 31, 2000. The comments received in response to the NOP 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. The Draft EIR was prepared in October 2001 and circulated for a 45-day public review period. The City subsequently decided to prepare and recirculate a Revised Draft EIR.

Upon completion of the Revised Draft EIR (SCH No. 2000082139), the City prepared and distributed a Notice of Availability and a Notice of Completion on July 2, 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 July 2, 2003 and was closed on August 18, 2003. A public meeting was held at the City of Elk Grove City Hall on July 24, 2003 before the Elk Grove Planning Commission in order to obtain oral comments on the Revised Draft EIR (as used herein, "Revised Draft EIR" and "RDEIR" refer to the Revised 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 Revised Draft EIR, were raised during the comment period, and the City directed that a Final EIR be prepared. Responses to comments received on the Revised Draft EIR did not involve any new significant impacts or provide any significant new information that would require recirculation of the Revised Draft EIR pursuant to CEQA Guidelines Section 15088.5. Responses to comments were prepared and included in the original Final EIR, and responses were sent to public agencies that commented on the Revised Draft EIR on October 7, 2003. Since release of the original Final EIR, minor modifications have been made to the project design and the Final EIR was revised to note these changes. In addition, the City has included additional and revised mitigation measures associated with the loss of agricultural lands (Mitigation Measure MM 4.1.1) and Swainson's hawk (revised Mitigation Measure MM 4.8.7a). The Revised Final EIR was released and provided to public agencies that commented on the Revised Draft EIR on June 4, 2004.

### **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, at minimum and for purposes of CEQA, constitute the Administrative Record for the Laguna Ridge Specific Plan:

1. The City of Elk Grove General Plan, and all environmental documents relating thereto.
2. The Proposed Laguna Ridge Specific Plan, and all supporting materials referenced therein.

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3. The Draft EIR and Revised Draft EIR for the Project, including all Appendices thereto and all supporting materials referenced therein.
  4. The Final EIR and Revised Final EIR for the Project, including all comments on the Revised Draft EIR, all responses thereto, and all supporting materials referenced therein.
  5. All testimony and written comments received at any public hearing relating to the Project.
  6. These Findings made by the City and the Mitigation Monitoring Program adopted by the City for the Project.
  7. All City Staff reports relating to the Revised Draft EIR, the Final EIR and/or the Project.
  8. All other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies.
  9. All matters of common knowledge to the City, including but not limited to the City's policies, guidelines and regulations.

The City of Elk Grove is the custodian of the administrative record. The documents and materials that constitute the administrative record are located at the City of Elk Grove, Development Services, 8400 Laguna Palms Way Elk Grove, CA 95758.

### **Consideration of the Revised Final EIR**

In adopting these Findings, the City finds that the Revised Final EIR (including the Revised Draft EIR) was presented to the City Council, which reviewed and considered the information in the Final EIR prior to making its decision on the Project. By these Findings, the City ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the Revised Final EIR. The Revised Final EIR and these Findings represent the independent judgment and analysis of the City Council.

If any term, provision or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

### **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

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6. Additional Findings Associated with Project Modifications
  7. Statement of Overriding Considerations

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

### 1.1 Transportation and Circulation

- 1.1.1 **Freeway Mainline Segment** The proposed project could create adverse impacts to the freeway mainline segment by exceeding the segment's capacity to absorb additional traffic while maintaining an acceptable Level Of Service (LOS).

**Finding:** Based upon the analysis presented in Section 4.2 of the RDEIR and considering the information contained in Table 4.2-16 of the RDEIR and the administrative record, the City hereby finds that adverse impact to the freeway mainline segment are **less than significant** because all of the freeway segments would operate acceptably at LOS "D" or better under existing plus project conditions

**Reference:** RDEIR page 4.2-47.

- 1.1.2 **Freeway Ramps** The proposed project could have adverse traffic impacts by causing deficient operations at the SR-99 or I-5 on-ramp and off-ramp junctions.

**Finding:** Based upon the analysis presented in Section 4.2 of the RDEIR and considering the information contained in Table 4.2-17 of the RDEIR and the administrative record, the City hereby finds that impacts to freeway ramps are **less than significant** because all affected freeway ramps will operate acceptably at LOS "D" or better under existing plus Project conditions.

**Reference:** RDEIR page 4.2-49.

- 1.1.3 **Transit System Operations** The proposed project could adversely effect local transit operations by precluding the implementation of regional master plans of transit facilities in the Elk Grove Region.

**Finding:** Based upon the analysis presented in Section 4.2 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts to transit system operations are **less than significant** because the proposed project includes design components, such as bus turnouts, which are aimed at accommodating transit facilities.

**Reference:** RDEIR page 4.2-50.

- 1.1.4 **Bicycle and Pedestrian System Operations** Implementation of the proposed project could adversely affect bicycle and pedestrian uses if existing facilities were removed or if the proposed project significantly conflicted with planned bicycle facilities.

**Finding:** Based upon the analysis presented in Section 4.2 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts to bicycle and pedestrian system operations are **less than significant** because the Project would enhance the existing bicycle and pedestrian facilities adjacent to the plan area, and would not disrupt or interfere with existing or planned bike ways and pedestrian facilities in the area.

**Reference:** RDEIR page 4.2-51.

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- 1.1.5 **Cumulative Impacts to Bicycle and Pedestrian System Operations** Implementation of the proposed project could have cumulative adverse effects on bicycle and pedestrian services if the proposed project could not accommodate for the projected increase in use of such facilities.

**Finding:** Based upon the analysis presented in Section 4.2 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to bicycle and pedestrian system operations are **less than significant** because the Project would enhance the existing bicycle and pedestrian facilities adjacent to the plan area, and would not disrupt or interfere with existing or planned bike ways and pedestrian facilities in the area, including cumulative plus project conditions.

**Reference:** RDEIR page 4.2-88.

## 1.2 Air Quality

- 1.2.1 **Odors** The proposed project could have adverse air quality impacts concerning odors due to increased exposure to existing agricultural or other odors, or the creation of new odors.

**Finding:** Based upon the analysis presented in Section 4.3 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts associated with odors are **less than significant**. This determination is based upon: (1) the distance and buffers between the Project site and adjacent odor-generating uses; (2) the permitting process which regulates the use of pesticides and herbicides on nearby agricultural uses; and (3) the fact that the Project does not include uses which generate objectionable odors.

**Reference:** RDEIR page 4.3-18 and -19.

- 1.2.2 **Toxic Air Emissions and Emissions of Federal or State-Listed Toxics** The proposed project could have adverse air quality impacts concerning toxic air emissions due to the project's potential to generate, or expose persons to, toxic or carcinogenic air pollutants, including emission of state or federally listed toxic substances, the burning of hazardous waste, and the potential to cause or contribute to an exceedance of the District's emission limits.

**Finding:** Based upon the analysis presented in Section 4.3 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts relating to toxic air emissions or exposure of future residents, employees or visitors to hazardous levels of toxic or carcinogenic air emission are **less than significant** because no use of toxic or carcinogenic air pollutants is expected to occur in any meaningful amounts given the nature of the proposed land uses. In addition, even if any sources of such emissions were to exist or be proposed in the future, these sources would be subject to regulation by SMAQMD pursuant to its established standards for protecting persons from toxic or hazardous emissions.

**Reference:** RDEIR pages 4.3-19 and 4.3-20.

- 1.2.3 **Burning of Hazardous Waste** The proposed project could have an adverse air quality impact concerning the burning of hazardous waste if such activity were to be included as an allowed use within the planning area.

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**Finding:** Based upon the analysis presented in Section 4.3 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with the burning of hazardous waste are **less than significant** because none of the uses that could be developed within the plan area would involve the burning of hazardous, medical, or municipal waste as a waste-to-energy facility. None of the uses identified in the qualitative threshold as having the potential to generate substantial waste would occur in the planning area.

**Reference:** RDEIR page 4.3-20.

- 1.2.4 **Exceedance of District Emissions Levels** The proposed project could generate carcinogenic or toxic air contaminant emissions that exceed or contribute to an exceedance of the District's action level for cancer (one in one million), chronic (one) and acute (one) risks.

**Finding:** Based upon the analysis presented in Section 4.3 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with the burning of hazardous waste are **less than significant** because toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with the operation of the proposed land uses. Only a few uses that could be developed on the site would emit toxic pollutants as a byproduct. Any uses of toxic substances that could involve an air release, however, would be subject to regulatory control under the permitting authority of SMAQMD. The potential for toxic air pollutants would be evaluated during the permit process by SMAQMD, which may require emission control equipment at the site.

**Reference:** RDEIR page 4.3-20

### 1.3 Hazards and Hazardous Materials

- 1.3.1 **Exposure to Hazards Associated With the Suburban Propane and Georgia Pacific Facilities** Implementation of the proposed Project could result in safety hazards by exposing future residents, employees and visitors to hazard or hazardous materials from an explosion or other catastrophic incident at the Suburban Propane and/or Georgia Pacific facilities.

**Finding:** Based upon the analysis presented in Section 4.5 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with safety hazards from accidental incidents and intentional acts at the Suburban Propane and Georgia Pacific facilities are **less than significant** because at the nearest distance from the Suburban Propane and Georgia Pacific facilities (approximately 1.33 miles at its nearest point), the worst probability of occurrence of an accidental incident is one chance in 2,800,000 per year, which is not considered a reasonably foreseeable event under the General Plan, and the worst probability of occurrence of an intentional act is one chance in 2,100,000 per year, which is also not considered a reasonably foreseeable event under the General Plan.

**Reference:** RDEIR page 4.5-29 and -30; Review of Suburban Propane Hazards Analysis Studies and Evaluation of Accident Probabilities Report (Quest, 2003); General Plan Policy SA-3.

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- 1.3.2 **Cumulative Impacts Relating to Hazards and Hazardous Materials** Implementation of the proposed General Plan could result cumulative impacts relating to hazards and hazardous materials.

**Finding:** Based upon the analysis presented in Section 4.5 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts relating to hazards and hazardous materials are **less than significant** because the hazards impacts associated with a proposed project usually occur on a project-by-project basis, rather than in a cumulative nature and the project contains mitigation measures to abate the site-specific hazards. Any potential cumulative impacts associated with the project would be expected to be decreased as the harmful substances would be removed from the vicinity and replaced with currently approved building materials.

**Reference:** RDEIR page 4.5-34.

#### 1.4 **Public Services and Utilities**

- 1.4.1 **Wastewater Flows and Treatment Capacity** Implementation of the proposed Project could have adverse environmental impacts concerning wastewater flows and treatment capacity if existing facilities could not accommodate projected wastewater flows.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts related to wastewater flows and treatment capacity are **less than significant** because the SRCSD Regional Wastewater Treatment Plant has sufficient permitted capacity (181 mgd) to handle all existing flows (155 mgd) and all additional flows generated by the project (3.67 mgd).

**Reference:** RDEIR page 4.6-28.

- 1.4.2 **Wastewater Conveyance System-Offsite Impacts** Implementation of the proposed Project could have adverse environmental impacts if new wastewater treatment facilities needed to be constructed and as a result of construction of wastewater conveyance systems.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that offsite impacts associated with the wastewater conveyance system are **less than significant** because at 181 mgd, the SRCSD treatment plant has adequate capacity to treat all project generated wastewater without the need for expansion, and because all off-site conveyance facilities will be placed in existing/planned roadways.

**Reference:** RDEIR page 4.6-35

- 1.4.3 **Cumulative Wastewater Impacts** Implementation of the proposed Project could have significant cumulative impacts relating to wastewater treatment.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that potential adverse cumulative impacts related to wastewater are **less than significant** because the Project is consistent with the adopted wastewater master plans, and

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because all new development will be required to pay connection fees and construct necessary improvements, consistent with said Master Plans, to avoid any significant cumulative impacts.

**Reference:** RDEIR page 4.6-35

- 1.4.4 **Solid Waste Impacts From Construction Activities** Implementation of the proposed Project could have adverse environmental impacts associated with solid waste if the amount of waste generated during construction exceeded the capacity of surrounding landfills.

**Finding** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts associated with solid waste from construction activities are **less than significant** because the intermittent increases in solid waste generated by construction activities can be accommodated by the Kiefer Landfill without any need for expansion.

**Reference:** RDEIR page 4.6-41.

- 1.4.5 **Solid Waste Impacts From Operational Activities** Implementation of the proposed Project could result in adverse environmental impacts if solid waste generated at buildout exceeded the capacity of surrounding landfills.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that capacity impacts related to solid waste generation from operational activities are **less than significant** because the solid waste generated by the Project can be accommodated at the Kiefer Landfill without significantly impacting the capacity of the landfill, and because the Project includes the City's standard recycling activities, which will reduce the amount of solid waste generated by the Project.

**Reference:** RDEIR page 4.6-41.

- 1.4.6 **Cumulative Solid Waste Impacts** Implementation of the proposed Project could have cumulative adverse environmental impacts related to solid waste.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that the Project's potential adverse environmental impacts related to solid waste under cumulative conditions **less than significant** because the Kiefer Landfill has adequate capacity to accommodate the solid waste generated by the project, as well as buildout of all uses within the service area through the year 2022, and because all projects are subject to mandatory source reduction and recycling efforts.

**Reference:** RDEIR page 4.6-42 and -43.

- 1.4.7 **Cumulative Fire Safety Impacts** Implementation of the proposed Project could have cumulative adverse environmental impacts related to fire safety.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that the Project's cumulative adverse environmental impacts related to fire safety are **less than significant** because the project, and all other projects within the City, will be required to



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pay development fees to cover the cost of the additional facilities and equipment necessitated by such projects to avoid any significant cumulative impact.

**Reference:** RDEIR page 4.6-49.

- 1.4.8 **Construction-Related Police Services Impacts** During construction, the proposed Project could have adverse impacts related to police services due to an increased demand for patrolling and potential decrease in response time due to construction traffic.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts related to police services are **less than significant** because the project will utilize private security patrols to reduce any demands on the existing Police Department resources, and will incorporate a construction traffic control plan to avoid significant impacts to emergency response times.

**Reference:** RDEIR page 4.6-53.

- 1.4.9 **Impacts on County Emergency Response/Evacuation Plans** Implementation of the proposed Project could adversely impact the County's ability to carry out its emergency response/evacuation plan.,

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that potential impacts on the County's ability to carry out its emergency response/evacuation plan are **less than significant** because the circulation plans for the project include adequate evacuation routes for future residents, employees and visitors of the project.

**Reference:** RDEIR page 4.6-54 and -55.

- 1.4.10 **Cumulative Impacts on Police Services** Implementation of the proposed Project could have adverse cumulative impacts on police services.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that potential adverse cumulative impacts on police services are **less than significant**. Each future project is required to be reviewed by local law enforcement to ensure the design minimizes security concerns. New projects in the City are required to contribute to the City's General Fund; therefore, with continued allocation of revenue the city has sufficient funds to hire sworn officers to meet service demands and provide the facilities that were anticipated in the General Plan to accommodate buildout of the General Plan. The increment of increased law enforcement staffing needed as a result of this project beyond what was anticipated for buildout under the General Plan is not great enough to require new or physically altered police facilities, the construction of which may cause significant physical impacts to maintain acceptable service ratios, response times or other performance objectives.

**Reference:** RDEIR page 4.6-55.

- 1.4.11 **Schools - Operational Impacts** The proposed project could have adverse environmental impacts through the operation of school facilities required to serve projected students.

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**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts from operation of schools are **less than significant** because payment of the statutory school impact fees is considered full mitigation of potential impacts by schools.

**Reference:** RDEIR page 4.6-60

- 1.4.12 **Cumulative Impacts on Parks and Recreational Facilities** Implementation of the proposed Project would contribute to the cumulative demand for regional and local recreational facilities and services in the City limits and throughout the remaining portions of the Planning Area.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts on parks and recreational facilities are **less than significant** because the Project and the other current and future projects in the area will be subject to parkland standards per City and Quimby Act requirements. It should be noted that since release of the Revised Draft EIR, the project design has been modified and now includes 64 fewer residential units and an additional 102 acres of parkland and open space.

**Reference:** RDEIR page 4.6-68; RFEIR page 2.0-3.

- 1.4.13 **Electrical Service** Implementation of the proposed Project could have adverse environmental impacts associated with electrical service both at a project level and cumulatively.

**Finding:** Based upon the analysis presented in Section 4.6 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that project-specific or cumulatively significant impacts on electrical service are **less than significant** because adequate power supplies and infrastructure will be available to serve the Project and the other existing and planned projects in the area, and because the additional infrastructure that will be constructed will not have any significant environmental impacts beyond what has already been addressed in the RDEIR.

**Reference:** RDEIR page 4.6-71; RFEIR pages 3.0-4 through -10.

## 1.5 Hydrology and Water Quality

- 1.5.1 **Cumulative Drainage Impacts** Implementation of the proposed Project could have adverse cumulative drainage impacts by causing an increase in drainage rates beyond the capacity of storm drainage facilities.

**Finding:** Based upon the analysis presented in Section 4.7 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts associated with drainage are **less than significant** because the Storm Drainage Master Plan for the Laguna Ridge Specific Plan identifies drainage facilities designed to handle cumulative drainage flows without flooding impacts. All development projects in the area are required to pay the County's drainage fee to adequately fund needed drainage facilities identified in the Storm Drainage Master Plan to mitigate cumulative drainage impacts.

**Reference:** RDEIR page 4.7-33.

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## 1.6 Biological Resources

- 1.6.1 **Common and Special Status Vegetation** Implementation of the proposed Project could result in adverse impacts to common vegetation through the development of approximately 1,900 acres of land.

**Finding:** Based upon the analysis presented in Section 4.8 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts to common and special status vegetation are **less than significant** because local vegetative species associated with agricultural land is regionally widespread and because the plan area consists of predominantly agricultural crop and non-native grassland species, and does not have significant biological value, except as potential habitat as addressed in Section 4.8 of the RDEIR.

**Reference:** RDEIR page 4.8-22.

- 1.6.2 **Common Wildlife** Implementation of the proposed Project could have adverse impacts to common wildlife through the loss of habitat.

**Finding:** Based upon the analysis presented in Section 4.8 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts to common wildlife are **less than significant** because the species that are likely to be displaced or otherwise affected by the Project are in plentiful supply, and have abundant amount of habitat in the surrounding areas.

**Reference:** RDEIR page 4.8-28.

## 1.7 Geology and Soils

- 1.7.1 **Faults and Groundshaking** Implementation of the proposed Project could result in adverse impacts relating to faults and groundshaking, including the exposure of people and structures to hazards from strong earthquakes or liquefaction.

**Finding:** Based upon the analysis presented in Section 4.9 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts resulting from faults and groundshaking are **less than significant** because: (1) the Project site is not located in an Alquist-Priolo Earthquake Hazard Zone or Fault Study Zone; (2) no faults (active or inactive) are known to cross the Project site; (3) conformance with the design standards in the 1997 edition of the UBC, Seismic Zone 3 or more current versions, will substantially lessen the risk damage from earthquakes; and (4) due to the depth to groundwater beneath the site and the nature of on-site soils, liquefaction risk is considered minimal.

**Reference:** RDEIR page 4.9-9 through -11.

- 1.7.2 **Expansive Soils and Soil Stability** Implementation of the proposed Project could result in adverse impacts relating to expansive soils and soil stability due to the construction of projects over a seismically hazardous area.

**Finding:** Based upon the analysis presented in Section 4.9 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that

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impacts resulting from the construction of projects over soil hazards are **less than significant** because conformance to the City's Building Code and commonly accepted engineering practices, and the required submission of geotechnical reports to address site specific conditions for all tract maps, is sufficient to reduce any risk of damage to a level of less-than-significant

**Reference:** RDEIR page 4.9-12 and -13.

- 1.7.3 **Cumulative Geological and Geotechnical Impacts** Implementation of the proposed Project could result in adverse cumulative geological and geotechnical impacts, including potential erosion and sediment deposition within the watershed.

**Finding:** Based upon the analysis presented in Section 4.9 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that cumulative impacts to soil erosion are **less than significant** because: (1) each building site within the Project and other projects in the City will be required to conform to the City requirements and the Uniform Building Code as they pertain to protection against geologic hazards; (2) significant cumulative erosion and sediment deposition impacts within the watershed will be avoided by requiring each project to comply with the City Land Grading and Erosion Control Ordinance and the NPDES permit, and (2) the required submission of geotechnical reports to address site specific conditions for all tract maps will eliminate site specific erosion conditions and potential for sediment deposition in the local watershed.

**Reference:** RDEIR page 4.9-13.

## 1.8 **Land Use/Population, Employment and Housing**

- 1.8.1 **Land Use Compatibility** Implementation of the proposed Project could result in adverse environmental impacts associated with the development of land uses that are incompatible with existing and planned land uses on or surrounding the project site.

**Finding:** Based upon the analysis presented in Section 4.12 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with land use compatibility are **less than significant** because conflicting land uses are protected by a variety of mechanisms: existing farming operations are protected by the Right-to-Farm Ordinance; residences are protected from farming operations (pesticide application, dust, noise, etc.) by the presence of buffers (a combination of roadways, landscaped easements, a masonry wall, and rear yard setbacks) that provide a separation of at least 100 feet between agricultural and residential uses.

**Reference:** RDEIR page 4.12-13.

- 1.8.2 **Consistency with General Plan and Zoning Code** Implementation of the proposed Project could result in adverse environmental impacts associated with inconsistencies with the land use objectives and policies of the General Plan and the Zoning Code that provide protection of environmental resources.

**Finding:** Based upon the analysis presented in Section 4.12 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that impacts associated with inconsistencies with the General Plan and the Zoning Code are **less than significant** because the Project (including the Specific Plan's proposed

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development policies and guidelines) is consistent with the City's General Plan policies; the Project site is located within the County's Urban Services Boundary, which indicates a boundary to urban development based upon natural and environmental constraints; the Project site is located within a "Land Use Policy Area" of the General Plan, which was identified to reflect the need for more detailed land use planning as provided through the Specific Plan process to identify land use designations, development standards, design guidelines, infrastructure plans, financing plans. Conversion of these lands from the underlying agricultural zoning was anticipated in the General Plan, is not premature, and was accepted as a consequence of the development of Elk Grove. The Project provides for a balance of land uses compatible to surrounding residential development and provides opportunity for housing, therefore, a rezone is consistent with the proposed General Plan designations. For these reasons, the Project does not result in an inconsistency with the City of Elk Grove General Plan or the City of Elk Grove Zoning Code land use standards adopted for the purpose of providing protection of environmental resources. It should be noted that since release of the RDEIR, the City has adopted a new General Plan. The project is consistent with the 2003 City of Elk Grove General Plan Land Use Policy Map and policies LU-28 through LU-31.

**Reference:** RDEIR page 4.12-14; 2003 City of Elk Grove General Plan.

- 1.8.3 **Population and Household Growth** Implementation of the proposed Project could result in adverse impacts to the housing inventory due to the increase in available housing stock.

**Finding:** Based upon the analysis presented in Section 4.12 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse impacts associated with population and housing are **less than significant** because the Project is consistent with the SACOG projections for growth within the City, and because the Project will provide a variety of housing types needed to accommodate the increased demand for housing. It should be noted that since release of the RDEIR, the City has adopted a new General Plan. The project is consistent with the 2003 City of Elk Grove General Plan and associated provisions of the Housing Element.

**Reference:** RDEIR page 4.12-15; 2003 City of Elk Grove General Plan.

- 1.8.4 **Cumulative impacts** Implementation of the proposed Project could result in adverse cumulative impacts to existing and planned land uses surrounding the project site because of its contribution to the change in intensity of land uses in the southwestern portion of the city.

**Finding:** Based upon the analysis presented in Section 4.12 of the RDEIR and considering the information contained in the administrative record, the City hereby finds that adverse cumulative impacts associated with incompatible land uses are **less than significant** because the General Plan anticipated the loss of agricultural operations in this area, which is accepted as a consequence of the development of Elk Grove. This Project site was designated in the General Plan as within a "Land Use Policy Area" these areas were identified as needing more detailed land use planning through the Specific Plan process to assign appropriate land use designations to convert this area from rural and agricultural use and assign more intensive urban land use designations that are compatible internally and with surrounding uses. The Project would implement an

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orderly pattern of development in an area planned for urban development. Although it is recognized that the area will ultimately transition from agricultural uses to urban uses, the continued operation of existing agricultural uses are protected by the Right-to-Farm Ordinance, designed to protect the viability of existing operations and to discourage premature conversion of agricultural lands to urban uses. Further, the Project includes provisions for providing sufficient separation between urban and existing agricultural uses via a buffer over 100 feet in width provided by roadways, landscape easements, a masonry wall and rear yard setbacks to mitigate compatibility issues with existing agricultural operations. It should be noted that since release of the RDEIR, the City has adopted a new General Plan. The project is consistent with the 2003 City of Elk Grove General Plan, which acknowledged that land areas within the City would be converted to urban uses (Policy CAQ-2).

**Reference:** RDEIR page 4.12-16; 2003 City of Elk Grove General Plan.

## **2. Findings Associated with Significant, Potentially Significant, and Cumulatively 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 Laguna Ridge Specific Plan. Having received, reviewed, and considered the entire record, both written and oral, relating to the Laguna Ridge Specific Plan and associated Draft, Revised 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 Revised Final EIR:

### **2.1 Agricultural Resources**

2.1.1 **Impact 4.1.2** Implementation of the proposed project would place urban uses adjacent to a primarily agricultural area, which may impair agricultural production and result in land use compatibility conflicts.

#### Mitigation Measures

##### **MM 4.1.2a**

All of the landscape corridors directly adjacent to the project area that are located between existing agricultural operations or agriculturally zoned properties and the project area shall be fully improved and functional prior to the occupancy of any residence that adjoins the subject corridor.

*Timing/Implementation: Prior to issuance of occupancy permits*

*Enforcement/Monitoring: City of Elk Grove Development Services*

##### **MM 4.1.2b**

The project proponent shall ensure that a disclosure statement shall be recorded against the property and be provided to all prospective buyers of properties within the proposed plan area notifying such persons of the presence of existing and future noise-producing agricultural-related activities in the immediate Specific Plan area. The disclosure statement shall be reviewed and approved by City of Elk Grove Development Services.

*Timing/Implementation: Prior to the sale to prospective buyers*

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*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.1.2a and MM 4.1.2b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** The combination of roadways, landscape corridors, walls, and rear yard setbacks to be constructed between the Project site and the adjacent agricultural uses will act as an adequate buffer between incompatible uses and will ensure that agricultural production on adjacent agricultural lands is not impaired by the presence of residences. In addition, to further protect farming and avoid conflicts between agricultural and residential uses, all property owners will be made aware of agricultural activities in the surroundings. (RDEIR Page 4.1-19;)

- 2.1.2 **Impact 4.1.4** Cumulative projects could result in impairment to agricultural productivity and land use compatibility impacts.

Mitigation Measure: Implement mitigation measures MM 4.1.2a and b.

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.1.2a and 4.1.2b are feasible measures to offset the project's contribution to this cumulative impact and are, therefore, adopted.

**Facts that Support the Finding:** Roadways and landscape corridors to be constructed between the Project site and the adjacent agricultural uses will act as an adequate buffer between incompatible uses and will ensure that agricultural production of adjacent agricultural lands is not impaired by the presence of residences. In addition, to further protect farming and avoid conflicts between agricultural and residential uses, all property owners will be made aware of agricultural activities in the surroundings. (RDEIR Page 4.1-19 and -21)

## **2.2 Transportation and Circulation**

- 2.2.1 **Impact 4.2.1** The projected daily volume on the existing sections of Elk Grove Boulevard from Bruceville Road to Auto Center Drive, Elk Grove Boulevard from East Stockton Boulevard to Elk Grove-Florin Road, Grant Line Road between SR 99 and Waterman Road, Poppy Ridge Road from Bruceville Road to West Stockton Boulevard, West Stockton Boulevard between Kammerer Road and Poppy Ridge Road, and West Stockton Boulevard from Poppy Ridge Road to the Auto Mall Access, with the development of Laguna Ridge Specific Plan, would exceed the City's thresholds for roadway segment operations.

Mitigation Measures

**MM 4.2.1a**

Elk Grove Boulevard shall be widened between Bruceville Road and Auto Center Drive to three lanes in each direction.

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Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of Subsequent development projects.  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.1c**

Grant Line Road between SR 99 and Waterman Road shall be widened from one to two lanes in each direction.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to roadway operations degrading to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.1d**

Poppy Ridge Road between Bruceville Road and West Stockton Boulevard shall be reconstructed to provide 12-foot travel lanes and minimum 6-foot paved shoulder.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.1e**

West Stockton Boulevard between Kammerer Road and Poppy Ridge Road shall be reconstructed to provide 12-foot travel lanes and minimum 6-foot paved shoulder.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish



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the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.1f**

West Stockton Boulevard between Poppy Ridge Road and the Auto Mall Access to provide 12-foot travel lanes and minimum 6-foot paved shoulder.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 for the following road segments:

- Elk Grove Blvd – Bruceville Road to Auto Center Drive
- Grant Line Road – SR 99 to Waterman Road
- Poppy Ridge Road – Bruceville Road to West Stockton Blvd
- West Stockton Blvd – Kammerer Road to Poppy Ridge Road
- West Stockton Blvd – Poppy Ridge Road to Auto Mall Access

The City further finds that the above referenced mitigation measures are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** As analyzed in Section 4.2 of the RDEIR, with the implementation of the mitigation measures indicated above, the referenced arterial roadway segments will operate at LOS "D," or better. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan. (RDEIR Pages 4.2-30 through -36)

- 2.2.2 **Impact 4.2.2** The addition of project traffic would cause LOS F operations at the Elk Grove Boulevard/Bruceville Road intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/Big Horn Road intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/Auto Center Drive intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/SR-99 SB Ramps intersection during the a.m. and p.m. peak hours; LOS F operations at the Poppy Ridge Road/Bruceville Road intersection during a.m. and p.m. peak hours; and LOS F operations at the Elk Grove Boulevard intersection during the p.m. peak hour.

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### Mitigation Measures

#### **MM 4.2.2a**

The following lane configurations shall be provided at the Elk Grove Boulevard/Bruceville Road intersection.

- One shared through/right-turn lane, one through lane, and one left-turn lane on the northbound approach.
- One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.
- One right-turn lane, two through lanes, and one left-turn lane on the westbound approach.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

#### **MM 4.2.2b**

The following lane configurations shall be provided at the Elk Grove Boulevard/Big Horn Boulevard intersection.

- One right-turn lane, two through lanes, and one left-turn lane on the northbound approach.
- One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.
- One shared through/right-turn lane, two through lanes, and two left-turn lanes on the eastbound approach.
- One shared through/right-turn lane, two through lanes, and two left-turn lanes on the westbound approach.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

#### **MM 4.2.2c**

The following lane configurations shall be provided at the Elk Grove Boulevard/West Laguna Springs Drive intersection.

- Two right-turn lanes, two through lanes, and one left-turn lane on the northbound approach.

- One right-turn lane, one through lanes, and two left-turn lanes on the southbound approach.
- One right-turn lane, three through lanes, and two left-turn lanes on the eastbound approach.
- One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.
- Right-turn overlap phasing for the northbound right-turn lane at the Elk Grove Boulevard/West Laguna Springs Drive intersection.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2f**

Install traffic signal and provide the following lane configurations at the Elk Grove Boulevard/Waterman Road intersection.

- A shared through/right-turn lane and an exclusive left-turn lane on all approaches.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2g**

Install a traffic signal and provide the following lane configurations at the Poppy Ridge Road/Bruceville Road intersection.

- A shared through/right-turn lane and an exclusive left-turn lane on the northbound, southbound, and eastbound approaches.
- One right-turn lane, one through lane, and one left-turn lane on the westbound approach.

Fair-share funding for the above roadway improvement shall be determined by the modification of Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

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*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2h**

The applicant shall participate in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, which includes reconstruction of the SR 99/Grant Line Road interchange. Fair-share funding for the SR 99/Grant Line Road improvement project shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2i**

Right-turn overlap phasing for the southbound right-turn movement shall be provided at the Laguna Boulevard/Franklin Boulevard intersection.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2j**

Right-turn overlap phasing shall be provided for the northbound right-turn movement at the intersection of Laguna Boulevard with Big Horn Boulevard.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 for the following intersections:

- Elk Grove Blvd/Bruceville Road
- Elk Grove Blvd/Big Horn Blvd
- Elk Grove Blvd/West Laguna Springs Drive
- Elk Grove Blvd/Waterman Road
- Poppy Ridge Road/Bruceville Road
- Grant Line Road/West Stockton Blvd

- Grant Line Road/East Stockton Blvd
- SR 99 Northbound Ramps/East Stockton Blvd
- SR 99 Southbound Ramps/West Stockton Blvd
- Laguna Blvd/Franklin Blvd
- Laguna Blvd/Big Horn Blvd

The City further finds that the above referenced mitigation measures are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** As analyzed in Section 4.2 of the RDEIR, with the implementation of mitigation measures indicated above, the referenced intersections will operate at LOS "D," or better. (RDEIR Pages 4.2-36 through -46)

2.2.3 **Impact 4.2.3** The projected daily volume on the sections of Laguna Boulevard from Bruceville Road to SR 99, Laguna Boulevard from Franklin Road to Bruceville Road, Elk Grove Boulevard between Bruceville Road and Auto Center Drive, Elk Grove Boulevard from East Stockton Boulevard to Elk Grove-Florin Road, Bruceville Road from Elk Grove Boulevard to Laguna Boulevard, and Bruceville Road north of Laguna Boulevard, with the development of Laguna Ridge Specific Plan, would exceed the City's thresholds for roadway segment operations.

Mitigation Measure

**MM 4.2.3d**

Bruceville Road between Elk Grove Boulevard and Laguna Boulevard shall be widened from two to three lanes in each direction.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects.*

*Enforcement/Monitoring: City of Elk Grove Development Services.*

**Finding:** 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 of the projected daily volume on Bruceville Road between Elk Grove Boulevard and Laguna boulevard to a **less than significant** level. The City further finds that MM 4.2.3d is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of Mitigation Measure 4.2.3d will provide sufficient capacity to accommodate the projected daily volume and would provide LOS D operation for Bruceville Road between Elk Grove Boulevard and Laguna Boulevard under cumulative conditions. (RDEIR Section 4.2; pages 4.2-56 through -63)

2.2.4 **Impact 4.2.4** The projected traffic volume of roadway segments internal to Laguna Ridge Specific Plan may not operate within the City's thresholds for traffic operations.

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Mitigation Measure

**MM 4.2.4a**

All internal intersections shall be designed to meet City Level of Service Standards (LOS D or better). This requirement shall be incorporated into the specific plan.

*Timing/Implementation: As part of the final approval of the Specific Plan  
Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.2.4a is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** The addition of project traffic would not create deficient traffic operations on the roadway segments within Laguna Ridge Specific Plan that were analyzed in the General Plan EIR. However, although a circulation system is identified in the plan area, the specific location and details of the roadway systems have not been fully developed because individual projects within the area are not yet known. As entitlements (maps) are requested from the city for subsequent development proposals, roadway facilities will be designed to serve those subsequent projects. Implementation of mitigation measure 4.2.4a ensures that internal roadway segments operate within the City's thresholds for traffic operations. (RDEIR Page 2.4-64 and -65)

- 2.2.5 **Impact 4.2.5** Implementation of the proposed project would degrade operations at the Laguna Boulevard/Franklin Boulevard, Elk Grove Boulevard/Big Horn Boulevard, Elk Grove Boulevard/West Laguna Springs Drive, Elk Grove Boulevard/Auto Center Drive, Elk Grove Boulevard/SR 99 Southbound Ramps, Elk Grove Boulevard/East Stockton Boulevard, Elk Grove Boulevard/Elk Grove-Florin Road, Elk Grove-Florin Road/East Stockton Boulevard, Hood-Franklin Road/I-5 Southbound Ramps, Hood-Franklin Road/I-5 Northbound Ramps, Grant Line Road/West Stockton Boulevard, Grant Line Road/Waterman Road, Laguna Boulevard/Big Horn Boulevard, Laguna Boulevard/West Laguna Springs Drive, Elk Grove Boulevard/Franklin Boulevard, Elk Grove Boulevard/Bruceville Road, and Grant Line Road/Bradshaw Road intersections to unacceptable LOS conditions.

Mitigation Measures

**MM 4.2.5a**

Right-turn overlap phasing for the southbound right-turn movement at the Laguna Boulevard/Franklin Boulevard intersection.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

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**MM 4.2.5f**

The following lane configurations shall be provided at the Elk Grove Boulevard/East Stockton Boulevard intersection.

- One right-turn lane, one through lane, and one left-turn lanes on the southbound approach.
- A shared through/right-turn lane and two left-turn lanes on the northbound approach.
- Provide protected left-turn phasing on the northbound and southbound approaches.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5l**

Right-turn overlap phasing shall be provided for the southbound right-turn movement at the intersection of Grant Line Road and Waterman Road.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5m**

Right-turn overlap phasing shall be provided for the northbound right-turn movement at the intersection of Laguna Boulevard with West Laguna Springs Drive.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5n**

Right-turn overlap phasing shall be provided for the southbound right-turn movement at the intersection of Elk Grove and Franklin Boulevards.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter

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16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5o**

Right-turn overlap phasing shall be provided for the southbound right-turn movement at the Grant Line Road/Bradshaw Road intersection.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 for the following intersections:

- Laguna Blvd/Franklin Blvd
- Elk Grove Blvd/East Stockton Blvd
- Grant Line Rd/West Stockton Blvd (Mitigated by MM 4.2.2h)
- Grant Line Road/Waterman Road
- Laguna Blvd/West Laguna Springs Drive
- Elk Grove Blvd/Franklin Blvd
- Grant Line Road/Bradshaw Road

The City further finds that the above referenced mitigation measures are feasible measures to offset the impacts and are, therefore, adopted.

**Facts that Support the Finding:** Implementation of the above mitigation measures will ensure that the referenced intersections operate at a LOS D, or better. (RDEIR Pages 4.2-65 through -77)

2.2.6 **Impact 4.2.8** The proposed project would contribute to a cumulative demand for transit services and facilities.

Mitigation Measure

**MM 4.2.8**

Prior to the approval of tentative subdivision, parcel maps and subsequent development associated with land areas along Big Horn Blvd and Bruceville Road right-of-way for future light rail stations and lines at locations along either Big Horn Boulevard or Bruceville Road shall be dedicated based on consultation with the City of Elk Grove and Sacramento Regional Transit.



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*Timing/Implementation: Prior to approval of tentative subdivision and parcel maps, and subsequent development.*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.2.8 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of mitigation measure 4.2.8 will offset the project's cumulative impacts to regional transit because it ensures the dedication of right-of-way necessary for expansion of the light rail system. (RDEIR page 4.2-87 and -88)

## **2.3 Noise**

- 2.3.1 **Impact 4.4.2** Vibration associated with construction activities due to pile driving would affect nearby sensitive land uses.

Mitigation Measure

**MM 4.4.2**

Prior to the commencement of pile driver operations in proximity to residential areas, an assessment of vibrations induced by pile driving at the site shall be completed. During indicator pile driving, vibrations should be measured at regular intervals to determine the levels of vibration at various distances from pile driving equipment. The indicator piles shall be driven at locations at least 400 feet from any existing residents. After monitoring, methods of reducing the peak ground velocities to less than 0.4 inches/second shall be determined and implemented during production pile driving. Methods to reduce vibrations, if needed, could include cut-off trenches, and the use of smaller hammers. The vibration reduction techniques to be used should be described in a note attached to the construction plans for the project to be reviewed and approved by the appropriate City regulatory agency prior to issuance of building permits. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: Prior to any pile driving activities*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.4.2 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of MM 4.4.2 ensures that peak ground velocities do not exceed the acceptable threshold of 0.4 inches per second. (RDEIR pages 4.4-21 through -23)

- 2.3.2 **Impact 4.4.3** Noise impacts associated with development of noise-producing uses within the proposed plan area would exceed City of Elk Grove noise standards.

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Mitigation Measure

**MM 4.4.3a**

When residential tentative subdivision maps include and/or are located adjacent to school and park sites, the residential subdivisions shall be designed to meet City noise standards set forth in Table 4.4-6 of the Draft EIR. If the noise levels from the school and park facilities is expected to exceed the applicable standard, the project applicant shall implement appropriate mitigation measures. Appropriate mitigation measures include walls, berms, and buffers that would ensure compliance with applicable standards, as determined through the adopted Design Review procedures. Evidence of compliance shall be provided to the City.

*Timing/Implementation: Prior to approval of residential tentative subdivision maps*

*Enforcement/Monitoring: City of Elk Grove Development Services, Elk Grove Unified School District, and Elk Grove Community Services District*

**MM 4.4.3b**

Prior to approval of a non-residential use that will abut a residential use and has the potential to generate noise, the project applicant shall demonstrate compliance with City noise standards set forth in Table 4.4-6 of the Draft EIR. If the noise levels from the facility exceed the applicable standard, the project applicant shall implement appropriate mitigation measures. Appropriate mitigation measures include walls, berms, and buffers that would ensure compliance with applicable standards, as determined through the adopted Design Review procedures.

*Timing/Implementation: Prior to approval of permits and/or plans for non-residential uses adjacent to existing or planned residential uses*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.4.3a and MM 4.4.3b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** Implementation of mitigation measures MM 4.4.3a and 4.4.3b will ensure compliance with the City's noise standards. (RDEIR page 4.4-23 and -24)

- 2.3.3 **Impact 4.4.5** Implementation of the Laguna Ridge Specific Plan in combination with approved and planned urban development in the region would increase traffic volumes within and adjacent to the plan area, which would increase transportation-related noise levels in excess of the City of Elk Grove noise standards.

Mitigation Measure

**MM 4.4.5**

Prior to development of any noise-sensitive uses (as defined by the City of Elk Grove Noise Element) along Elk Grove Boulevard, Big Horn Road and Poppy Ridge Road, the project applicant shall identify specific noise mitigation measures for areas that would be located within the 60 dB Ldn traffic noise contours shown in **Table 4.4-12** of the Draft EIR that would attenuate noise levels in compliance with City noise standards for traffic noise as shown in **Table 4.4-9** of the Draft EIR. Potential design features for noise attenuation are listed below.

- a. Setbacks (i.e., open space, frontage roads, recreational areas, and storage yards) typically reduce noise attenuation by 4 to 6 dB per doubling of distance from the source.
- b. Barriers (i.e., walls, berms, or structures) to achieve a noise reduction ranging from 5 to 15 dB. Earth berms provide approximately 3 dB more attenuation than a wall.
- c. Site design (i.e., building location) to reduce noise levels.
- d. Building design (i.e., location of noise-sensitive uses within a building) to reduce the impact of noises on inhabitants.
- e. Building façades (i.e., utilizing all features of the building façade including the closed windows) to reduce noise.
- f. Vegetation (i.e., trees and other vegetation) 100 feet of dense foliage can achieve a 5 dB attenuation of traffic noise.
- g. Noise-reducing paving materials (i.e., rubberized asphalt) reduce traffic noise by approximately 4 dB.

*Timing/Implementation: Prior to approval of tentative subdivision maps and development projects along Elk Grove Boulevard, Big Horn Road and Poppy Ridge Road.*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.4.5 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of MM 4.4.5 will ensure that future residents are not exposed to unacceptable traffic noise levels under cumulative conditions. (RDEIR pages 4.4-26 through -31)

## **2.4 Hazards and Hazardous Materials**

- 2.4.1 **Impact 4.5.1** Development within the Laguna Ridge Specific Plan area may expose residents or construction workers to past herbicide or pesticide applications.

### Mitigation Measure

#### **MM 4.5.1**

Soil sampling shall be conducted within the areas of potential herbicide/pesticide contamination as identified in **Figure 4.5-3** of the Draft EIR. The soil samples shall be taken to assess the potential for persistent pesticide or herbicide residuals. If substances are detected at concentrations that could pose a health hazard and/or violate local, State, or Federal health standards, remediation of the affected areas shall be undertaken in accordance with the requirements of the City of Elk Grove and the Sacramento County Environmental Management Department. Development of the site shall not commence until the site is deemed remediated and clear for development by the City in consultation with the Sacramento County Environmental Management Department.

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*Timing/Implementation: Prior to approval of improvement plans and/or grading plans for areas shown on Figure 4.5-4 of the Draft EIR.*

*Enforcement/Monitoring: City of Elk Grove Development Services and Sacramento Environmental Management Department.*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.5.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Mitigation measure 4.5.1 will ensure proper remediation of any areas containing herbicide/pesticide concentrations that pose a health hazard or violate local, state or federal health standards. (RDEIR page 4.5-30 and -31)

- 2.4.2 **Impact 4.5.2** Development of the Laguna Ridge Specific Plan area may expose residents and construction workers to asbestos.

Mitigation Measure

**MM 4.5.2**

Prior to the issuance of demolition permits for existing onsite structures, asbestos material sampling shall be conducted to determine if materials are present. Any identified asbestos containing building materials present in each of the structures to be dismantled shall be removed under acceptable engineering methods and work practices by a licensed asbestos abatement contractor prior to removal. These practices include, but are not limited to: containment of the area by plastic, negative air filtration, wet removal techniques and personal respiratory protection and decontamination. The process shall be designed and monitored by a California Certified Asbestos Consultant. The abatement and monitoring plan shall be developed and submitted for review and approval by the appropriate regulatory agency (the Sacramento Metropolitan Air Pollution Management District).

*Timing/Implementation: Prior to the issuance of demolition permits*

*Enforcement/Monitoring: Sacramento Metropolitan APMD, City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.5.2 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of the mitigation measures described above will ensure that any structures containing asbestos will not be demolished until the asbestos has been properly removed by a licensed asbestos abatement contractor pursuant to established engineering methods and work practices. (RDEIR page 4.5-32)

- 2.4.3 **Impact 4.5.3** Historic chemical or burn dump areas may exist within the Laguna Ridge Specific Plan area.

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Mitigation Measure

**MM 4.5.3a**

As part of subsequent applications on non-participating properties, the project applicant shall provide the City with a Phase I Site Assessment to determine whether ash or a former burn site is present on the subject property.

*Timing/Implementation: Prior to acceptance of an application for subsequent development on non-participating properties as complete.*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.5.3b**

Prior to approval of improvement plans and/or a grading permit, a detailed surface investigation shall be conducted to determine if former burn dumps, chemical dumps or ash are present within each subsequent project site. If any ash or burn sites are identified, surface and subsurface soil sampling shall be conducted to determine if contamination exists. If substances are detected at concentrations that could pose a health hazard and/or violate local, State, or Federal health standards, remediation of the affected areas shall be undertaken in accordance with the requirements of the City of Elk Grove and the Sacramento County Environmental Management Department. Development of the site shall not commence until the site is deemed remediated and clear for development by the City in consultation with the Sacramento County Environmental Management Department.

*Timing/Implementation: Prior to approval of improvement plans and/or grading plans.*

*Enforcement/Monitoring: City of Elk Grove Development Services and Sacramento County Environmental Management Department.*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.5.3a and MM 4.5.3b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** Mitigation measures MM 4.5.3a and MM 4.5.3b ensure that if a former chemical or burn dump site exists on the Subject property, proper sampling and remediation will be completed prior to any grading activities. (RDEIR page 4.5-32 and -33)

- 2.4.4 **Impact 4.5.4** During removal and construction activities, construction within the Specific Plan area could result in the disturbance of lead paint materials and expose persons to airborne material.

Mitigation Measure

**MM 4.5.4a**

Prior to the issuance of demolition permits for existing onsite structures, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations.

*Timing/Implementation: Prior to issuance of demolition permits.*

*Enforcement/Monitoring: City of Elk Grove Development Services.*

**MM 4.5.4b**

The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to

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protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with local, state, and federal regulations.

*Timing/Implementation: Prior to issuance of demolition permits and included in construction contracts.*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.5.4a and MM 4.5.4b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** MM 4.5.4a and MM 4.5.4b ensure that demolition of existing structures will be completed in compliance with the established local, state and federal regulations for lead paint removal. (RDEIR page 4.5-33 and -34)

## **2.5 Public Services and Utilities**

- 2.5.1 **Impact 4.6.1.1** The estimated water demands of the proposed project would increase demand for water supply, to the project area, including new systems, supplies, and facilities.

### Mitigation Measure

#### **MM 4.6.1.1a**

Prior to each tentative subdivision and/or parcel map approval, the project applicant shall submit to the City, information documenting adequate availability of water supplies and associated infrastructure facilities for the proposed development consistent with facilities and phasing set forth in the Laguna Ridge Specific Plan water study (Wood-Rogers, 2000). Subsequent project applications shall not be approved by the City until proof has been provided that water supplies are available and approval from SCWA has been received.

*Timing/Implementation: Prior to tentative subdivision and/or parcel map approval*

*Enforcement/Monitoring: City of Elk Grove Development Services and Sacramento County Water Agency*

#### **MM 4.6.1.1b**

As a condition of subsequent development applications, uses constructed on the property shall incorporate into the building plans water conservation measures including drought tolerant landscaping with low fuel potential, low-flow toilets, urinals, shower heads, lavatory faucets, and sink faucets, as well as insulation to reduce water uses before hot water reaches equipment or fixtures.

*Timing/Implementation: Prior to issuance of each building permit*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.6.1.1a and MM 4.6.1.1b are feasible measures to offset the impact and are, therefore, adopted.

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**Facts that Support the Finding:** MM 4.6.1.1a and MM 4.6.1.1b reduce the amount of water that will be used by the project and ensure that future entitlements for development cannot be approved until such time as an adequate water supply is available to serve that subsequent development project. (RDEIR page 4.6-11) It should be noted that the Sacramento County Water Agency has prepared a SB 610 Water Assessment for the project and have identified that adequate water supplies would be available to serve the project.

- 2.5.2 **Impact 4.6.2.1** The project could potentially impact the existing sewer network if construction of project improvements would not occur consistent with need, and if the proposed system was not properly designed and constructed.

Mitigation Measure

**MM 4.6.2.1**

Prior to each tentative subdivision or parcel map, the project applicant shall be required to demonstrate that the permanent sewer system, consistent with the Preliminary Sewer Master Plan for the Laguna Ridge Specific Plan (Wood-Rodgers, 2002) adequately serves the subsequent project. This demonstration may take the form of plans and/or reports, which shall be reviewed and approved by the City consistent with the Specific Plan infrastructure phasing provisions. The project applicant shall also pay the required sewer connection and capacity fees that are used to fund expansion of trunk and interceptor facilities.

*Timing/Implementation: Prior to the approval of each tentative subdivision or parcel map*

*Enforcement/Monitoring: City of Elk Grove Development Service, Sacramento Regional County Sanitation District and County Sanitation District.*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.6.2.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** This mitigation measure ensures that adequate sewer capacity exists to serve each tentative subdivision or parcel map, before said maps are approved. (RDEIR page 4.6-29 and -30)

- 2.5.3 **Impact 4.6.2.2** Use of the existing sewer facilities, north of Elk Grove Boulevard as an interim connection to the sanitary sewer network may exceed capacity of the existing system.

Mitigation Measure

**MM 4.6.2.2**

Prior to approval of each tentative subdivision or parcel map that would utilize the interim sewer facilities, the project applicant shall be required to demonstrate that there is adequate sewer capacity to support the proposed project. This will include confirmation from Sacramento Regional County Sanitation District and County Sanitation District-1 on the availability of sewer capacity.

*Timing/Implementation: Prior to approval of each tentative subdivision and parcel map*

*Enforcement/Monitoring: City of Elk Grove Development Services, Sacramento Regional County Sanitation District, and County Sanitation District -1*

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**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.6.2.2 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** MM 4.6.2.2 ensures that adequate sewer capacity exists to serve each tentative subdivision or parcel map that would use existing facilities on an interim basis, before said maps are approved. (RDEIR pages 4.6-30 through -33)

- 2.5.4 **Impact 4.6.4.1** Emergency crews responding to a call for service at the construction site may not arrive within the minimum response time of five minutes considered acceptable by the EGCS D.

Mitigation Measure

**MM 4.6.4.1**

As a condition of subsequent development entitlements, uses constructed in the Plan area shall meet the minimum necessary fire flow and other standard fire protection and life safety requirements identified in the Uniform Fire Code, Uniform Building Code, and other applicable state regulations. Construction sites shall ensure adequate on-site water supply and all-weather access for fire-fighting equipment and emergency vehicles before framing can occur. The applicant shall also pay the Fire Protection Development Fee in effect at the time of building permit issuance. These requirements shall be noted on all construction plans.

*Timing/Implementation: During construction activities and prior to improvement plan approval*

*Enforcement/Monitoring: EGCS D and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.6.4.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Compliance with the established requirements ensures adequate fire protection during construction activities. (RDEIR page 4.6-46)

- 2.5.5 **Impact 4.6.4.2** Project operation may significantly impact fire department response times during the period between project opening and construction of a new station within the LRSP area.

Mitigation Measures

**MM 4.6.4.2a**

The project applicant shall provide a permanent fire station within the plan area and sufficient funds to purchase associated facilities including an aerial truck, and urban interface engine. These improvements and facilities, included in the Laguna South Public Facilities Fee Program, shall be provided to the satisfaction of the Elk Grove Community Services District Fire Department (EGCSDFD).

Fair-share funding for the above fire facilities and services improvements shall be determined by the modification of the Laguna South Public Facilities Fee Program by the annexation of the Laguna Ridge Specific Plan into the Fee Program. Project public facility financing plans and/or programs shall establish the timing of these improvements to ensure they are in place to the satisfaction of the EGCSDFD. Establishment of the



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financing plans and/or programs shall occur prior to the approval of any subsequent development project. Development may occur prior to approval of the project's financing plans and/or programs if the project applicant constructs the EGCSDFD required improvement and purchases associated facilities concurrent with the development of their specific project.

*Timing/Implementation: Prior to approval of the Project Financing Program and/or Plan Enforcement/Monitoring: EGCSDFD and City of Elk Grove Development Services*

**MM 4.6.4.2b**

All signalized intersections installed by the project developer shall be equipped with traffic pre-emption devices at the time of installation.

*Timing/Implementation: Prior to improvement plan approval  
Enforcement/Monitoring: EGCSDFD and City of Elk Grove Development Services*

**MM 4.6.4.2c**

Prior to approval of individual subdivision improvement plans, the water supply system plans for the subdivisions shall be reviewed by the City and Sacramento County Water Agency (SCWA) to ensure adequate fire flows for the project as specified by the EGCSDFD Fire Department.

*Timing/Implementation: Prior to improvement plan approval  
Enforcement/Monitoring: EGCSDFD and City of Elk Grove Development Services & Sacramento County Water Agency (SCWA)*

**MM 4.6.4.2d**

All dead-end streets in excess of 150 feet in the Laguna Ridge Specific Plan area shall have emergency vehicle turn-arounds approved by the Elk Grove Community Services District Fire Department.

*Timing/Implementation: Prior to improvement plan approval  
Enforcement/Monitoring: EGCSDFD and City of Elk Grove Development Services*

**MM 4.6.4.2e**

Prior to approval of individual subdivision improvement plans, the project applicant shall demonstrate that all required roadways, water mains, fire hydrants, and fire flow necessary to serve the subdivision shall be provided prior to the existence of any combustible construction or storage and that the installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, meets the standards of the EGCSDFD and the Sacramento County Water Agency. The roadways shall be constructed to a 20-foot minimum width with an impervious surface to the satisfaction of the Elk Grove CSD and shall have good drainage.

*Timing/Implementation: Prior to improvement plan approval  
Enforcement/Monitoring: EGCSDFD, Sacramento County Water Agency and City of Elk Grove Development Services*

**MM 4.6.4.2f**

Within the Specific Plan Area, the following requirements will be met:

1. Non-combustible fences shall be provided along all developed areas adjacent to wetlands/creeks/open spaces.
2. Access shall be provided to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates to the satisfaction of the EGCSDFD. Bike lanes adjacent

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to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside. All bike paths shall be paved with 2 inches of AC over 4 inches of AB compacts to 95 percent.

3. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
4. At least 10 feet of greenbelt or other defensible space between noncombustible fences and the creek/wetland areas shall be provided.

*Timing/Implementation: Prior to improvement plan approval*

*Enforcement/Monitoring: EGCS and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that the above referenced mitigation measures are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures provide for adequate additional fire service facilities to meet the increased demand for fire services generated by the Project, and ensure compliance with the Fire Department's requirements for new development. (RDEIR pages 4.6-47 through -49)

- 2.5.6 **Impact 4.6.5.1** Project operation may significantly impact law enforcement services in the City of Elk Grove.

Mitigation Measure

**MM 4.6.5.1**

The project's general financing program and/or plan shall demonstrate that there are sufficient sources of funding to provide adequate law enforcement facilities and equipment for new officers required to maintain the one officer per 1,000 residents ratio with the addition of the project.

*Timing/Implementation: Prior to approval of the Project Financing Program and/or Plan*

*Enforcement/Monitoring: Elk Grove Police Department and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.6.5.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** MM 4.6.5.1 ensures that the required ratio of officers-to-residents is maintained. (RDEIR page 4.6-54)

- 2.5.7 **Impact 4.6.7.1** The proposed project has insufficient recreational facilities for the projected total population at full buildout.

Mitigation Measure

**MM 4.6.7.1**

The project applicant shall meet the parkland requirement to provide for 5.0 acres of parkland per 1,000 people through parkland dedications within the LRSP area and/or the payment of in-lieu fees.

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*Timing/Implementation: Prior to issuance of tentative map approval, and fees collected at building permit*

*Enforcement/Monitoring: City of Elk Grove Development Services, Elk Grove Community Services District*

**Finding:** Since release of the RDEIR, the project design has been modified to meet Elk Grove CSD and City parkland standards. Thus, the project design now full mitigates this impact and this mitigation measure is no longer necessary.

**Facts that Support the Finding:** Modifications to the project design now provide parkland that meet Elk Grove CSD and City parkland standards.

## **2.6 Hydrology and Water Quality**

- 2.6.1 **Impact 4.7.1** Construction activities associated with the development under the Laguna Ridge Specific Plan and off-site infrastructure and improvement may result in short-term water quality degradation.

### Mitigation Measure

#### **MM 4.7.1**

The project applicant shall submit to the City of Elk Grove proof that a Storm Water Pollution Prevention Plan (SWPPP) has been submitted to the California Regional Water Quality Control Board, Central Valley Region. The SWPPP shall be administered throughout all phases of grading and project construction. The SWPPP shall be included with all subsequent project improvement and grading plans and shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. Examples of BMPs that may be implemented during site grading and construction could include inlet filters, filter barriers, silt fences, and sedimentation basins. The SWPPP shall be consistent with the City's NPDES permit (NPDES No. CAS082597).

*Timing/Implementation: Prior to the approval of subsequent improvement plans and grading plans and noted on plans*

*Enforcement/Monitoring: City of Elk Grove Public Works, and RWQCB*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM4.7.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** The required SWPPP will ensure compliance with the City's NPDES permit, and will ensure that impacts to water quality are minimized through implementation of BMP's. (RDEIR page 4.7-20 and -21)

- 2.6.2 **Impact 4.7.2** Implementation of the Laguna Ridge Specific Plan would increase drainage rates in the plan area and may result in on-site and downstream drainage and flooding impacts.

### Mitigation Measure

#### **MM 4.7.2**

Prior to the approval of each subsequent tentative subdivision map, the project applicant shall be required to demonstrate that drainage facilities, consistent with the Storm Drainage Master Plan for Laguna Ridge Specific Plan (Wood-Rogers, 2002), will

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adequately serve the subsequent project, consistent with City standards and off-site flooding impacts would not result, and that such facilities are either available or will be available upon site development. This demonstration may take the form of plans and/or reports, which shall be reviewed and approved by the City consistent with the Specific Plan infrastructure phasing provisions.

*Timing/Implementation: Prior to the approval of each subsequent tentative parcel and/or subdivision map*

*Enforcement/Monitoring: City of Elk Grove Public Works*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.7.2 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** Implementation of MM 4.7.2 will offset the impact because requiring that adequate drainage facilities are constructed before approval of tentative maps or final maps ensures that potential flood hazards are addressed before construction of the structures that cause the potential for impact. (RDEIR pages 4.7-22 through -25)

- 2.6.3 **Impact 4.7.3** Implementation of the Laguna Ridge Specific Plan may degrade long-term water quality due to the deposition of pollutants generated by motor vehicle uses on project roadways, parking lot areas, and other surfaces both on and offsite, as well as the maintenance and operation of landscape areas.

Mitigation Measures

**MM 4.7.3a**

Biofilter swales and vegetated strips shall be placed in the bottom of channel areas and be designed to provide biofiltration of pollutants in project runoff. The project engineer shall consult with the City when designing these areas, and the developer shall submit designs of the areas to the City for review and approval prior to approval of the improvement plans. Water quality control features shall be consistent with the City's NPDES permit (NPDES No. CAS082597).

*Timing/Implementation: Prior to approval of improvement plans for each water quality facility*

*Enforcement/Monitoring: City of Elk Grove Public Works, and CVRWQCB*

**MM 4.7.3b**

Subsequent non-residential projects shall be required to locate all storage areas away from any drainage features and provide water quality control measures in storm drainage facilities such as grease and sediment traps, vegetative filters, and containment structures for hazardous materials. This requirement shall be reflected on site plans and improvement plans. Water quality control features shall be consistent with the City's NPDES permit (NPDES No. CAS082597).

*Timing/Implementation: As a condition of approval of subsequent non-residential projects.*

*Enforcement/Monitoring: City of Elk Grove Public Works and Development Services*

**MM 4.7.3c**

All plan area storm drains shall provide a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each storm drain inlet. This may be

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accomplished with a stamped concrete impression (for curbs) or manufactured colored tiles, which are epoxied in place, adjacent to the inlet (for parking lots and areas without curbs).

*Timing/Implementation: Prior to improvement plan approval for drainage facilities*  
*Enforcement/Monitoring: City of Elk Grove Public Works*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.7.3 a-c are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** Implementation of these measures minimize potential run-off of pollutants and require compliance with the City's established water quality standards, including its NPDES permit. (RDEIR pages 4.7-25 through -32)

- 2.6.4 **Impact 4.7.4** Implementation of the Laguna Ridge Specific Plan in combination with existing approved and proposed development in the area may degrade water quality due to the deposition of pollutants generated from construction and operation of the projects.

Mitigation Measures

Implement mitigation measures **MM 4.7.1** and **MM 4.7.3** a through c.

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that the referenced mitigation measures are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** Measures such as the construction of biofilter swales and vegetated strips, and the provision of water quality control measures for non-residential projects will minimize potential run-off of pollutants and avoid any cumulatively significant water quality impacts. (RDEIR 4.7-32)

## **2.7 Biological Resources**

- 2.7.1 **Impact 4.8.1** Development under the Laguna Ridge Specific Plan would result in the loss of landmark-sized trees and protected tree species, which would conflict with the City's Tree Preservation Ordinance.

Mitigation Measures

**MM 4.8.1a**

A tree survey shall be conducted by an arborist certified by the International Society of Arboriculture (ISA) to enumerate and evaluate all trees on the site that meet the standards in the City Tree Ordinance (as amended).

All tree locations shall be mapped onto all subsequent improvement and construction plans, tentative subdivision maps, and maps associated with development projects and rezones. Direct loss of protected trees shall be clearly identified on all subsequent maps and plans.

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*Timing/Implementation: As part of the subsequent development application submittals and prior to construction activities*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.8.1b**

Unless identified for removal as described in MM 4.8.1, all trees that meet the following criteria shall be avoided by construction and protected during all construction activity:

- Native and Non-Native Oak Trees with a trunk at least six inches (6") in diameter at a height of 4.5 feet.
- All other trees with a trunk diameter of twelve inches (12") at a height of 4.5 feet.

Trees to be retained shall be protected by implementation of the following measures:

1. Before initiating any construction activity near protected trees, install chain link fencing or a similar protective barrier at least one foot outside the dripline of each tree or as far as possible from the tree trunk where the existing road is within the tree dripline. The barrier fencing will remain in place for the duration of construction activity.
2. Any required pruning of oak trees shall be conducted before construction activity begins. Oak trees that require pruning of branches larger than two inches in diameter shall be pruned by a certified arborist. No pruning of the six-foot-diameter tree will be permitted.
3. No signs, ropes, cables (except cable that may be installed by a certified arborist or other professional tree expert), or other items shall be attached to the oak trees.
4. No vehicles, construction equipment, mobile home/office, supplies, materials, or facilities shall be driven, parked, stockpiled, or located within the driplines of oak trees.
5. No grading shall be allowed within the driplines of oak trees except where paved roadway already exists and where it can be demonstrated that the health of the tree will not be significantly impacted. Removal of pavement and grading within the driplines of oak trees shall be conducted in the presence of a certified arborist to ensure that damage and stress to any oak tree is minimized.
6. Any work necessary within the driplines shall be conducted by hand.
7. Paving within the driplines of oak trees shall be stringently minimized. When paving is absolutely necessary, porous material shall be used or a piped aeration system shall be installed under the supervision of a certified arborist.
8. Landscaping beneath oak trees may include non-plant material such as boulders, cobbles, and wood chips. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for understory plants.
9. No sprinkler system shall be installed in such a manner that it irrigates within the driplines of oak trees.

Trees that are subject to protection and which cannot be protected shall be replaced with in-kind species in accordance with established tree planting specifications, the combined diameter of which shall equal the combined diameter of the trees removed.

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If trees cannot be preserved or replaced onsite, off-site mitigation or the payment of an in-lieu fee shall be provided in accordance with the provisions of the City Tree Preservation Ordinance (as amended).

The above requirements shall be implemented prior to and during construction activities for all subsequent public and private projects. Improvement and construction plans shall specifically note this measure.

*Timing/Implementation: As part of the subsequent development application submittals and prior to and during construction activities*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.8.1c**

Trees planned for removal and which meet the criteria contained in the City's Tree Preservation Ordinance (as amended) and the City of Elk Grove General Plan Conservation and Air Quality Element, a tree mitigation plan shall be submitted to the City of Elk Grove in accordance with City requirements. Protected trees shall be replaced on a no-net-loss basis.

Tree mapping required under mitigation measure MM 4.8.1a will delineate all protected trees planned to be removed. Mitigation areas, if needed, shall be within the plan area limits in landscape corridors and designated open space areas, if feasible. However, if the applicant demonstrates that onsite mitigation is not feasible, offsite mitigation within the city limits will be acceptable. Should the applicant contract with an organization for offsite tree mitigation, the City of Elk Grove shall review and may approve the contract if it meets the no-net-loss requirement and is otherwise deemed appropriate. The mitigation plan shall include the following components:

1. Number, location, size, and species of the replacement trees to be planted;
2. Methods of irrigation for planted trees;
3. Planting and maintenance schedule; and
4. Plan for care of planted trees for a three-year establishment period and replacement of any planted trees that do not survive.

*Timing/Implementation: Prior to issuance of grading permit*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.1 a-c are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures will minimize the loss of trees that meet the standards in the City Tree Ordinance, ensure that all landmark-sized and protected trees are either preserved or replaced on-site to the extent feasible, and mitigate for the loss of any such trees with off-site mitigation or the payment of in-lieu fees, in accordance with the City's Tree Preservation Ordinance. (RDEIR pages 4.8-22 through -25)

2.7.2 **Impact 4.8.2** Project implementation could remove potential habitat for Sanford's arrowhead, a special-status plant species.

Mitigation Measures

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**MM 4.8.2a**

Prior to approval of site plans and/or tentative subdivision maps for each parcel proposed for development within 50 feet of the perennial marsh shown in **Figure 4.8-1** of the Draft EIR, a focused plant survey for Sanford's arrowhead is required to determine the presence/absence of this species. The surveys shall be conducted by a qualified botanist retained by the City and funded by the project applicant during the blooming period (May-August) for this species.

*Timing/Implementation: Prior to approval of site plans and/or tentative subdivision map for parcels proposed for development within 50 feet of the perennial marsh.*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.8.2b**

If this species is not found onsite, no further measures are required. However, if Sanford's arrowhead is found, each population shall be mapped and technical assistance from CNPS and the U.S. Fish and Wildlife Service shall be requested. To the maximum extent feasible, plant populations shall be preserved within open space non-disturbance areas. However, if these areas cannot be avoided, land-supporting populations of the impacted species shall be purchased and shall be permanently protected. Under the direction of CNPS and the U.S. Fish and Wildlife Service, preservation strategies shall be implemented, which may include seed and soil collection or plant transplant. At a minimum, mitigation shall occur at a 1:1 ratio (one plant preserved for every plant impacted). A detailed mitigation plan that includes species, habitat, preserve management, and monitoring strategies shall be developed in consultation with the U.S. Fish and Wildlife Service.

*Timing/Implementation: Prior to approval of site plans and/or tentative subdivision maps for parcels proposed for development within 50 feet of the perennial marsh.*

*Enforcement/Monitoring: City of Elk Grove Development Services and U.S. Fish and Wildlife Service*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.2a and MM 4.8.2b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures ensure that any Sanford's arrowhead on-site is preserved in place, to the extent feasible, and if necessary, off-site mitigation at a minimum 1 to 1 ratio, in consultation with the U.S. Fish & Wildlife Service. (RDEIR page 4.7-26)

- 2.7.3 **Impact 4.8.3** Development under the Laguna Ridge Specific Plan could result in the filling of jurisdictional wetlands and waters of the U.S.



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Mitigation Measure

**MM 4.8.3**

As part of each subsequent project application submittal to the City, the project applicant shall identify all potential wetland resources that occur on-site for City review (such as those identified in Figure 4.8-1 of the Draft EIR. If wetland resources are proposed to be impacted, the project applicant shall do the following:

1. The applicant shall delineate the extent of jurisdictional waters of the U.S. to be impacted by the proposed project and, if required, apply for a Section 404 permit from the U.S. Army Corps of Engineers (Corps). Wetland areas that would be lost or disturbed shall be replaced or rehabilitated on a "no-net-loss" basis. Onsite creation of wetland habitat is preferred to offsite mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to the Corps and City.
2. The applicant shall obtain a Section 401 water quality waiver of certification from the RWQCB.
3. A mitigation plan shall be implemented that includes one of the following:
  - (a) Completion of an onsite Mitigation and Monitoring Plan that includes onsite creation/preservation of the wetlands.
  - (b) Credits may be obtained at an approved mitigation bank.

The project applicant shall provide written evidence to the City from the Corps and the RWQCB that this measure has been complied with prior to recordation of final maps.

*Timing/Implementation:* As part of subsequent tentative map applications and completed prior to final map recordation.

*Enforcement/Monitoring:* City of Elk Grove Development Services, Corps, and RWQCB.

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.3 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** This measure ensures that any disturbance to wetland areas will be replaced or rehabilitated on a "no-net-loss" basis. (RDEIR page 4.8-27 and -28)

- 2.7.4 **Impact 4.8.4** Construction activities associated with the Laguna Ridge Specific Plan may result in the direct loss of giant garter snakes.

Mitigation Measures

**MM 4.8.4a**

Within 30 days prior to commencement of construction activities, a pre-construction survey of land within 200 feet of all wetlands, channels, ponds, and other such waterways within the plan area shall be conducted by a qualified biologist retained by the City and funded by the project applicant who is approved by the Service's Sacramento Fish and Wildlife Office. In order to protect snakes, de-watering of areas within the site shall not occur prior to completion of the pre-construction surveys. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist shall be retained by the City and funded by the project applicant to routinely monitor construction activities. If a snake is encountered during construction activities,

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the monitoring biologist shall contact the City Development Services and will have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed.

Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a) 1(A) of the Act. The biologist shall be required to report any incidental take to the Service immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.

This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.

*Timing/Implementation: 30 days prior to grading and commencement of construction activities*

*Enforcement/Monitoring: USFWS and City of Elk Grove Development Services*

**MM 4.8.4b**

If a giant garter snake is identified within the plan area either during pre-construction surveys or during construction, the following shall occur:

1. The City of Elk Grove shall be notified;
2. The City shall suspend all construction activities on the site of the sighting and along any water feature within the plan area that is hydrologically connected to the site of the sighting;
3. Protocol surveys shall be conducted by qualified biologists retained by the City and funded by the project applicant who are approved by the Service's Sacramento Fish and Wildlife Office;
4. The project applicant shall consult with the USFWS and CDFG to determine appropriate mitigation for the species and habitat loss, possibly including Section 10 consultation with the USFWS and Section 2081 consultation with the CDFG; and,
5. The project applicant shall provide the City with proof of the consultation and compliance with USFWS and CDFG mitigation requirements before construction activities may resume.

This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.

*Timing/Implementation: Prior to and during construction activities*

*Enforcement/Monitoring: City of Elk Grove Development Services, CDFG and USFWS.*

**MM 4.8.4c**

No grading or other construction activities shall be conducted from October 1 to April 30, which is the inactive period of the giant garter snake. More danger is posed to snakes during their inactive period, because they are occupying underground burrows or crevices and are more susceptible to direct effects, especially during excavation. A "no grading" period from October 1 to April 30 will apply to portions of the plan area located within 1,000 feet of ditches, canals, ponds, wetlands or other such areas. This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes have been found.

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*Timing/Implementation: Prior to project grading and during construction activity*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.8.4d**

Dewatering of ponds, ditches, canals and other such areas may begin any time after November 1, but no later than April 1 of the following year, once the absence of the species is determined or implementation of Mitigation Measure 4.8.4b has been completed. All water must be removed by April 15, or as soon thereafter as weather permits, and the habitat must remain dry without any standing water for 15 consecutive days after April 15 and prior to excavating or filling the dewatered habitat.

This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.

*Timing/Implementation: Prior to and during construction activity*  
*Enforcement/Monitoring: City of Elk Grove Development Services and CDFG.*

**MM 4.8.4e**

Construction personnel shall participate in a Service-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the Act. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the City and the Sacramento U.S. Fish and Wildlife Office.

This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.

*Timing/Implementation: Prior to project grading and construction*  
*Enforcement/Monitoring: U.S. Fish and Wildlife Service and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that the above described mitigation measures are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures ensure that the giant garter snake will be protected from any significant adverse impacts of the Project through pre-construction surveys, consultation with the appropriate agencies in the event of species occurrence, prohibition of grading and construction activities during the snake's inactive period, and restriction of dewatering activities. (RDEIR pages 4.8-28 through -31)

- 2.7.5 **Impact 4.8.5** Implementation of the Laguna Ridge Specific Plan may result in the loss of potential valley elderberry longhorn beetle habitat.

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### Mitigation Measure

#### **MM 4.8.5**

The project applicant shall design the subsequent public and private projects within the plan area to avoid impacts to potential habitat for VELB (elderberry shrubs; see Figure 4.8-1 of the Draft EIR), if feasible. If project development is required in areas that may impact elderberry shrubs containing stems measuring 1.0 inch or greater in diameter at ground level (development within 100 feet of shrub dripline), the project applicant shall perform one of the following measures:

1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the USFWS, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.
2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.
4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

### Restoration and Maintenance

1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.
2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding and trash removal are usually appropriate.
3. No insecticides, herbicides, fertilizers or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.
4. The applicant must provide a written description of how the buffer areas are to be restored, protected and maintained after construction is completed.
5. Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/trimming equipment).

If the shrub cannot be avoided, then a mitigation plan shall be developed and implemented in consultation with USFWS consistent with the conservation guidelines for the valley elderberry longhorn beetle, which likely includes one or more of the following:

- Obtain credits at an approved mitigation bank; or
- Implement an onsite mitigation and monitoring plan that includes transplantation of the shrub and planting of elderberry seedlings.

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The mitigation plan shall be approved by the USFWS prior to acceptance by the City. Any required onsite mitigation shall be incorporated into subsequent improvement and construction plans.

*Timing/Implementation: Prior to approval of subsequent development and prior to and during construction activities*

*Enforcement/Monitoring: U.S. Fish and Wildlife Service and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.5 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** These measures ensure avoidance of impacts through protective fencing and other measures and, where avoidance cannot be implemented, any significant adverse impacts to this species' habitat will be minimized through the creation of equivalent habitat or through transplantation of host plants. (RDEIR page 4.8-31 and -32)

- 2.7.6 **Impact 4.8.6** Implementation of the Laguna Ridge Specific Plan may remove potential habitat for vernal pool fairy shrimp (*Branchinecta lynchi*) and vernal pool tadpole shrimp (*Lepidurus packardii*).

Mitigation Measure

**MM 4.8.6**

The project applicant shall design the subsequent public and private projects within the plan area to avoid impacts to potential habitat for vernal pool invertebrates by providing an appropriate setback from the edge of each pool, as determined by the City in consultation with the U.S. Fish and Wildlife Service, if feasible. If pools impacted cannot be avoided, the project proponent shall implement the following measures:

1. Completion of an onsite mitigation and monitoring plan that includes onsite creation/preservation of the pools. Mitigation shall be to the satisfaction of the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers (as part of Section 404 permitting), and the City, or
2. Credits may be obtained at an approved mitigation bank.

*Timing/Implementation: Prior to the approval of subsequent development and prior to construction activities*

*Enforcement/Monitoring: U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.6 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** The establishment of appropriate setbacks from vernal pools or on-site mitigation as determined by the City and regulatory agencies protects

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these species and their habitat from any significant adverse impacts of the Project. (RDEIR page 4.8-33)

- 2.7.7 **Impact 4.8.7** Implementation of the Laguna Ridge Specific Plan may remove Swainson's hawk nesting and foraging habitat.

Mitigation Measures

**MM 4.8.7a**

As a condition of approval of subsequent development (i.e., approval of improvement and construction plans), including offsite improvements, under the Plan, the project applicant shall mitigate the loss of Swainson's hawk foraging and/or nesting habitat by one of the following methods:

- Preserve 1.0 acre of similar habitat for each acre lost due to project implementation. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove. The applicant shall be responsible for funding the operation and maintenance and-or monitoring of the protected land.
- Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the CDFG that includes the preservation of Swainson's hawk foraging habitat, or
- Mitigate impacts in compliance with Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect. This option shall be suspended until Chapter 16.130 is amended to eliminate the mitigation fee option so that it is available only to projects that do not exceed 50 acres in size.

Compliance with this mitigation measure may be fulfilled in combination with the implementation of Mitigation Measure MM 4.1.1 if the CDFG determines that farmland preserved under MM 4.1.1 also qualifies as suitable Swainson's hawk foraging habitat.

*Timing/Implementation:* Prior to approval of improvement and construction plans

*Enforcement/Monitoring:* City of Elk Grove Development Services and CDFG

**MM 4.8.7b**

Prior to any and all subsequent construction activities in the plan area, a Swainson's hawk nest survey shall be conducted. The nest survey shall be conducted during the Swainson's hawk breeding season (March 15 – August 31) and within 30 days of the start of construction activities for a 1/2-mile radius of the project site. In addition, a survey of the project site and areas within 500 feet of the project site shall be conducted once in April and once in May. If active Swainson's hawks nests are found, the applicant shall consult with the Department of Fish and Game and a qualified biologist shall be retained by the City and funded by the project applicant and clearing and construction shall be postponed or halted until additional nesting attempts no longer occur. If a nest tree is found on the subsequent project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained and mitigation implemented pursuant to CDFG guidelines.

*Timing/Implementation:* Prior to construction activities and throughout project construction

*Enforcement/Monitoring:* City of Elk Grove Development Services and CDFG

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**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.7a and 4.8.7b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** Measures such as preconstruction surveys, payment of mitigation fees, and consultation with the appropriate regulatory agency when active nests are present on the project site protect the Swainson's hawk from significant adverse impacts of the Project, including the loss of foraging habitat, and would avoid any impacts to active nests. [RDEIR page 4.8-33 and -34; RFEIR pages 3.0-26 through -32]

- 2.7.8 **Impact 4.8.8** Implementation of the Laguna Ridge Specific Plan could result in disturbance to bats, nesting raptors and other migratory birds, including burrowing owl and tricolored blackbird.

Mitigation Measures

**MM 4.8.8a**

If construction is proposed during the raptor-breeding season (February–August), a focused survey for raptors (including burrowing owls), migratory bird nests, and bat roosts shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests onsite. If active nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. This 500-foot construction prohibition zone may be reduced based on consultation and approval by the California Department of Fish and Game. Trees containing nests, or burrows that must be removed as a result of project implementation shall be removed during the non-breeding season (late September to March). If no active nests are found during the focused survey, no further mitigation will be required. **This mitigation measure does not apply to a Swainson's hawk nest.** Because the Swainson's hawk is Federally protected and a State threatened species, the removal of any tree containing an occupied hawk nest could severely affect nesting raptors, fledgling and/or eggs. Therefore, if an occupied Swainson's hawk nest tree is found on the subsequent project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained pursuant to CDFG guidelines.

*Timing/Implementation: Prior to construction activities*

*Enforcement/Monitoring: City of Elk Grove Development Services and CDFG*

**MM 4.8.8b**

Within 30 days prior to the onset of construction activities outside of the breeding season (September–January), a qualified biologist shall conduct a burrow survey to determine if burrowing owls are present in the plan area. If burrowing owls are observed on the site, measures shall be implemented to ensure that no owls or active burrows are inadvertently buried during construction. Such measures include: flagging the burrow and avoiding disturbance; securing and preserving suitable habitat offsite; passive relocation and/or active relocation to move owls from the site. All measures shall be determined by a qualified biologist and approved by the CDFG.

All burrowing owl surveys shall be conducted according to CDFG protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two

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hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.

*Timing/Implementation: Prior to construction activities.*

*Enforcement/Monitoring: City of Elk Grove Development Services and CDFG*

**MM 4.8.8c**

Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, if active songbird nests or active owl burrows are found within the survey area, clearing and construction within a minimum of 250 feet for owls and 100 feet for songbirds, or as determined by a qualified biologist to ensure disturbance to the nest will be minimized, shall be postponed or halted. Construction will not resume within the buffer until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The perimeter of the protected area shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist.

*Timing/Implementation: Thirty days prior to construction activities occurring between September 1 through January 31*

*Enforcement/Monitoring: City of Elk Grove Development Services and CDFG*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.8.8 a-c are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures protect nesting raptors and migratory birds from any significant adverse impacts of the Project, and avoid any significant impacts to their active nests or burrows. (RDEIR page 4.8-35 and -36)

## **2.8 Geology and Geotechnical Hazards**

2.8.1 **Impact 4.9.1** Development of the Laguna Ridge Specific Plan area and off-site improvements may result in increased soil erosion, wind and water erosion, and siltation of local drainage during and after construction from excavation and grading activities.

Mitigation Measure

**MM 4.9.1**

Prior to issuance of a grading permit for each subsequent project, the project applicant shall submit to the City an erosion control plan, which will utilize best construction practices to limit the erosion effects of the proposed project. Measures shall include, but are not limited to, the following:

- Hydro-seeding
- Placement of loose straw and/or straw bales within drainage ways and ahead of drop inlets;
- The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);
- The placement of straw wattles along slope contours;
- Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to washout wherever they feel like); and



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- The use of siltation fences.

*Timing/Implementation: Prior to the issue of grading permit and during construction.*

*Enforcement/Monitoring: City of Elk Grove Development Services, Public Works*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.9.1 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** The erosion plan requires measures, such as hydro-seeding, use of filter fabric and siltation fencing that will minimize any substantial soil erosion or loss of topsoil. (RDEIR page 4.9-11 and -12)

## **2.9 Cultural Resources**

- 2.9.1 **Impact 4.10.1** Implementation of the Laguna Ridge Specific Plan could, during construction and excavation activities, uncover unidentified cultural resources.

### Mitigation Measures

#### **MM 4.10.1a**

Prior to subsequent approvals on non-participating properties, a detailed cultural resources field survey of the subject property shall be conducted by the City and funded by the project applicant. The cultural resources field survey shall identify any cultural resource finds and will set out measures to mitigate any impacts to any significant resources as defined by CEQA, California Register of Historic Resources and/or National Historic Preservation Act. Mitigation methods to be employed include, but are not limited to, the following:

- Redesign of the subsequent development project to avoid the resource. The resource site shall be deeded to a non-profit agency to be approved by the City for maintenance of the site.
- If avoidance is determined infeasible by the City, then the resource shall be mapped, stabilized, and capped pursuant to appropriate standards.
- If the City determines capping infeasible, then the resource shall be excavated and recorded to appropriate standards.

*Timing/Implementation: Prior to subsequent approvals on non-participating properties*

*Enforcement/Monitoring: City of Elk Grove Development Services*

#### **MM 4.10.1b**

In the event that any historic surface or subsurface archaeological features or deposits, including locally darkened soil indicative of an archaeological midden that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during on-site or off-site construction, all work within 100 feet of the find shall cease and Development Services shall be notified. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall be contacted to determine if the resource is significant and to determine appropriate mitigation. Any artifacts uncovered shall be recorded and removed to a location to be determined by the archaeologist. The discovery of human remains shall also be reported to the County Coroner in accordance with Section 7050.5 the California Health and Safety Code, and the Native American Commission for further investigation. If the remains are determined

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to be Native American, the Native American Commission shall inform the most likely descendent and will determine the appropriate disposition of the remains and grave goods.

*Timing/Implementation: During construction activities*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.10.1a and MM 4.10.1b are feasible measures to offset the impact and are, therefore, adopted.

**Facts that Support the Finding:** These measures ensure proper avoidance, preservation or recordation of significant cultural resources in accordance with the National Historic Preservation Act and other applicable requirements. [RDEIR page 4.10-9 and -10]

2.9.2 **Impact 4.10.2** Development under the Laguna Ridge Specific Plan may cause existing, potentially historically significant structures to be damaged or demolished.

Mitigation Measure

**MM 4.10.2**

Prior to subsequent approvals on non-participating properties that include the buildings at 8533 and 8551 Poppy Ridge Road, a detailed evaluation of the historical significance of the structures at the two sites listed above shall be conducted by the City and funded by the project applicant. If the evaluation is negative (i.e., not historically significant), no further mitigation is required.

If the evaluation determines that the two sites are historically significant, the subsequent development project shall be redesigned to avoid the building site(s). The building site(s) will be deeded to a non-profit agency to be approved by the City for the maintenance of the site(s). If avoidance is determined to be infeasible by the City, all required documentation (in addition to the items above) shall be conducted in accordance with appropriate standards:

- The development of a site-specific history and appropriate contextual information regarding the particular resource; in addition to archival research and comparative studies, this task could involve limited oral history collection;
- Accurate mapping of the noted resources, scaled to indicate size and proportion of the structures;
- Architectural description of affected structures;
- Photo documentation of the designated resources, both in still and video format;
- Recordation of measured architectural drawings, in the case of specifically designated buildings of higher architectural merit; and
- Any historical significant artifacts within buildings and the surrounding area shall be recorded and deposited with the appropriate museum.

These buildings shall be preserved and relocated off-site.

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*Timing/Implementation: Prior to subsequent approvals on non-participating properties associated with 8533 and 8551 Poppy Ridge Road*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding:** 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 that avoid or substantially lessen the significant environmental effect to a **less than significant** level. The City further finds that MM 4.10.2 is a feasible measure to offset the impact and is, therefore, adopted.

**Facts that Support the Finding:** This measure requires preservation and/or appropriate recordation of any significant historic resources on the Project site. (RDEIR page 4.10-10 and -11)

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### **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 Revised 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 Agricultural Resources**

- 3.1.1 **Impact 4.1.1** Implementation of the proposed project would result in the conversion of approximately 1,851 acres of productive agricultural land, which includes 52.8 acres of Prime Farmland, and 1,576.3 acres of Farmland of Statewide Importance.

Mitigation Measures:

##### **MM 4.1.1**

The applicant of subsequent projects shall protect one acre of existing farmland land of equal or higher quality for each acre of Prime Farmland, Unique Farmland or Farmland of Statewide Importance that would be developed as a result of the project. Areas of Prime Farmland and Farmland of Statewide Importance within the project site are depicted in Figure 4.1-1 of the Revised Draft EIR. This protection may consist of the establishment of farmland conservation easement, farmland deed restriction or other appropriate farmland conservation mechanism that ensures the preservation of that land from conversion in perpetuity, but may also be utilized for compatible wildlife habitat conservation efforts (e.g., Swainson's hawk foraging habitat mitigation). The farmland/wildlife habitat land to be preserved shall be located within Sacramento County, outside the City of Elk Grove city limits, bounded by Hood-Franklin Road, Kammerer Road, Grant Line Road and the Jackson Highway, by Dillard Road and Clay Station Road, by the Sacramento County line, and by the Sacramento River, and must have adequate water supply to support agricultural use. In deciding whether to approve the land proposed for preservation by the Project applicant, the City shall consider the benefits of preserving farmlands in proximity to other protected lands. The preservation of off-site farmland may be done at one time, prior to the City's approval of the project's first grading permit, or may be done in increments with the build-out of the project, with preservation occurring prior to each grading permit approval. Grading plans shall include the farmland information contained in Figure 4.1-1 of the Revised Draft EIR and the acreage and type of farmland impacted. In addition, the City shall impose the following minimum conservation easement content standards:

- a) All owners of the agricultural/wildlife habitat mitigation land shall execute the document encumbering the land.
- b) The document shall be recordable and contain an accurate legal description of the agricultural/wildlife habitat mitigation land.

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- c) The document shall prohibit any activity which substantially impairs or diminishes the agricultural productivity of the land. If the conservation easement is also proposed for wildlife habitat mitigation purposes, the document shall also prohibit any activity which substantially impairs or diminishes the wildlife habitat suitability of the land.
  - d) The document shall protect any existing water rights necessary to maintain agricultural uses on the land covered by the document, and retain such water rights for ongoing use on the agricultural/wildlife habitat mitigation land.
  - e) Interests in agricultural/habitat mitigation land shall be held in trust by an entity acceptable to the City and/or the City in perpetuity. The entity shall not sell, lease, or convey any interest in agricultural/wildlife habitat mitigation land which it shall acquire without the prior written approval of the City.
  - f) The applicant shall pay to the City an agricultural/wildlife habitat mitigation monitoring fee to cover the costs of administering, monitoring and enforcing the document in an amount determined by the receiving entity, not to exceed 10% of the easement price paid by the applicant, or a different amount approved by the City Council, not to exceed 15% of the easement price paid by the applicant.
  - g) The City shall be named a beneficiary under any document conveying the interest in the agricultural/wildlife habitat mitigation land to an entity acceptable to the City.
  - h) If any qualifying entity owning an interest in agricultural/wildlife habitat mitigation land ceases to exist, the duty to hold, administer, monitor and enforce the interest shall be transferred to another entity acceptable to the City or to the City.

Before committing to the preservation of any particular farmland pursuant to this measure, the Project proponent shall obtain the City's approval of the farmland proposed for preservation.

*Timing/Implementation: Prior to the issuance of grading permits*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that although implementation of Mitigation Measure MM 4.1.1 is feasible and will protect existing farmland of the same or better value as being converted by the project from future development pressures, it would not mitigate the loss of on-site agricultural lands to a less than significant level. Other mitigation options (such as creating or improving farmland outside the Project boundaries) are not feasible measures that would avoid or substantially lessen the actual loss of important farmland on the Project site to a less than significant level. Therefore, the City further finds that there are no other 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.

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**Evidence:** While protecting existing farmland in the region as set forth in Mitigation Measure MM 4.1.1 will protect existing farmland of the same or better value as being converted by the project from future development pressures, it will not substantially lessen or avoid the direct, net loss of important farmlands that will result from implementation of the project. The creation of new and/or improved farmland (by adding irrigation or otherwise improving agricultural capability) is also considered infeasible because there is not enough appropriate land available and designated for agricultural use within the City under the City's General Plan Land Use Policy Map. (RDEIR page 4.1-14; REFEIR pages 3.0-63 through -65)

- 3.1.2 **Impact 4.1.3** The project would convert important farmland areas to urban uses. This loss would contribute to the cumulative loss of farmland in the region.

Mitigation Measures

Implement Mitigation Measure MM 4.1.1.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that although implementation of Mitigation Measure MM 4.1.1 is feasible and would protect existing farmland of the same or better value as being converted by the project from future development pressures, there are no feasible measures that would avoid or substantially reduce the actual loss of important farmland on the project site, or the contribution of that loss to the cumulative conversion of important farmland within the City and Region to a less than significant level. Therefore, the City further finds that there are no other 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:** While protecting existing farmland in the region as set forth in Mitigation Measure MM 4.1.1 will protect existing farmland of the same or better value as being converted by the project from future development pressures, a net loss of important farmlands will still result from implementation of the Project. Direct preservation of other existing important farmland areas within the City also would not substantially lessen or avoid the loss of farmland that will result from implementation of the Project, and is considered infeasible because it would conflict with the City's General Plan Guiding Goals 1 and 2, Focused Goals, 1-6, 1-9, 2-1 through 2-4, and Housing Goals 1, 2 and 5. The creation of new and/or improved farmland (by adding irrigation or otherwise improving agricultural capability) is also considered infeasible because there is not enough appropriate land available and designated for agricultural use within the City under the City's General Plan Land Use Policy Map. (RDEIR page 4.1-14; REFEIR pages 3.0-63 through -65) (RDEIR page 4.1-18)

**3.2 Transportation and Circulation**

- 3.2.1 **Impact 4.2.1** The projected daily volume on the existing sections of Elk Grove Boulevard from Bruceville Road to Auto Center Drive, Elk Grove Boulevard from East Stockton Boulevard to Elk Grove-Florin Road, Grant Line Road between SR 99 and Waterman Road, Poppy Ridge Road from Bruceville Road to West Stockton Boulevard, West

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Stockton Boulevard between Kammerer Road and Poppy Ridge Road, and West Stockton Boulevard from Poppy Ridge Road to the Auto Mall Access, with the development of Laguna Ridge Specific Plan, would exceed the City's thresholds for roadway segment operations.

Mitigation Measures

**MM 4.2.1b**

Elk Grove Boulevard between East Stockton Boulevard and Elk Grove-Florin Road shall be widened from two to three lanes in each direction.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay their fair-share of the estimated cost of the improvement and cost of the right-of-way into the future City's Traffic Impact Fund.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact on the Elk Grove Boulevard – East Stockton Blvd to Elk Grove-Florin Road Roadway Segment.**

Based upon the information contained in the FEIR and the Administrative Record, the City hereby finds that although a mitigation measure was identified that would reduce the proposed project's adverse impact on this roadway segment to a less than significant level, this mitigation is infeasible for several reasons: (1) the improvement required was not included in the Laguna South Public Facilities Fee Program because it would require the acquisition of additional right-of-way, which would in turn require relocation of existing businesses and other established uses along Elk Grove Boulevard. 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** for the Elk Grove Boulevard – East Stockton Blvd to Elk Grove-Florin Road roadway segment. 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. All other roadway impacts identified under this impact are mitigated to a less than significant level as described in Section 2 of these findings.

**Evidence:** Implementation of MM 4.2.1b as shown in Table 4.2-14 and Figure 4.2-9 would provide sufficient capacity to provide LOS C operation on existing arterial roadway segments (under existing plus project conditions), including Elk Grove Boulevard from East Stockton Boulevard to Elk Grove-Florin Road. However, further improvement of these rights-of-way that would be necessary to reduce impacts are not possible as extensive commercial and other development is located immediately adjacent to these roadways. (RDEIR Section 4.2.3 and RDEIR Page 4.2-34).

- 3.2.2 **Impact 4.2.2.** The addition of project traffic would cause LOS F operations at the Elk Grove Boulevard/Bruceville Road intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/Big Horn Road intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/Auto Center Drive intersection during the a.m. and p.m. peak hours; LOS F operations at the Elk Grove Boulevard/SR-99 SB Ramps intersection during the a.m. and p.m. peak hours; LOS F operations at the Poppy Ridge Road/Bruceville Road intersection during a.m. and p.m. peak hours; and LOS F operations at the Elk Grove Boulevard intersection during the p.m. peak hour.

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Mitigation Measures

**MM 4.2.2d**

Right-turn overlap phasing for the northbound right-turn movement shall be provided at the Elk Grove Boulevard/Auto Center Drive intersection. This improvement would require modification of the existing signal equipment and signal phasing.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.2e**

The following lane configurations shall be provided at the Elk Grove Boulevard/SR 99 Southbound Ramps intersection.

- Two right-turn lanes, a shared through/left-turn lane, and an exclusive left-turn lane on the southbound approach.
- One right-turn lane and three through lanes on the eastbound approach.
- Three through lanes on the westbound approach.
- In addition, construct a loop on-ramp in the northwest quadrant of the interchange to replace the westbound left-turn movement.

These improvements will require coordination and approval of Caltrans as well as incorporation into the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay their fair-share of the estimated cost of the improvement and cost of the right-of-way into the City's future Traffic Impact Fund.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.2k**

The following lane configurations shall be provided at the Elk Grove Boulevard/Elk Grove-Florin Road intersection.

- A shared through/right-turn lane, one through lane, and two left-turn lanes on the northbound approach.
- In addition, provide protected left-turn phasing on the northbound and southbound approaches.



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Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay their fair-share of the estimated cost of the improvement and cost of the right-of-way into the City's future Traffic Impact Fund.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact for the Following Road Intersections:**

- Elk Grove Blvd/SR 99 Southbound Ramp
- Elk Grove Blvd/ Auto Center Drive
- Elk Grove Blvd/Elk Grove-Florin Road

Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that although mitigation measures exist which would reduce the impact on the above referenced intersections, these measures are either infeasible or they will not reduce the impact to a less than significant level, or both.

Implementation of Mitigation Measure MM 4.2.2d is considered feasible and will provide LOS C and LOS E operations during the a.m. and p.m. peak hours, respectively. While implementation of this mitigation measure would improve traffic operations, it would not eliminate the deficiency identified based on the City's LOS D threshold and no feasible mitigation exists to improve traffic operations to LOS D or better.

While implementation of Mitigation Measure MM 4.2.2e would meet City LOS standards, it would ultimately require approval from Caltrans associated with improvements to state right-of-way (State Route 99) and is considered infeasible since it is outside of the jurisdiction of the City.

Implementation of Mitigation Measure MM 4.2.2k is would meet City LOS standards, but is considered infeasible given that the need for additional right-of-way would require the acquisition of businesses immediately adjacent to the intersection.

Based on the above, the City finds that there are no feasible mitigation measures that might avoid or reduce these impacts 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. All other intersections identified in this impact can be mitigated to a less than significant level as described in Section 2 of these findings.

**Evidence:** Implementation of MMs 4.2.2d, 4.2.2e, 4.2.2k would reduce impacts to study intersections (under existing plus project conditions). However, some intersections as

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shown in RDEIR Table 4.2-15 and Figure 4.2-10 would not achieve the City's LOS D threshold, even with improvements. Further improvements to the Elk Grove Boulevard/Auto Center Drive would not meet the City's LOS standard and Elk Grove-Florin Road intersections would require acquisition of additional rights-of-way that is not considered to be possible as commercial and other development is located immediately adjacent to these roadways. The proposal and timing of further improvements to the Elk Grove Boulevard/SR 99 Ramps intersection are not known and will depend on if and when Caltrans will approve of the improvements and begins design of improvements to the highway facilities. SR 99 is a state highway facility and these improvements must be 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. (RDEIR Section 4.2.3 and RDEIR Page 4.2-42, 43, 46, 47).

- 3.2.3 **Impact 4.2.3** The projected daily volume on the sections of Laguna Boulevard from Bruceville Road to SR 99, Laguna Boulevard from Franklin Road to Bruceville Road, Elk Grove Boulevard between Bruceville Road and Auto Center Drive, Elk Grove Boulevard from East Stockton Boulevard to Elk Grove-Florin Road, Bruceville Road from Elk Grove Boulevard to Laguna Boulevard, and Bruceville Road north of Laguna Boulevard, with the development of Laguna Ridge Specific Plan, would exceed the City's thresholds for roadway segment operations.

Mitigation Measures

**MM 4.2.3a**

The section of Laguna Boulevard between Bruceville Road and SR 99 shall be widened from three to four lanes in each direction.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay its fair share. As identified in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.3b**

The section of Elk Grove Boulevard between Bruceville Road and Auto Center Drive shall be widened from three to four lanes in each direction.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay its fair share. As identified in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects.*

*Enforcement/Monitoring: City of Elk Grove Development Services.*

**MM 4.2.3c**

Widen the section of Elk Grove Boulevard between East Stockton Boulevard and Elk Grove-Florin Road from two to three lanes in each direction.

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If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay its fair share. As identified in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.3e**

Laguna Boulevard between Franklin Boulevard and Bruceville Road shall be widened from three to four lanes in each direction.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay its fair share. As identified in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.3f**

Widen the section of Bruceville Road between Laguna Boulevard and Big Horn Boulevard from two to three lanes in each direction.

If the additional right-of-way necessary for the improvement cannot be obtained, the project applicant shall pay its fair share. As identified in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program, as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact for the Following Road Segments:**

- Laguna Blvd – Bruceville Road to SR 99
- Elk Grove Blvd – Bruceville Road to Auto Center Drive
- Elk Grove Blvd – East Stockton Blvd to Elk Grove-Florin Road
- Laguna Blvd – Franklin Blvd to Bruceville Road
- Bruceville Road – North of Laguna Blvd

Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that although mitigation measures were identified that would reduce traffic impacts on the above referenced road segments to a less than significant level, implementation of these measures is not feasible because, at minimum, they all require the acquisition of right-of-way unavailable at this time and some of these improvements

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would be inconsistent with the 2003 Elk Grove General Plan Master Plan of Roadways regarding ultimate roadway widths. 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 MMs 4.2.3a, 4.2.3b, 4.2.3c, 4.2.3e, and 4.2.3f would provide sufficient capacity on arterial roadway segments (under cumulative plus project conditions) as shown in RDEIR **Table 4.2-18** and **Figures 4.2-14 and 15** to provide LOS B operation on Laguna Boulevard between Franklin and Bruceville Road, and Bruceville Road between Laguna Boulevard and Big Horn Boulevard; LOS D operation on Laguna Boulevard between Bruceville Road and SR 99, and Elk Grove Boulevard between Bruceville Road to Auto Center Drive, and LOS E operations on Elk Grove Boulevard between East Stockton Boulevard to Elk Grove-Florin Road. Improvement of these rights-of-way that would be necessary to reduce impacts would require an 8-lane configuration and the City does not currently have thresholds or standards for 8-lane roadways. Acquisition of the additional right-of-way needed for these improvements may not be possible as existing commercial and residential development is located immediately adjacent to these roadways. [RDEIR Section 4.2.4, page 4.2-56, 61, 62, 63, 64; 2003 Elk Grove General Plan]

3.2.4 **Impact 4.2.5** Implementation of the proposed project would degrade operations at the Laguna Boulevard/Franklin Boulevard, Elk Grove Boulevard/Big Horn Boulevard, Elk Grove Boulevard/West Laguna Springs Drive, Elk Grove Boulevard/Auto Center Drive, Elk Grove Boulevard/SR 99 Southbound Ramps, Elk Grove Boulevard/East Stockton Boulevard, Elk Grove Boulevard/Elk Grove-Florin Road, Elk Grove-Florin Road/East Stockton Boulevard, Hood-Franklin Road/I-5 Southbound Ramps, Hood-Franklin Road/I-5 Northbound Ramps, Grant Line Road/West Stockton Boulevard, Grant Line Road/Waterman Road, Laguna Boulevard/Big Horn Boulevard, Laguna Boulevard/West Laguna Springs Drive, Elk Grove Boulevard/Franklin Boulevard, Elk Grove Boulevard/Bruceville Road, and Grant Line Road/Bradshaw Road intersections to unacceptable LOS conditions.

Mitigation Measures

**MM 4.2.5b**

The following lane configurations shall be provided at the Elk Grove Boulevard/Big Horn Boulevard intersection.

- One right-turn lane, two through lanes, and two left-turn lanes on the northbound approach.
- One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.
- One right-turn lane, three through lanes, and two left-turn lanes on the eastbound approach.
- One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.
- Right-turn overlap phasing on all approaches to the intersection, which would require modification of the existing signal equipment and signal phasing.

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Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5c**

The following lane configurations shall be provided at the Elk Grove Boulevard/West Laguna Springs Drive intersection.

- One right-turn lane, two through lanes, and one left-turn lane on the southbound approach.
- Two right-turn lanes, two through lanes and one left-turn lane on the northbound approach.
- One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.
- One right-turn lane, three through lanes, and one left-turn lane on the eastbound approach.
- Protected left-turn phasing for the north and southbound left-turn movements.
- Provide right-turn overlap phasing on the northbound and southbound approaches, which would require modification of the existing signal equipment and signal phasing.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5d**

The following lane configurations shall be provided at the Elk Grove Boulevard/Auto Center Drive intersection.

- Two right-turn lanes, one through lane, and one left-turn lane on the northbound approach.
- Provide protected left-turn phasing on the northbound and southbound approaches.
- Provide right-turn overlap phasing on the northbound approach. Right-turn overlap phasing would require modification of the existing signal equipment and signal phasing.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter

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16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5e**

The following lane configurations shall be provided at the Elk Grove Boulevard/SR 99 Southbound Ramps intersection.

- One right-turn lane and three through lanes on the eastbound approach.
- Three through lanes on the westbound approach.
- Construct a loop on-ramp in the northwest quadrant of the interchange to replace the westbound left-turn movement.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.5g**

The following lane configurations shall be provided at the Elk Grove Boulevard/Bruceville Road intersection.

- One right-turn lane on the westbound approach.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5h**

The following lane configurations shall be provided at the Elk Grove Boulevard/Elk Grove-Florin Road intersection.

- A shared through/right-turn lane, one through lane, and one left-turn lane on the northbound approach.
- In addition, provide protected left-turn phasing on the northbound and southbound approaches.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter

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16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5i**

A traffic signal shall be installed and the following lane configurations shall be provided at the Elk Grove-Florin Road/East Stockton Boulevard intersection.

- One through lane and one left-turn lane on the southbound approach.
- One right-turn lane and two left-turn lanes on the westbound approach.
- One right-turn lane and one through lane on the northbound approach.
- This improvement would require 3-phase signal operation.

Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.2.5j**

Install a traffic signal and coordinate it with the Hood-Franklin Road/I-5 Northbound Ramps intersection.

This improvement will require coordination and approval from Caltrans and Sacramento County. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services, Sacramento County and Caltrans*

**MM 4.2.5k**

Install a traffic signal and coordinate it with the Hood-Franklin Road/I-5 Southbound Ramps intersection.

This improvement will require coordination and approval from Caltrans and Sacramento County. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

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*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services, Sacramento County and Caltrans*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact for the following intersections:**

- Elk Grove Blvd/Big Horn Blvd
- Elk Grove Blvd/Bruceville Road
- Elk Grove Blvd/West Laguna Springs Drive
- Elk Grove Blvd/Auto Center Drive
- Elk Grove Blvd/SR 99 Southbound Ramp
- Elk Grove Blvd/Elk Grove-Florin Road
- Elk Grove-Florin/East Stockton Blvd
- Hood-Franklin Road/I-5 Northbound Ramps
- Hood-Franklin Road/I-5 Southbound Ramps

Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that although there are some feasible mitigation measures that would reduce this impact, these measures will not reduce the impact to a less than significant level.

Implementation of mitigation measures MM 4.2.5b, MM 4.2.5c, MM 4.2.5d, MM 4.2.5f, MM 4.2.5g, MM 4.2.5i, MM 4.2.5j and MM 4.2.5k are feasible and would provide improved traffic operations. However, these improvements will not meet the City's LOS standard of "D".

Implementation of mitigation measures MM 4.2.5e and MM 4.2.5h, would improve traffic operations. However, these mitigation measures are considered infeasible given right-of-way constraints (MM 4.2.5h) or is outside the jurisdiction of the City to implement the necessary improvements (MM 4.2.5e [Caltrans]).

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 MMs 4.2.5b-e and 4.2.5g-k would reduce impacts to study intersections (under cumulative plus project conditions). However, some intersections shown in RDEIR Table 4.2-20 would not achieve the City's LOS D threshold, even with improvements. The addition of lane configurations and overlap phasing would provide LOS E operations at the Elk Grove Boulevard/Big Horn Boulevard intersection and LOS E and F operations in the a.m. and p.m. peak hours respectively, at the Elk Grove Boulevard/West Laguna Springs Drive and Elk Grove Boulevard/Auto Center Drive intersections. No further feasible mitigation has been identified that would eliminate these deficiencies. Additional improvements to intersections are limited by right-of-way constraints at the intersections of Elk Grove Boulevard with Bruceville Road and Elk Grove-Florin Road and both operate at LOS F in the p.m. peak. Installation of a traffic



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signal and proposed lane reconfiguration at the Elk Grove Florin/East Stockton Boulevard interchange would improve intersection operations to LOS B and E in the a.m. and p.m. peak hours respectively, but no further feasible mitigation has been identified that would eliminate the deficiency. Installation of traffic signals coordinated with the Hood-Franklin Road/I-5 Northbound and Southbound Ramps intersections would provide reduce impacts to less than significant levels. However, the proposal and timing of further improvements to the Elk Grove Boulevard/SR 99 Southbound Ramps and Hood-Franklin /I-5 Ramps intersection are not known and will depend on if and when Caltrans (acting as the lead agency) and Sacramento County submits the projects for inclusion into the Metropolitan Transportation Plan (MTP) and begins design of improvements to the highway facilities. I-5 is a state highway facility and these improvements must be programmed in the MTP. Additionally, I-5 is under the jurisdiction of Caltrans; therefore, it is outside the City's jurisdiction to implement this improvement. (RDEIR Section 4.2.4 and RDEIR Pages 4.2-65, 69-75).

- 3.2.5 **Impact 4.2.6** Under cumulative plus project conditions, the section of I-5 north of the Laguna Boulevard interchange would operate at LOS F during the a.m. peak hour (northbound) and LOS F during the p.m. peak hour (southbound) and the section of I-5 north of the Elk Grove Boulevard interchange would operate at LOS E during the a.m. peak hour (northbound).

Mitigation Measures

**MM 4.2.6a**

The project shall contribute to the following improvement to I-5:

- Construction of one lane northbound between Hood Franklin Road and Elk Grove Boulevard.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.6b**

The project shall contribute to the following improvement to I-5:

- Construction of one lane southbound between Hood Franklin Road and Elk Grove Boulevard.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

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**MM 4.2.6c**

The project shall contribute to the following improvement to I-5:

- Construction of one lane northbound between Laguna Boulevard and Pocket Road.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.6d**

The project shall contribute to the following improvement to I-5:

- Construction of one lane southbound between Laguna Boulevard and Pocket Road.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.6e**

The project shall contribute to the following improvement to I-5:

- Construction one lane northbound (approximately 0.25 miles) south of Hood Franklin Road.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects  
Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.6f**

The project shall contribute to the following improvement to I-5:

- Construction one lane southbound (approximately 0.25 miles) south of Hood Franklin Road.

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This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.6g**

The project shall contribute to the following improvement to I-5:

- Construction of one lane northbound between Elk Grove Boulevard and Laguna Boulevard.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Service and Caltrans*

**MM 4.2.6h**

The project shall contribute to the following improvement to I-5:

- Construction of one lane southbound between Elk Grove Boulevard and Laguna Boulevard.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*  
*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**Finding:** No Feasible Mitigation Measures Available to Mitigate the Impact (under cumulative plus project conditions) with or without the project for the following freeway mainline sections:

- I-5 Northbound – north of Hood-Franklin Road
- I-5 Southbound – north of Hood-Franklin Road
- I-5 Northbound – north of Laguna Boulevard

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- I-5 Southbound – north of Laguna Boulevard
  - I-5 Northbound – south of Hood-Franklin Road
  - I-5 Southbound – south of Hood-Franklin Road
  - I-5 Northbound – north of Elk Grove Boulevard
  - I-5 Southbound – north of Elk Grove Boulevard

Based upon the information contained in the EIR 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. However, these measures will not reduce the impact to a less than significant level and are in the jurisdiction of another public agency (Caltrans) to implement improvements. Currently, there are no programmed improvements for these highway facilities. 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 MMs 4.2.6a-h would reduce the impacts to study intersections (under cumulative plus project conditions) shown in RDEIR Table 4.2-21. Additions of one lane both southbound and northbound between Hood-Franklin Road and Elk Grove Boulevard would provide LOS C operation, addition of one lane both southbound and northbound between Laguna Boulevard and Pocket Road would provide LOS D and LOS C operation respectively, one lane both southbound and northbound south of Hood-Franklin Road would provide LOS C operations. I-5 is a state highway facility and this improvement is not currently programmed in the Metropolitan Transportation Plan (MTP). The proposal and timing of further improvements to the I-5 mainline 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. Further, I-5 is under the jurisdiction of Caltrans and it is outside the City's jurisdiction to implement this improvement. Consequently, while these are viable mitigation measures, the timing of the improvements are not known and will depend on when Caltrans (acting as the lead agency) submits the projects for inclusion into the MTP. (RDEIR Section 4.2.3 and RDEIR Page 4.2-77 to 84)

- 3.2.6 **Impact 4.2.7** Implementation of the proposed project would cause operations on the SR-99 northbound on-ramp junction from Laguna Boulevard to deteriorate from LOS D to F during the a.m. peak hour; on the SR-99 southbound off-ramp junction to Laguna Boulevard to deteriorate from LOS D to F during the p.m. peak hour; on the SR-99 southbound loop on-ramp junction from Grant Line Road to operate at LOS F during the p.m. peak hour; on the I-5 northbound off-ramp to Hood Franklin Road to operate at LOS E during the a.m. peak hour; on the I-5 northbound on-ramp from Hood Franklin Road to operate at LOS E during the a.m. peak hour; the I-5 southbound off-ramp to Hood

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Franklin Road to operate at LOS E during the p.m. peak hour; the I-5 northbound off-ramp to Elk Grove Boulevard to operate at LOS E during the a.m. peak hour and the I-5 northbound on-ramp from Elk Grove Boulevard to operate at LOS F during the a.m. peak hour.

Mitigation Measures

**MM 4.2.7a**

The project shall contribute to the following improvement to I-5:

- Construction of one lane southbound between Hood Franklin Road and Elk Grove Boulevard.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.

*Timing/Implementation: Prior to approval of subsequent development projects*

*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans*

**MM 4.2.7b**

The project shall contribute to the following improvement to I-5:

- Construction of one lane southbound from the southbound off-ramp at Hood-Franklin Road approximately 0.25 miles south of Hood-Franklin Road.

This improvement will require coordination and approval from Caltrans. Fair-share funding for the above roadway improvement shall be determined by the modification of the Laguna South Public Facilities Fee Program by the annexation of the Laguna Ridge Specific Plan into the LSPFFP as well as through the project's financing program and/or plan.

*Timing/Implementation: Prior to approval of subsequent development projects.*

*Enforcement/Monitoring: City of Elk Grove Development Services and Caltrans.*

***Finding: No Feasible Mitigation Measures Available to Mitigate the Impact for the following ramp junctions:***

- Hood Franklin Road/I-5 Southbound Off-Ramp
- Hood Franklin Road/I-5 Southbound Loop On-Ramp

Based upon the information contained in the EIR 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. However, these measures will not reduce the impact to a less than significant level and are in the jurisdiction of another public agency (Caltrans) to implement improvements.

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Currently, there are no programmed improvements for these highway facilities. 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 MMs 4.2.7a-b would reduce the impacts to freeway ramps (under cumulative plus project conditions) shown in RDEIR Table 4.2-22. Addition of one lane southbound between Hood-Franklin Road and Elk Grove Boulevard and one lane southbound from the southbound off-ramp at Hood-Franklin Road approximately 0.25 miles south of Hood-Franklin Road would provide LOS C operation. I-5 is a state highway facility and this improvement is not currently programmed in the Metropolitan Transportation Plan (MTP). The proposal and timing of further improvements to the I-5 mainline 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. Further, I-5 is under the jurisdiction of Caltrans and it is outside the City's jurisdiction to implement this improvement. Consequently, while these are viable mitigation measures, the timing of the improvements are not known and will depend on when Caltrans (acting as the lead agency) submits the projects for inclusion into the MTP. (RDEIR Section 4.2.3 and RDEIR Page 4.2-77 to 84)

### **3.3 Air Quality**

- 3.3.1 **Impact 4.3.1** Construction activities associated with the development of the proposed specific plan area would contribute to regional pollutants, such as ROG, NO<sub>x</sub>, and PM<sub>10</sub>.

#### Mitigation Measures

##### **MM 4.3.1a**

The project applicant shall require that the contractors water all exposed surfaces, graded areas, storage piles and haul roads at least twice daily during construction. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all grading and construction phases of the project.*

*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

##### **MM 4.3.1b**

The project applicant shall require that the contractor minimize the amount of material actively worked, the amount of disturbed area, and the amount of material stockpiled. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all grading and construction phases of the project.*

*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

##### **MM 4.3.1c**

The project applicant shall require that the contractor limit vehicle speed for onsite construction vehicles to 15 mph. This requirement shall be included as a note in all project construction plans.

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*Timing/Implementation: During all grading and construction phases of the project.*  
*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

**MM 4.3.1d**

The project applicant shall require paved streets adjacent to construction sites to be washed or swept daily to remove accumulated dust. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all grading and construction phases of the project.*  
*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

**MM 4.3.1e**

The project applicant shall require that, when transporting soil or other materials by truck during construction, two feet of freeboard shall be maintained by the contractor, and that the materials be covered. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all grading and construction phases of the project.*  
*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

**MM 4.3.1f**

This mitigation measure shall be implemented by all subsequent projects within the Laguna Ridge Specific Plan. An individual project **may** be exempt from the following mitigation if it is less than 20 acres in size **and** will generate less than 400 pounds per day of NO<sub>x</sub>, as determined by SMAQMD and the City. All other projects (not meeting the two exemption criteria) will be required to implement the following measures.

- (a) **Category 1: Reducing NO<sub>x</sub> emissions from off-road diesel powered equipment.**

The prime contractor shall provide a plan for approval by the City of Elk Grove and SMAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average. The prime contractor shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs; and,

- (b) **Category 2: Controlling visible emissions from off-road diesel powered equipment.**

The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the Specific Plan area do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a month summary of the visual results shall be submitted to the City and SMAQMD throughout the duration of the

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project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulation.

In the event construction equipment meeting the requirements set forth above is determined not to be available, the project applicant shall notify the City and SMAQMD. Upon verification that required low-emission construction equipment is not available, the City may waive this measure. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: Prior to and during construction activities.*

*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

**MM 4.3.1g**

The project applicant shall require contractors to implement ridesharing programs for construction employees traveling to and from the site. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all grading and construction phases of the project.*

*Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.3.1a through g are feasible and will lessen this significant adverse effect on the environment. However, these measures will not reduce the impact to a less than significant level because emissions of NO<sub>x</sub> would remain above the SMAQMD threshold and the potential to locally exceed the PM<sub>10</sub> CAAQS would still exist. 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 MM 4.3.1a-g would reduce the ROG emissions from construction shown in Table 4.3-3 of the RDEIR to a less than significant level although NO<sub>x</sub> and PM<sub>10</sub> emissions would remain above local CAAQS even with application of BACT recommended by SMAQMD. (RDEIR page 4.3-12 to 15)

- 3.3.2 **Impact 4.3.2** Project emissions from mobile and area sources, such as natural gas combustion, fireplaces, and other consumer products, exceed SMAQMD's significance threshold.

Mitigation Measure

**MM 4.3.2**

The project applicant shall implement all measures proposed in the AQ-15 Plan provided in Appendix 4.3 of the Draft EIR for each subsequent project to reduce the emissions from both mobile and stationary sources. Each subsequent development project shall be checked for compliance with the AQ-15 Plan.



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Timing/Implementation: During all planning and development phases of the project.  
Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that Mitigation Measure MM 4.3.2 is feasible and will lessen this significant adverse effect on the environment. 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 MM 4.3.2 would require that all future development projects within the Specific Plan apply best planning practices to the design of future development in compliance with the applicant's AQ-15 Management Plan prepared in compliance with the City of Elk Grove General Plan requirements. The plan includes design that encourages complementary land uses that reduce trips, technology that encourages home occupations, and enhanced non-vehicular travel modes. Even with application of this mitigation measure, operational impacts shown in RDEIR Table 4.3-5 are expected to remain significant. (RDEIR page 4.3-15 to 18).

- 3.3.3 **Impact 4.3.8** Development of project in combination with cumulative projects would result in emissions that exceed SMAQMD thresholds.

Mitigation Measure

Implement mitigation measures MM 4.3.1a through g.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.3.1a through g are feasible and will lessen this significant adverse effect on the environment. 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:** Construction associated with the cumulative projects in the area and in the region could potentially occur simultaneously. While all of these projects would be required to implement recommended air quality controls to reduce fugitive dust and vehicular emissions, application of emissions control measures including project specific MM 4.3.1a will reduce NO<sub>x</sub> and PM<sub>10</sub> emissions but in some individual cases not to a less than significant level and further, the combined effect of the residual emissions after application of mitigation would be cumulatively significant. (RDEIR page 4.3-21).

- 3.3.4 **Impact 4.3.9** Proposed project would exceed SMAQMD thresholds for cumulative impacts.

Mitigation Measure

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Implement Mitigation Measure MM 4.3.2.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that Mitigation Measure MM 4.3.2 is feasible and will lessen this significant adverse effect on the environment. 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 MM 4.3.2 would not be sufficient to reduce emissions for the project. And, although cumulative development projects in the area and in the region would be required to implement recommended air quality controls to reduce operational and vehicular emissions, application of emissions control measures will reduce ROG and NO<sub>x</sub> emissions but in some individual cases not to a less than significant level and further, the combined effect of the residual emissions after application of mitigation would be cumulatively significant. (RDEIR page 4.3-21).

### **3.4 Noise**

- 3.4.1 **Impact 4.4.1** The on-site and off-site noise impacts associated with construction for the Laguna Ridge Specific Plan may exceed Elk Grove City Standards.

#### Mitigation Measures

##### **MM 4.4.1a**

Site preparation and construction activities shall be limited to between the hours of 6:00 A.M. to 8:00 P.M., Monday through Friday, and 7:00 A.M. to 8:00 P.M. on Saturday and Sunday (City of Elk Grove Noise Control Ordinance, Section #6.68.090 (e)). Furthermore, construction equipment maintenance shall be limited to the same hours. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all construction phases of the project*

*Enforcement/Monitoring: City of Elk Grove Development Services*

##### **MM 4.4.1b**

All construction equipment shall be equipped with appropriate mufflers in good working condition. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all construction phases of the project*

*Enforcement/Monitoring: City of Elk Grove Development Services*

##### **MM 4.4.1c**

Construction staging areas shall be located as far from noise-sensitive uses as is feasible. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all construction phases of the project*

*Enforcement/Monitoring: City of Elk Grove Development Services*

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**MM 4.4.1d**

Stationary construction equipment shall be located as far from noise sensitive uses as feasible, and temporary or portable acoustic barriers shall be installed around the equipment/work area when within 100 feet or less of residential properties or other sensitive uses. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all construction phases of the project*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**MM 4.4.1e**

Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted on a sign no larger than 4 foot by 8 foot at all construction entrances to allow for surrounding and onsite property owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. This requirement shall be included as a note in all project construction plans.

*Timing/Implementation: During all construction phases of the project*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.4.1a through e are feasible and will lessen this significant adverse effect on the environment. However, these measures will not reduce the impact to a less than significant level as current and future, on and off-site residents may be subjected to high noise levels during construction activities throughout the area. 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 MM 4.4.1a through 4.4.1e will reduce noise impacts associated with construction of individual development projects within the Specific Plan area and off-site areas around the plan. The Noise Ordinance restricts construction activities to 6:00 A.M. to 8:00 P.M. during the weekdays and 7:00 A.M. to 8:00 P.M. on weekends. However noise levels associated with temporary short-term construction activities can be quite high as shown in RDEIR Figure 4.4-3 and would be expected to effect existing and future dwellings in the vicinity of the construction operations. Further, construction of infrastructure needed to serve the site (connection to the Sacramento Regional Wastewater Treatment Plant and stormwater drainage channel) will also have off-site effects to residents south of the site and along Bruceville Road. (RDEIR 4.4-18-20).

- 3.4.2 **Impact 4.4.4** Noise levels from agriculture operations that currently exist within and adjacent to the proposed plan area would exceed City of Elk Grove Noise Level Standards.

Mitigation Measures

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**MM 4.4.4**

The project proponent shall ensure that a disclosure statement shall be recorded against the property and be provided to all prospective buyers of properties within the proposed plan area notifying such persons of the presence of existing and future noise-producing agricultural-related activities in the immediate Specific Plan area. The disclosure statement shall be reviewed and approved by City of Elk Grove Development Services.

*Timing/Implementation: Prior to each final subdivision map approval*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that Mitigation Measure MM 4.4.4 is feasible and will lessen this significant adverse effect on the environment by creating an informed buyer. However, this measure will not reduce the impact to a less than significant level because those buyers will still be subjected to noise from agricultural operations. 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 MM 4.4.4 will cause notification of future potential buyers of homes within the Plan area that there are existing agricultural operations within and adjacent to the area that may generate high noise levels. This notification will create an informed buyer but will not reduce the frequency or level of noise generated by existing agricultural operations to which those buyers would be subjected should they choose to purchase the property. (RDEIR 4.4-25).

- 3.4.3 **Impact 4.4.6** Development within the Laguna Ridge Specific Plan area concurrent with development in other adjacent or nearby development areas could result in a cumulative increase in ambient noise levels due to combined construction activities.

Mitigation Measures

Implement mitigation measures MM 4.4.1a through e.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.4.1a through e are feasible and will lessen this significant adverse effect on the environment. However, these measures will not reduce the impact to a less than significant level as current and future, on and off-site residents may be subjected to high noise levels during construction activities throughout the area, particularly if they occur concurrently or simultaneously. 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 MM 4.4.1a to 4.4.1e will reduce noise impacts associated with construction of individual development projects within the Specific Plan area and

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off-site areas where infrastructure is constructed to serve the area. The Noise Ordinance restricts construction activities to 6:00 A.M. to 8:00 P.M. during the weekdays and 7:00 A.M. to 8:00 P.M. on weekends. However noise levels associated with temporary short-term construction activities can be quite high as shown in RDEIR Figure 4.4-3 and would be expected to effect existing and future dwellings in the vicinity of the construction operations throughout the area. And, although cumulative development projects in the area and in the region would be required to implement similar measures to reduce construction noise, the combined effect of the residual noise levels after implementation of mitigation would be cumulatively significant, particularly if projects are constructed simultaneously in one area. (RDEIR page 4.4-32).

### **3.5 Public Services and Utilities**

- 3.5.1 **Impact 4.6.1.2** The project, when considered with other development projects in the area, would result in a cumulative demand for water supply and could impact flows along the Cosumnes River.

#### Mitigation Measures

None available.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that there are no feasible mitigation measures which might avoid or reduce this impact to a less than significant level because water service to the Plan area will be provided by the Sacramento County Water Agency and the City does not have direct jurisdiction over water service and facilities. Therefore, the City finds that there are no feasible mitigation measures that might avoid or reduce these impacts 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:** Buildout conditions under the project would result in an ultimate water demand of approximately 7,063 AFY. Of this amount, 2,700 AFY would be used for irrigating the 471 acres of agricultural land in the Plan area. The project's ultimate water demand, including both potable and recycled water would be 4,363 AFY; recycled water supply is 1,016 AFY. The ultimate potable water demand for the buildout of the Plan is 3,347 AFY.

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 AFY of which, currently, 250,000 AFY is being drawn. The Specific Plan's ultimate potable water demand is approximately 0.03 percent of Zone 40's projected demand through 2030 and adequate water supply would be available to serve the project and meet Zone 40's projected water demands through 2030. Each development project in the Urban Services Boundary (which includes the Planning Area) would be required to demonstrate water availability as part of the subdivision approval process (see MM 4.6.1 a).

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Subsequent development of the Plan area would contribute to cumulative increases in groundwater production that may adversely affect flows on the Lower Cosumnes River. Recent studies indicate that the regional aquifer system and the Lower Cosumnes River are hydraulically disconnected for extended reaches of the river. Increased groundwater pumping could have an adverse effect on river flows. Due to the project's distance from the river of over 2 miles, implementation of the project is not expected to have a direct impact upon river flows, however; the project would contribute to cumulative groundwater pumping. Presently, the SCWA is conducting detailed groundwater modeling associated with the Zone 40 Master Plan Update and will evaluate potential effects on the Cosumnes River, however; this data was not available at the time of the release of the EIR. Because the City does not provide water service and 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. [RDEIR page 4.6-21 to 22]

### **3.6 Biological Resources**

- 3.6.1 **Impact 4.8.9** The development of this project would contribute cumulatively to the loss of biological resources in the region and the ongoing urbanization in southern Sacramento County.

#### Mitigation Measures

Implement mitigation measures MM 4.8.1a through c, MM 4.8.2a and b, MM 4.8.3, MM 4.8.4a through e, MM 4.8.5, MM 4.8.6, MM 4.8.7a and b and MM 4.8.8a through c.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.8.1a through c, MM 4.8.2a and b, MM 4.8.3, MM 4.8.4a through e, MM 4.8.5, MM 4.8.6, MM 4.8.7a and b and MM 4.8.8a through c are feasible and will lessen this significant adverse effect on the environment. However, these measures will not reduce the cumulative 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 cumulative 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:** Cumulative development projects in southern Sacramento County would require on- and off-site improvements to provide water, wastewater, storm drainage, solid waste disposal, and other services. Provision of these physical improvements will contribute to the loss of habitat. The changes in land use will also contribute to a loss of habitat for endangered and protected species, and species of concern that currently inhabit the area. Increased human presence would be anticipated to cause potential indirect impacts. Implementation of MM 4.8.1a through c, MM 4.8.2a and b, MM 4.8.3, MM 4.8.4a through e, MM 4.8.5, MM 4.8.6, MM 4.8.7a and b and MM 4.8.8a through c are expected to reduce project impacts to a less than significant level. As discussed in the Biological Resources Assessment, April 4 2002 under the Methodology section; Foothill

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Associates conducted initial surveys of the project site July 15 and July 23<sup>rd</sup> of 1998, November and December of 2000, January of 2001, and February 2002. In addition, MM 4.8.2a and b, MM 4.8.4a and b, MM 4.8.7b and MM 4.8.8a through c require preconstruction surveys to be conducted for Sanford's arrowhead, giant garter snake, Swainson's hawks, burrowing owls and other birds and raptors of concern. Mitigation Measures listed in Table 2.0-1 of the RFEIR include measures for mitigating impacts to those species that are identified on-site. The RDEIR acknowledges under Impact 4.8.7 the site provides State-listed Swainson's hawk foraging and nesting habitat. The City is aware of the most recent nesting sites and has consulted with CDFG to discuss the nesting sites and appropriate mitigation measures. As evidenced by the information provided by CDFG, the project site contains active Swainson's hawk nests. MM 4.8.7b has been revised to require additional surveying in April and May, when Swainson's hawk is likely to establish nests. MM 4.8.7a that addresses foraging habitat has been revised to require mitigation at a 1:1 ratio. The City is currently coordinating with CDFG regarding the purchase of Swainson's hawk foraging habitat using fees collected for this purpose to date. However, even though cumulative development projects in the area and in the region would be required to implement similar measures to reduce impacts to biological resources, the combined effect of the reduction and changes to habitat and increased human presence, even after implementation of mitigation, would remain cumulatively significant. (RDEIR page 4.8-38-39).

### 3.7 Visual Resources

- 3.7.1 **Impact 4.11.1** Implementation of the Laguna Ridge Specific Plan would alter the plan area's visual character from a rural area to a suburban environment. Views of open areas would be replaced by views of residential and commercial uses.

#### Mitigation Measures

None available.

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby 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 the Specific Plan would alter the visual character of the area from a rural area with views of open areas to views of residential and commercial development. The existing uses and features within the plan area are not considered to be significant visual resources in themselves. The plan area is undergoing rapid urbanization and it is expected that over time the plan area will become consistent with the evolving visual character of the area. However, there are no feasible mitigation measures that would reduce the change in the rural character of the area when urbanization occurs as a result of implementation of the plan. (RDEIR page 4.11-14).

- 3.7.2 **Impact 4.11.2** Implementation of the Laguna Ridge Specific Plan would introduce new sources of light and glare in and around the plan area.

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Mitigation Measures

**MM 4.11.2a**

A lighting plan shall be developed and provided with improvement plans for each subsequent non-residential project to ensure that parking lot pole lights and streetlights shall be fully hooded and back shielded to reduce the light "spillage" and glare, prohibit the illumination from breaking the horizontal plane, and ensure that lighting not exceed the standard illumination of two-foot candles along the property lines of adjoining land uses. The two-foot candle lighting standard shall also apply to all park and school facilities where stadium lighting may be installed and used.

*Timing/Implementation: Prior to approval of improvement plans for all subsequent public and private projects*

*Enforcement/Monitoring: City of Elk Grove Development Services, Elk Grove Community Services District and Elk Grove Unified School District*

**MM 4.11.2b**

Non-glare glass shall be used in all non-residential buildings to minimize and reduce impacts from glare. Office and commercial buildings, which are allowed to use semi-reflective glass, must be oriented so that the reflection of sunlight is minimized. This requirement shall be incorporated into the Specific Plan and reflected in subsequent development applications.

*Timing/Implementation: Types of non-glare glass shall be specified on final development plans for subsequent commercial and office projects, and installed prior to building occupancy*

*Enforcement/Monitoring: City of Elk Grove Development Services*

**Finding: No Feasible Mitigation Measures Available to Mitigate the Impact.** Based upon the information contained in the EIR and the Administrative Record, the City hereby finds that mitigation measures MM 4.11.2a and b are feasible and will lessen this significant adverse effect on the environment. 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 MM 4.11.2a and b would require that a lighting plan be developed and provided with improvement plans for non-residential projects to reduce light spillage and glare. Even with these measures in place, outdoor and street lighting from the more urban commercial and residential land uses proposed for the plan area will increase lighting and glare levels above those found in the present rural environment of the area. (RDEIR page 4.11-15-16).

- 3.7.3 **Impact 4.11.3** The Laguna Ridge Specific Plan would change the visual character of the plan area from rural residential to suburban mixed-use along scenic corridor SR-99.

Mitigation Measures

None available.

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



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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 the Specific Plan would alter the visual character along scenic corridor SR-99 from a rural area with views of open areas to views of residential and commercial development. The standards within the Zoning Code are intended to create a more attractive image of the area within 660 feet of the freeway right-of-way. The plan area is undergoing rapid urbanization and it is expected that over time the plan area will become consistent with the evolving visual character of the area. However, there are no feasible mitigation measures that would reduce the change in the rural character of the area adjacent to SR-99 when urbanization occurs as a result of implementation of the plan. [RDEIR page 4.11-16].

- 3.7.4 **Impact 4.11.4** Implementation of the Laguna Ridge Specific Plan in combination with other projects would introduce new development into an agricultural area and increase nighttime lighting and glare.

Mitigation Measures

Implement mitigation measures 4.11.2a and b.

**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 mitigation measures MM 4.11.2a and b are feasible and will lessen this significant adverse effect on the environment. 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 MM 4.11.2a and b would require that a lighting plan be developed and provided with improvement plans for non-residential projects in the Specific Plan area to reduce light spillage and glare. Even with these measures in place, outdoor and street lighting from the more urban commercial and residential land uses proposed for the plan area will increase lighting and glare levels above those found in the present rural environment of the area. And, although cumulative development projects in the area and in the region would be required to implement similar measures to reduce light and glare, the combined effect of urbanization, even after implementation of mitigation, would be cumulatively significant. [RDEIR page 4.11-17].

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#### 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 alternatives analyzed in the Final are as follows:

- Alternative 1 - No Project Alternative, including the No Project, No Development Alternative (Alternative 1a), and the Zoning Code Alternative (Alternative 1b);
- Alternative 2 – Agricultural Preservation Alternative;
- Alternative 3 – Reduced Density Alternative;
- Alternative 4 – Office Development Alternative.

##### 4.1 Alternative 1 - No Project Alternative

The No Project Alternative is required by Section 15126.6(e) of the CEQA Guidelines. As required by the CEQA Guidelines, the analysis must examine the impacts which might occur if the site is left in its present condition, as well as what may be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

##### Alternative 1a – No Development Alternative

**Description:** The No Project, No Development alternative would leave the plan area in its present condition. Existing agricultural operations would remain, along with the existing residences and approved expansion of the Elk Grove Auto Mall. Impacts associated with construction and operational activities would not occur if the No Project, No Development Alternative was selected. Additional vehicle trips would not be generated over present conditions, nor would noise and air quality impacts occur with the selection of this alternative. In addition, this alternative would have no impact with regard to visual resources, land use, public services, energy, utilities, land use, hazardous materials, biological resources or cultural resources.

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

- a. This alternative would not meet any of the project objectives listed below since no development would occur:
  - *Provide housing to accommodate the employees of the major employment centers in City of Elk Grove;*
  - *Provide a variety of housing opportunities for a wide range of social, economic and age groups;*
  - *Comply with the all applicable policies of the City General Plan;*
  - *Foster a strong sense of community place and human scale;*

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- *Provide for the development of employment centers that offer job opportunities to improve the jobs/housing balance;*
  - *Engender high quality urban design;*
  - *Provide a community that is resource efficient;*
  - *Provide flexibility to respond to changes in economic and social factors; and*
  - *Provide for the location of neighborhood-serving commercial projects.*

- b. This alternative would be inconsistent with the land use and housing provisions of the 2003 Elk Grove General Plan since no development would occur.

**Facts that support the finding:** Revised Draft EIR page 6.0-2 provides an analysis of the No Development Alternative as compared to the proposed project. As noted on Revised Draft EIR page 6.0-21, the No Project Alternative would be considered the environmentally superior alternative. Determination of inconsistencies with the 2003 Elk Grove General Plan is based on comparison of the No Development Alternative to the General Plan Land Use Policy Map as well as consideration of the Housing Element of the 2003 Elk Grove General Plan.

#### **Alternative 1b – Zoning Code Alternative**

**Description:** Under the Zoning Code Alternative, the existing zoning of the plan area remains AG-20, AG-80, M-1 and AR-2, and the property would be developed under the existing zoning. Existing land uses would continue. Infrastructure in the plan area would not be expanded. Development of the plan area consistent with the existing zoning designations would allow for approximately 800 to 1,000 single family units throughout the site. Consequently, impacts associated with this alternative are essentially the same as those described above under the No Project, No Development Alternative (1a). As with Alternative 1a, this alternative would minimize and/or eliminate the significant environmental impacts associated with the proposed project (visual resources, land use, public services, energy, utilities, land use, hazardous materials, biological resources or cultural resources).

**Finding:** The City finds that the Zoning Code Alternative is less desirable than the project and is infeasible for the following reasons:

- a. This alternative would not meet most of the project objectives identified below because it would not provide adequate housing at quantities and densities (including affordable housing) or commercial uses necessary to accommodate growth expected in the City:
- *Provide housing to accommodate the employees of the major employment centers in City of Elk Grove;*
  - *Provide a variety of housing opportunities for a wide range of social, economic and age groups;*
  - *Comply with the all applicable policies of the City General Plan;*
  - *Foster a strong sense of community place and human scale;*
  - *Engender high quality urban design;*
  - *Provide a community that is resource efficient;*

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- *Provide flexibility to respond to changes in economic and social factors; and*
  - *Provide for the location of neighborhood-serving commercial projects.*

- b. This alternative would be inconsistent with the land use and housing provisions of the 2003 Elk Grove General Plan.

**Facts that support the finding:** Revised Draft EIR page 6.0-2 and -3 provides an analysis of the Zoning Code Alternative as compared to the proposed project. As noted on Revised Draft EIR page 6.0-21, the No Project Alternative would not be considered the environmentally superior alternative. Determination of inconsistencies with the 2003 Elk Grove General Plan is based on comparison of the Zoning Code Alternative to the General Plan Land Use Policy Map as well as consideration of the Housing Element of the 2003 Elk Grove General Plan.

#### **4.2 Alternative 2 – Agricultural Preservation Alternative**

**Description.** Under this alternative, the site would have General Plan and zoning designations for commercial and residential uses along the major street frontages, including Elk Grove Boulevard, Bruceville Road, and SR-99. High, medium, and low density residential uses would be located along the major street frontages of the plan area. Rural residential uses with five-acre lot minimums along southern roadway frontages and two-acre lot minimums along the western roadway frontages would transition to 20-acre to 160-acre lots towards the interior of the plan area. A majority of the plan area would remain in agricultural production (see Revised Draft EIR Figure 6.0-1). This alternative would be inconsistent with the 2003 Elk Grove General Plan Land Use Policy Map and would require a General Plan Amendment; however, the 2003 Elk Grove General Plan does indicate that existing agricultural uses can continue as long as individual owners desire. This alternative would be consistent with General Plan policies regarding agricultural uses, but would not result in the urbanization anticipated by the General Plan. The land use mix would be developed under Alternative 2 is identified in Revised Draft EIR Table 6.0-1.

**Finding:** The City finds that the Agricultural Preservation Alternative is less desirable than the project and is infeasible for the following reasons:

- a. This alternative would not meet the following project objectives as well as the proposed project:
- *Provide housing to accommodate the employees of the major employment centers in City of Elk Grove – This alternative only provides approximately 20 percent of the housing (including sites that could support affordable housing) proposed under the project and anticipated under the 2003 Elk Grove General Plan;*
  - *Provide a variety of housing opportunities for a wide range of social, economic and age groups – This alternative only provides approximately 20 percent of the housing (including sites that could support affordable housing) proposed under the project and anticipated under the 2003 Elk Grove General Plan;*
  - *Comply with the all applicable policies of the City General Plan – This alternative would conflict with 2003 Elk Grove General Plan policies LU-28 and LU-29 associated with Laguna Ridge Land Use Policy Area;*

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- b. This alternative would be inconsistent with the land use and housing provisions of the 2003 Elk Grove General Plan.

**Facts that support the finding:** Revised Draft EIR pages 6.0-3 through -10 provide an analysis of the Agricultural Preservation Alternative as compared to the proposed project. As noted on Revised Draft EIR page 6.0-21, this alternative would be considered the environmentally superior alternative after the No Project Alternative. Determination of inconsistencies with the 2003 Elk Grove General Plan is based on comparison of the Agricultural Preservation Alternative (Revised Draft EIR Figure 6.0-1) to the General Plan Land Use Policy Map as well as consideration of the Housing Element of the 2003 Elk Grove General Plan.

#### **4.3 Alternative 3 – Reduced Density Alternative**

**Description.** Under Alternative 3, the 1,900-acre project site would be developed with 1,368 acres of residential development and the remaining acreage in commercial, schools, parks, open space, and roadway infrastructure. This is the same acreage of development as the proposed project. However, this alternative would reduce the density of the residential development to 3 units per acre (4,146 units). The development footprint would remain similar to that of the proposed project. Revised Draft EIR Table 6.0-2 lists the land uses for this alternative.

**Finding:** The City finds that the Reduced Density Alternative is less desirable than the project and is infeasible for the following reasons:

- a. This alternative would not meet the following project objectives as well as the proposed project:
- *Provide housing to accommodate the employees of the major employment centers in City of Elk Grove* – This alternative would provide substantially less housing (including sites that could support affordable housing) than proposed under the project and anticipated under the 2003 Elk Grove General Plan;
  - *Provide a variety of housing opportunities for a wide range of social, economic and age groups* – This alternative would only provide low density housing and would not include the provision of a variety of residential densities and types to meet the City's housing needs (including sites that could support affordable housing). This alternative would be in conflict with the 2003 Elk Grove General Plan Housing Element;

**Facts that support the finding:** Revised Draft EIR pages 6.0-10 through -14 provide an analysis of the Reduced Density Alternative as compared to the proposed project. As noted on Revised Draft EIR page 6.0-21, this alternative would not be considered the environmentally superior alternative. The Reduced Density Alternative would not provide for multi-family housing sites anticipated under the Housing Element of the 2003 Elk Grove General Plan.

#### **4.4 Alternative 4 – Office Development Alternative**

**Description.** This alternative would consist of designation of approximately 285 acres of the Plan area from Single-Family Residential (258 acres), General Commercial (17 acres), Community Commercial Mixed Use (8 acres) and Park (2 acres) to Office. This designation of 285 acres of Office could generate 17,100 to 21,300 in new employment opportunities based on factors utilized at the January 23, 2002 Elk Grove General Plan Advisory Committee meeting. A portion

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of the commercially designated land, 25 acres, would be relocated to the northwest corner of the future intersection of Poppy Ridge Road and Big Horn Boulevard and would be designated as General Commercial (see Revised Draft EIR Figure 6.0-2). The plan area would also include the provision of a pedestrian/bicycle overcrossing of SR-99 connecting to Elk Grove Regional Park.

- Provision of a high-quality shopping center at the intersection of Poppy Ridge Road and Big Horn Boulevard;
- Provision of a bicycle/pedestrian overcrossing of SR-99 that would connect the Plan area to Elk Grove Regional Park; and,
- Provision of 200 to 300 acres of business/office development.

**Finding:** The City finds that the Reduced Density Alternative is less desirable than the project and is infeasible for the following reasons:

- a. This alternative would not meet the following project objectives as well as the proposed project:
  - *Provide a variety of housing opportunities for a wide range of social, economic and age groups* – This alternative would only provide low density housing and would not include the provision of a variety of residential densities and types to meet the City's housing needs (including sites that could support affordable housing). This alternative would be in conflict with the 2003 Elk Grove General Plan Housing Element;
  - *Comply with the all applicable policies of the City General Plan* – This alternative would conflict with 2003 Elk Grove General Plan policies LU-28 and LU-29 associated with Laguna Ridge Land Use Policy Area;
- b. This alternative would be inconsistent with the land use and housing provisions of the 2003 Elk Grove General Plan.

**Facts that support the finding:** Revised Draft EIR pages 6.0-14 through -21 provide an analysis of the Office Alternative as compared to the proposed project. As noted on Revised Draft EIR page 6.0-21, this alternative would not be considered the environmentally superior alternative. Determination of inconsistencies with the 2003 Elk Grove General Plan is based on comparison of the Office Development Alternative (Revised Draft EIR Figure 6.0-1) to the General Plan Land Use Policy Map as well as consideration of the Housing Element of the 2003 Elk Grove General Plan.

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## **5. Findings Associated with the Mitigation Monitoring and Reporting Program**

Section 21081.6 of the California Public Resources Code requires that when making findings required by Section 21081(a) of the California Public Resources Code, the City Council shall adopt a monitoring or reporting program for the changes made to the Project or conditions of project approval imposed and adopted in order to mitigate or avoid significant effects on the environment. Consequently, the City hereby finds that:

- A. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project and the mitigation measures therein are made a condition of project approval. The MMRP is incorporated herein by reference and is considered part of the Administrative Record for the proposed project.
- B. The mitigation measures are specific and, as appropriate, define performance standards to measure compliance under the Program. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures. The City will serve as the overall MMRP coordinator. John Hodgson, representative for LAGUNA RIDGE PROPERTY OWNERS GROUP, will be primarily responsible for ensuring that all project mitigation measures are complied with,
- C. The MMRP prepared for the project has been adopted concurrently with these Findings. The MMRP meets the requirements of Section 21021.6 of the California Public Resources Code. The City will use the MMRP to track compliance with mitigation measures. The MMRP will remain available for public review during the compliance period at the City of Elk Grove Development Services, 4800 Laguna Palms Way, Elk Grove, California 95758.

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## 6.0 Additional Findings Associated with Project Modifications

Since release of the Revised Draft EIR and original Final EIR, the Laguna Ridge Specific Plan Land Use Plan has been revised. Development intensity modifications include a reduction of 64 residential units, a 40.6-acre reduction in commercial and office development and an increase of 102 acres in parkland and open space areas (RFEIR pages 2.0-2 through -5).

**Finding:** These modifications have resulted in reduced development impacts on the environment and do not require recirculation of the EIR, since none of these changes result in a new significant environmental impact that was not disclosed in the EIR; a substantial increase in the severity of an environmental impact; or result in the rejection of the consideration of feasible mitigation measures or project alternatives (CEQA Guidelines Section 15088.5).

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

### *Agricultural Resources*

Agricultural land loss and agricultural/urban interface conflict impacts under project and cumulative conditions would still occur to the extent identified in the Final EIR because the same amount of agricultural lands (1,851 acres) are converted to urban uses and the agricultural/urban interface conflicts will occur regardless of the minor change in type of urban land uses ultimately developed adjacent to remaining agricultural uses. The extent of urban development would be similar to what was considered in the EIR.

### *Transportation and Circulation*

Traffic level of service operation impacts under project and cumulative conditions would still occur to the extent identified in the EIR. As described above, project modifications include a reduction of 64 residential units, a 40.6-acre reduction in commercial and office development and an increase of 102 acres in parkland and open space areas (RFEIR pages 2.0-2 through -5). Based on consultation with the EIR traffic consultant (Fehr and Peers Associates), these modifications will not result in any new significant circulation impacts over and above those analyzed in the EIR, nor would it result in a substantial increase in the severity of any circulation impacts previously disclosed in the EIR.

### *Air Quality*

Air quality impacts resulting from implementation of the project and cumulative conditions would still occur at the extent as identified in the EIR because the extent of urban development would be the same as what was considered in the Final EIR. Contributions to regional pollutants, including ROG, NO<sub>x</sub>, and PM<sub>10</sub> impacts resulting from construction activities will be similar because the same amount of acreage will be graded and constructed upon regardless of the minor changes in land use types. Emissions from mobile and area sources such as gas combustion, fireplaces, and other consumer products are associated with urban development and the minor changes in urban land uses types will exceed SMAQMD's significance levels to a



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similar level. Alterations in land use mix are not significant enough to result in substantial changes in anticipated air pollutant emission levels that were disclosed in the EIR.

#### *Noise*

Noise and vibration impacts resulting from implementation of the project and cumulative conditions would still occur to the extent identified in the EIR. Noise and vibration associated with construction activities would be the same as what was considered in the EIR because the same amount of land will be converted to urban uses both within the Specific Plan area. Noise impacts associated with development of noise-producing urban uses and noise generated by increased traffic volumes will be the same because the extent of urban development within the Specific Plan area is similar as is the extent of cumulative development in the area. Agricultural/urban interface conflict impacts, including noise generated by remaining agricultural operations adjacent to new urban development within and around the Specific Plan area would still occur to the extent identified in the EIR because the same amount of agricultural lands (1,851 acres) are ultimately expected to be converted to urban uses and the agricultural/urban interface conflicts will occur regardless of the minor change in type of urban land uses developed adjacent to remaining agricultural uses.

#### *Hazards and Hazardous Materials*

Development of the Laguna Ridge Specific Plan area could result in the potential exposure of future residents or construction workers to past herbicide or pesticide applications to the extent identified in the EIR because the same amount of agricultural lands (1,851 acres) that may potentially contain these hazards are ultimately expected to be converted to urban uses. Within the Specific Plan area are old buildings that may contain materials such as asbestos and lead paint that are hazardous if disturbed by re-use or demolition and lands that may contain historic chemical or burn dumps. The potential exposure of future residents and construction workers to asbestos, lead paint materials, and historic chemical or burn dump areas will be to the same extent as identified in the EIR because the same land areas are ultimately expected to be converted to urban uses, regardless of the minor changes in ultimate land use type.

#### *Public Services and Utilities*

Public service impacts resulting from implementation of the project and cumulative development would still occur to the extent identified in the EIR because the amount and intensity of urban development would be similar to that considered in the EIR. There will be a decrease in population that will provide an incremental decrease in project-specific and cumulative demand for water supply, sewer, fire, and police infrastructure and services beyond what was disclosed in the EIR.

The lands designated for Local (LP), Neighborhood (NP), and Community Parks (CP) are revised to increase the amount of acreage from 118.6 to 164.9 acres. Impact 4.6.7.1 identified that the project has insufficient recreational facilities for the projected total population at full buildout. The subject revisions to the Specific Plan now identify locations and designate adequate parkland acreage.

#### *Hydrology and Water Quality*

Construction activities associated with the development of the project and of off-site infrastructure and improvements that may result in short-term degradation of water quality would

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still occur to the extent identified in the EIR. Development that would result from implementation of the Laguna Ridge Specific Plan and cumulative development could result in increased drainage rates in the area, on-site and downstream drainage and flooding impacts, and long-term degradation of water quality due to deposition of pollutants generated by motor vehicle use of project roadways, parking lots, and other surfaces, as well as the maintenance and operation of landscaped areas, to the extent identified in the EIR because the amount and intensity of urban development would be similar to that considered in the EIR.

#### *Biological Resources*

Biological resource impacts (direct and indirect) including loss of landmark-sized trees in conflict with the City's Tree Preservation Ordinance, removal of habitat for Sanford's arrowhead, giant garter snake, elderberry longhorn beetle, vernal pool tadpole shrimp, vernal pool fairy shrimp, disturbance to migratory birds, and filling of jurisdictional wetlands and waters of the U.S. that would result from implementation of the project and cumulative development would still occur to the extent identified in the EIR because the amount of land that would be cleared, graded, and converted to urban uses and the extent of urban development would be the same as that considered in the EIR.

#### *Geology and Geotechnical Hazards*

Soil erosion, wind and water erosion, and siltation of local drainage during and after construction from excavation and grading activities as a result of development that would occur as a result of implementation of the project would still occur to the extent identified in the Final EIR because the amount of land that would be cleared, graded, and converted to urban uses and the extent of urban development would be the same as that considered in the EIR.

#### *Cultural Resources*

Unidentified cultural resources could be disturbed during construction of development projects and associated infrastructure and existing potentially historically significant structures could be damaged or demolished as a result of change in use or demolition to make way for new development as a result of implementation of the project and cumulative development to the extent identified in the Final EIR because the amount of land that would be converted to urban uses and the extent of urban development would be the same as that considered in the EIR.

#### *Visual Resources*

Alteration of the visual character of the Plan area from rural to urban, introduction of new sources of light and glare, and change in views along SR-99 from rural to urban as a result of development that would occur from implementation of the project and cumulative development would occur to the extent identified in the EIR.

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## 7. Statement of Overriding Considerations

In approving the Laguna Ridge Specific Plan, 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 below a level of significance. 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. This Statement of Overriding Considerations applies specifically to the following impacts found to be significant and unavoidable as set forth in the EIR and for which no feasible mitigation measures exist to reduce the impact to below a level of significance as described in Section 3 of these Findings:

1. Direct and cumulative impacts on agricultural resources (loss of prime agricultural lands);
2. Direct and cumulative impacts to transportation and circulation (exceedance of traffic standards at intersections, roadway segments, and highway facilities);
3. Direct and cumulative impacts to air quality (emission of pollutants such as ROG, NO<sub>x</sub>, and PM<sub>10</sub> and exceedance of local air quality district significance threshold);
4. Direct and cumulative noise impacts (exceedance of Elk Grove City noise standards);
5. Cumulative impacts to public services and utilities (cumulative demand for water supply could impact flows along Cosumnes River);
6. Cumulative impacts to biological resources (loss of biological resources in the region);
7. Direct and cumulative impacts to visual resources (changes in visual character of the area, new sources of light and glare).

The City has adopted all feasible mitigation measures with respect to these impacts. The City also has examined a range of alternatives, none of which both meet most of the project's objectives and is environmentally preferable to the project (see Section 4 of these Findings).

Accordingly, the City adopts the following Statement of Overriding Considerations based on information contained in the Laguna Ridge Specific Plan Revised Draft EIR and Final EIR and on other information contained in the Administrative Record. The City, pursuant to CEQA Guidelines Section 15093, after balancing the specific economic, legal, social, technological, and other benefits of the project against the unavoidable environmental effects which remain significant and after all mitigation measures and alterations have been incorporated into the project, and after the project alternatives that will lessen or avoid such significant impacts have been rejected as infeasible, determines that the unavoidable adverse environmental effects are acceptable due to the following specific considerations, each of which individually is sufficient to outweigh the unavoidable, adverse environmental impacts of the project.

1. Implementation of the Project is consistent with the City's General Plan goals and objectives, and is needed to add to the amount and diversity of housing opportunities in the City of Elk Grove.
2. The Project will provide extensive recreational facilities for use by the future residents of the Project, as well as other residents of the City.
3. The Project will improve the development opportunities anticipated in the City's General Plan by extending and improving infrastructure needed to serve the Project site and surrounding area.

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4. The Project will contribute to circulation and other infrastructure improvements that are currently needed within the City, including but not limited to urgently needed improvements to Bruceville Road.
  5. The Project will contribute to the employment and economic growth of the City.
  6. Implementation of the Project will enhance the City's economic base from revenues derived from increased sales taxes, business licenses and other fees, taxes and exactions, from the commercial/mixed-use portion of the Project.

**MITIGATION MONITORING AND REPORTING PROGRAM**

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<b>1</b>	The development approved by this action is for the Laguna Ridge Specific Plan, as described in the City Council report and associated Exhibits and Attachments dated December 3, 2003.	On-Going	City of Elk Grove Development Services	
<b>2</b>	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	City of Elk Grove Development Services	
<b>3</b>	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	City of Elk Grove Development Services	
<b>4</b>	Comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with the Laguna Ridge Specific Plan. Until the MMRP has been recorded and the estimated MMRP fee of \$10,000 has been paid, no final parcel map for the subject property shall be approved and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved. (Planning)	Prior to Issuance of Grading Permit	City of Elk Grove Development Services	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<b>As Part of the Final Approval of the Specific Plan</b>				
<b>MM 4.2.4a</b>	All internal intersections shall be designed to meet City Level of Service Standards (LOS D or better). This requirement shall be incorporated into the specific plan.	As part of the final approval of the Specific Plan	City of Elk Grove Development Services	
<b>Prior to Approval of Subsequent Development Projects</b>				
<b>MM 4.2.1a</b>	<p>Elk Grove Boulevard shall be widened between Bruceville Road and Auto Center Drive to three lanes in each direction.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	Prior to approval of subsequent development projects.	City of Elk Grove Development Services.	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.1c</b></p>	<p>Grant Line Road between SR 99 and Waterman Road shall be widened from one to two lanes in each direction.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.1d</b></p>	<p>Poppy Ridge Road between Bruceville Road and West Stockton Boulevard shall be reconstructed to provide 12-foot travel lanes and minimum 6-foot paved shoulder.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.1e</b></p>	<p>West Stockton Boulevard between Kammerer Road and Poppy Ridge Road shall be reconstructed to provide 12-foot travel lanes and minimum 6-foot paved shoulder.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.1f</b></p>	<p>West Stockton Boulevard between Poppy Ridge Road and the Auto Mall Access to provide 12-foot travel lanes and minimum 6-foot paved shoulder.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2a</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/Bruceville Road intersection.</p> <ul style="list-style-type: none"> <li>• One shared through/right-turn lane, one through lane, and one left-turn lane on the northbound approach.</li> <li>• One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.</li> <li>• One right-turn lane, two through lanes, and one left-turn lane on the westbound approach.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2b</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/Big Horn Boulevard intersection.</p> <ul style="list-style-type: none"> <li>• One right-turn lane, two through lanes, and one left-turn lane on the northbound approach.</li> <li>• One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.</li> <li>• One shared through/right-turn lane, two through lanes, and two left-turn lanes on the eastbound approach.</li> <li>• One shared through/right-turn lane, two through lanes, and two left-turn lanes on the westbound approach.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2c</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/West Laguna Springs Drive intersection.</p> <ul style="list-style-type: none"> <li>• Two right-turn lanes, two through lanes, and one left-turn lane on the northbound approach.</li> <li>• One right-turn lane, one through lanes, and two left-turn lanes on the southbound approach.</li> <li>• One right-turn lane, three through lanes, and two left-turn lanes on the eastbound approach.</li> <li>• One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.</li> <li>• Right-turn overlap phasing for the northbound right-turn lane at the Elk Grove Boulevard/West Laguna Springs Drive intersection.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2d</b></p>	<p>Right-turn overlap phasing for the northbound right-turn movement shall be provided at the Elk Grove Boulevard/Auto Center Drive intersection. This improvement would require modification of the existing signal equipment and signal phasing.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.2f</b></p>	<p>Install traffic signal and provide the following lane configurations at the Elk Grove Boulevard/Waterman Road intersection.</p> <ul style="list-style-type: none"> <li>• A shared through/right-turn lane and an exclusive left-turn lane on all approaches.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2g</b></p>	<p>Install a traffic signal and provide the following lane configurations at the Poppy Ridge Road/Bruceville Road intersection.</p> <ul style="list-style-type: none"> <li>• A shared through/right-turn lane and an exclusive left-turn lane on the northbound, southbound, and eastbound approaches.</li> <li>• One right-turn lane, one through lane, and one left-turn lane on the westbound approach.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2h</b></p>	<p>The applicant shall participate in the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program which includes reconstruction of the SR 99/Grant Line Road interchange. Fair-share funding for the SR 99/Grant Line Road improvement project shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.2i</b></p>	<p>Right-turn overlap phasing for the southbound right-turn movement shall be provided at the Laguna Boulevard/Franklin Boulevard intersection.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.2j</b></p>	<p>Right-turn overlap phasing shall be provided for the northbound right-turn movement at the intersection of Laguna Boulevard with Big Horn Boulevard.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.3d</b></p>	<p>Bruceville Road between Elk Grove Boulevard and Laguna Boulevard shall be widened from two to three lanes in each direction.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5a</b></p>	<p>Right-turn overlap phasing for the southbound right-turn movement at the Laguna Boulevard/Franklin Boulevard intersection.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5b</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/Big Horn Boulevard intersection.</p> <ul style="list-style-type: none"> <li>• One right-turn lane, two through lanes, and two left-turn lanes on the northbound approach.</li> <li>• One right-turn lane, two through lanes, and two left-turn lanes on the southbound approach.</li> <li>• One right-turn lane, three through lanes, and two left-turn lanes on the eastbound approach.</li> <li>• One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.</li> <li>• Right-turn overlap phasing on all approaches to the intersection, which would require modification of the existing signal equipment and signal phasing.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5c</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/West Laguna Springs Drive intersection.</p> <ul style="list-style-type: none"> <li>• One right-turn lane, two through lanes, and one left-turn lane on the southbound approach.</li> <li>• Two right-turn lanes, two through lanes and one left-turn lane on the northbound approach.</li> <li>• One right-turn lane, three through lanes, and two left-turn lanes on the westbound approach.</li> <li>• One right-turn lane, three through lanes, and one left-turn lane on the eastbound approach.</li> <li>• Protected left-turn phasing for the north and southbound left-turn movements.</li> <li>• Provide right-turn overlap phasing on the northbound and southbound approaches, which would require modification of the existing signal equipment and signal phasing.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations and consistent with the Specific Plan's infrastructure phasing provisions.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><i>City of Elk Grove June 2004</i></p>			<p align="right"><i>Laguna Ridge Specific Plan Mitigation Monitoring and Reporting Program</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5d</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/Auto Center Drive intersection.</p> <ul style="list-style-type: none"> <li>• Two right-turn lanes, one through lane, and one left-turn lane on the northbound approach.</li> <li>• Provide protected left-turn phasing on the northbound and southbound approaches.</li> <li>• Provide right-turn overlap phasing on the northbound approach. Right-turn overlap phasing would require modification of the existing signal equipment and signal phasing.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5f</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/East Stockton Boulevard intersection.</p> <ul style="list-style-type: none"> <li>• One right-turn lane, one through lane, and one left-turn lanes on the southbound approach.</li> <li>• A shared through/right-turn lane and two left-turn lanes on the northbound approach.</li> <li>• Provide protected left-turn phasing on the northbound and southbound approaches.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services.</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5g</b></p>	<p>The following lane configurations shall be provided at the Elk Grove Boulevard/Bruceville Road intersection.</p> <ul style="list-style-type: none"> <li>• One right-turn lane on the westbound approach.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.5j</b></p>	<p>Install a traffic signal and coordinate it with the Hood-Franklin Road/I-5 Northbound Ramps intersection. This improvement will require coordination and approval from Caltrans and Sacramento County. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5k</b></p>	<p>Install a traffic signal and coordinate it with the Hood-Franklin Road/I-5 Southbound Ramps intersection. This improvement will require coordination and approval from Caltrans and Sacramento County. Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5i</b></p>	<p>A traffic signal shall be installed and the following lane configurations shall be provided at the Elk Grove-Florin Road/East Stockton Boulevard intersection.</p> <ul style="list-style-type: none"> <li>• One through lane and one left-turn lane on the southbound approach.</li> <li>• One right-turn lane and two left-turn lanes on the westbound approach.</li> <li>• One right-turn lane and one through lane on the northbound approach.</li> <li>• This improvement would require 3-phase signal operation.</li> </ul> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5l</b></p>	<p>Right-turn overlap phasing shall be provided for the southbound right-turn movement at the intersection of Grant Line Road and Waterman Road.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.5m</b></p>	<p>Right-turn overlap phasing shall be provided for the northbound right-turn movement at the intersection of Laguna Boulevard with West Laguna Springs Drive.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.2.5n</b></p>	<p>Right-turn overlap phasing shall be provided for the southbound right-turn movement at the intersection of Elk Grove and Franklin Boulevards.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.2.5o</b></p>	<p>Right-turn overlap phasing shall be provided for the southbound right-turn movement at the Grant Line Road/Bradshaw Road intersection.</p> <p>Fair-share funding for the above roadway improvement shall be determined by the modification of the Interim Roadway Fee Program (Elk Grove Municipal Code Chapter 16.89) or its successor roadway fee program. The project applicant shall pay its fair share as well as any established City of Elk Grove development impact fees for roadway facilities. Project and/or public facility financing plans and/or programs shall establish the timing of this improvement to ensure it is in place prior to LOS E operations.</p>	<p>Prior to approval of subsequent development projects</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.7.3b</b></p>	<p>Subsequent non-residential projects shall be required to locate all storage areas away from any drainage features and provide water quality control measures in storm drainage facilities such as grease and sediment traps, vegetative filters, and containment structures for hazardous materials. This requirement shall be reflected on site plans and improvement plans. Water quality control features shall be consistent with the City's NPDES permit (NPDES No. CAS082597).</p>	<p>As a condition of approval of subsequent non-residential projects.</p>	<p>City of Elk Grove Public Works and Development Services</p>	
<p><b>MM 4.8.5</b></p>	<p>The project applicant shall design the subsequent public and private projects within the plan area to avoid impacts to potential habitat for VELB (elderberry shrubs; see Figure 4.8-1 of the Draft EIR), if feasible. If project development is required in areas that may impact elderberry shrubs containing stems measuring 1.0 inch or greater in diameter at ground level (development within 100 feet of shrub dripline), the project applicant shall perform one of the following measures:</p> <ol style="list-style-type: none"> <li>1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the USFWS, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.</li> <li>2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.</li> <li>3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened</li> </ol>	<p>Prior to approval of subsequent development and prior to and during construction activities</p>	<p>U.S. Fish and Wildlife Service and City of Elk Grove Development Services</p>	

	<p>species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.</p> <p>4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.</p> <p>Restoration and Maintenance</p> <ol style="list-style-type: none"> <li>1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.</li> <li>2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding and trash removal are usually appropriate.</li> <li>3. No insecticides, herbicides, fertilizers or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.</li> <li>4. The applicant must provide a written description of how the buffer areas are to be restored, protected and maintained after construction is completed.</li> <li>5. Mowing of grasses/ground cover may occur</li> </ol>			
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**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>from July through April to reduce fire hazard. No mowing should occur within five feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., striping away bark through careless use of mowing/trimming equipment).</p> <p>If the shrub cannot be avoided, then a mitigation plan shall be developed and implemented in consultation with USFWS consistent with the conservation guidelines for the valley elderberry longhorn beetle, which likely includes one or more of the following:</p> <ul style="list-style-type: none"> <li>• Obtain credits at an approved mitigation bank; or</li> <li>• Implement an onsite mitigation and monitoring plan that includes transplantation of the shrub and planting of elderberry seedlings.</li> </ul> <p>The mitigation plan shall be approved by the USFWS prior to acceptance by the City. Any required onsite mitigation shall be incorporated into subsequent improvement and construction plans.</p>			
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.6</b></p>	<p>The project applicant shall design the subsequent public and private projects within the plan area to avoid impacts to potential habitat for vernal pool invertebrates by providing an appropriate setback from the edge of each pool, as determined by the City in consultation with the U.S. Fish and Wildlife Service, if feasible. If pools impacted cannot be avoided, the project proponent shall implement the following measures:</p> <ol style="list-style-type: none"> <li>1. Completion of an onsite mitigation and monitoring plan that includes onsite creation/preservation of the pools. Mitigation shall be to the satisfaction of the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers (as part of Section 404 permitting), and the City, or</li> <li>2. Credits may be obtained at an approved mitigation bank.</li> </ol>	<p>Prior to the approval of subsequent development and prior to construction activities</p>	<p>U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and City of Elk Grove Development Services</p>	
<p><b>As Part of Subsequent Development Application Submittals</b></p>				
<p><b>MM 4.5.3a</b></p>	<p>As part of subsequent applications on non-participating properties, the project applicant shall provide the City with a Phase I Site Assessment to determine whether ash or a former burn site is present on the subject property.</p>	<p>Prior to acceptance of an application for subsequent development on non-participating properties as complete.</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.1a</b></p>	<p>A tree survey shall be conducted by an arborist certified by the International Society of Arboriculture (ISA) to enumerate and evaluate all trees on the site that meet the standards in the City Tree Ordinance (as amended).</p> <p>All tree locations shall be mapped onto all subsequent improvement and construction plans, tentative subdivision maps, and maps associated with development projects and rezones. Direct loss of protected trees shall be clearly identified on all subsequent maps and plans.</p>	<p>As part of the subsequent development application submittals and prior to construction activities</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>Unless identified for removal as described in MM 4.8.1, all trees that meet the following criteria shall be avoided by construction and protected during all construction activity:</p> <ul style="list-style-type: none"> <li>• Native and Non-Native Oak Trees with a trunk at least six inches (6") in diameter at a height of 4.5 feet.</li> <li>• All other trees with a trunk diameter of twelve inches (12") at a height of 4.5 feet.</li> </ul> <p>Trees to be retained shall be protected by implementation of the following measures:</p> <ol style="list-style-type: none"> <li>1. Before initiating any construction activity near protected trees, install chain link fencing or a similar protective barrier at least one foot outside the dripline of each tree or as far as possible from the tree trunk where the existing road is within the tree dripline. The barrier fencing will remain in place for the duration of construction activity.</li> <li>2. Any required pruning of oak trees shall be conducted before construction activity begins. Oak trees that require pruning of branches larger than two inches in diameter shall be pruned by a certified arborist. No pruning of the six-foot-diameter tree will be permitted.</li> <li>3. No signs, ropes, cables (except cable that may be installed by a certified arborist or other professional tree expert), or other items shall be attached to the oak trees.</li> <li>4. No vehicles, construction equipment, mobile home/office, supplies, materials, or facilities shall be driven, parked, stockpiled, or located within the driplines of oak trees.</li> </ol>	<p>As part of the subsequent development application submittals and prior to and during construction activities</p>	<p>City of Elk Grove Development Services</p>	
<p><b>City of Elk Grove June 2004</b></p>	<p align="right">27</p>		<p align="center"><b>Laguna Ridge Specific Plan Mitigation Monitoring and Reporting Program</b></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.3</b></p>	<p>As part of each subsequent project application submittal to the City, the project applicant shall identify all potential wetland resources that occur on-site for City review (such as those identified in Figure 4.8-1 of the Draft EIR. If wetland resources are proposed to be impacted, the project applicant shall do the following:</p> <ol style="list-style-type: none"> <li>1. The applicant shall delineate the extent of jurisdictional waters of the U.S. to be impacted by the proposed project and, if required, apply for a Section 404 permit from the U.S. Army Corps of Engineers (Corps). Wetland areas that would be lost or disturbed shall be replaced or rehabilitated on a "no-net-loss" basis. Onsite creation of wetland habitat is preferred to offsite mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to the Corps and City.</li> <li>2. The applicant shall obtain a Section 401 water quality waiver of certification from the RWQCB.</li> <li>3. A mitigation plan shall be implemented that includes <u>one</u> of the following:             <ol style="list-style-type: none"> <li>(a) Completion of an onsite Mitigation and Monitoring Plan that includes onsite creation/preservation of the wetlands.</li> <li>(b) Credits may be obtained at an approved mitigation bank.</li> </ol> </li> </ol> <p>The project applicant shall provide written evidence to the City from the Corps and the RWQCB that this measure has been complied with prior to recordation of final maps.</p>	<p>A part of subsequent tentative map applications and completed prior to final map recordation.</p>	<p>City of Elk Grove Development Services, Corps, and RWQCB.</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<b>Prior to Approval of Tentative Subdivision Maps, Parcel Maps, and Site Plans</b>				
<p><b>MM 4.2.8</b></p>	<p>Prior to the approval of tentative subdivision, parcel maps and subsequent development associated with land areas along Big Horn Blvd and Bruceville Road right-of-way for future light rail stations and lines at locations along either Big Horn Boulevard or Bruceville Road shall be dedicated based on consultation with the City of Elk Grove and Sacramento Regional Transit.</p>	<p><i>Prior to approval of tentative subdivision and parcel maps and subsequent development</i></p>	<p><i>City of Elk Grove Development Services and Sacramento Regional Transit</i></p>	
<p><b>MM 4.4.3a</b></p>	<p>When residential tentative subdivision maps include and/or are located adjacent to school and park sites, the residential subdivisions shall be designed to meet City noise standards set forth in Table 4.4-6 of the Draft EIR. If the noise levels from the school and park facilities is expected to exceed the applicable standard, the project applicant shall implement appropriate mitigation measures. Appropriate mitigation measures include walls, berms, and buffers that would ensure compliance with applicable standards, as determined through the adopted Design Review procedures. Evidence of compliance shall be provided to the City.</p>	<p><i>Prior to approval of residential tentative subdivision maps</i></p>	<p><i>City of Elk Grove Development Services, Elk Grove Unified School District, and Elk Grove Community Services District</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.4.3b</b></p>	<p>Prior to approval of a non-residential use that will abut a residential use and has the potential to generate noise, the project applicant shall demonstrate compliance with City noise standards set forth in Table 4.4-6 of the Draft EIR. If the noise levels from the facility exceed the applicable standard, the project applicant shall implement appropriate mitigation measures. Appropriate mitigation measures include walls, berms, and buffers that would ensure compliance with applicable standards, as determined through the adopted Design Review procedures.</p>	<p>Prior to approval of permits and/or plans for non-residential uses adjacent to existing or planned residential uses</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.4.5</b></p>	<p>Prior to development of any noise-sensitive uses (as defined by the City of Elk Grove Noise Element) along Elk Grove Boulevard, Big Horn Road and Poppy Ridge Road, the project applicant shall identify specific noise mitigation measures for areas that would be located within the 60 dB Ldn traffic noise contours shown in <b>Table 4.4-12</b> of the Draft EIR that would attenuate noise levels in compliance with City noise standards for traffic noise as shown in <b>Table 4.4-9</b> of the Draft EIR. Potential design features for noise attenuation are listed below.</p> <ul style="list-style-type: none"> <li>a. <u>Setbacks</u> (i.e., open space, frontage roads, recreational areas, and storage yards) typically reduce noise attenuation by 4 to 6 dB per doubling of distance from the source.</li> <li>b. <u>Barriers</u> (i.e., walls, berms, or structures) to achieve a noise reduction ranging from 5 to 15 dB. Earth berms provide approximately 3 dB more attenuation than a wall.</li> <li>c. <u>Site design</u> (i.e., building location) to reduce noise levels.</li> <li>d. <u>Building design</u> (i.e., location of noise-sensitive uses within a building) to reduce the impact of noises on inhabitants.</li> <li>e. <u>Building façades</u> (i.e., utilizing all features of the building façade including the closed windows) to reduce noise.</li> <li>f. <u>Vegetation</u> (i.e., trees and other vegetation) 100 feet of dense foliage can achieve a 5 dB attenuation of traffic noise.</li> <li>g. <u>Noise-reducing paving materials</u> (i.e., rubberized asphalt) reduce traffic noise by approximately 4 dB.</li> </ul>	<p><i>Prior to approval of tentative subdivision maps and development projects along Elk Grove Boulevard, Big Horn Road and Poppy Ridge Road.</i></p>	<p><i>City of Elk Grove Development Services</i></p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.6.1.1a</b></p>	<p>Prior to each tentative subdivision and/or parcel map approval, the project applicant shall submit to the City, information documenting adequate availability of water supplies and associated infrastructure facilities for the proposed development consistent with facilities and phasing set forth in the Laguna Ridge Specific Plan water study (Wood-Rogers, 2000). Subsequent project applications shall not be approved by the City until proof has been provided that water supplies are available and approval from SCWA has been received.</p>	<p><i>Prior to tentative subdivision and/or parcel map approval</i></p>	<p><i>City of Elk Grove Development Services and Sacramento County Water Agency</i></p>	
<p><b>MM 4.6.2.1</b></p>	<p>Prior to each tentative subdivision or parcel map, the project applicant shall be required to demonstrate that the permanent sewer system, consistent with the Preliminary Sewer Master Plan for the Laguna Ridge Specific Plan (Wood-Rodgers, 2002) adequately serves the subsequent project. This demonstration may take the form of plans and/or reports, which shall be reviewed and approved by the City consistent with the Specific Plan infrastructure phasing provisions. The project applicant shall also pay the required sewer connection and capacity fees that are used to fund expansion of trunk and interceptor facilities.</p>	<p><i>Prior to the approval of each tentative subdivision or parcel map</i></p>	<p><i>City of Elk Grove Development Service, Sacramento Regional County Sanitation District and County Sanitation District.</i></p>	
<p><b>MM 4.6.2.2</b></p>	<p>Prior to approval of each tentative subdivision or parcel map that would utilize the interim sewer facilities, the project applicant shall be required to demonstrate that there is adequate sewer capacity to support the proposed project. This will include confirmation from Sacramento Regional County Sanitation District and County Sanitation District-1 on the availability of sewer capacity.</p>	<p><i>Prior to approval of each tentative subdivision and parcel map</i></p>	<p><i>City of Elk Grove Development Services, Sacramento Regional County Sanitation District, and County Sanitation District-1</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.7.2</b></p>	<p>Prior to the approval of each subsequent tentative subdivision map, the project applicant shall be required to demonstrate that drainage facilities, consistent with the Storm Drainage Master Plan for Laguna Ridge Specific Plan (Wood-Rogers, 2002), will adequately serve the subsequent project, consistent with City standards and off-site flooding impacts would not result, and that such facilities are either available or will be available upon site development. This demonstration may take the form of plans and/or reports, which shall be reviewed and approved by the City consistent with the Specific Plan infrastructure phasing provisions.</p>	<p><i>Prior to the approval of each subsequent tentative parcel and/or subdivision map</i></p>	<p>City of Elk Grove Public Works</p>	
<p><b>MM 4.8.2a</b></p>	<p>Prior to approval of site plans and/or tentative subdivision maps for each parcel proposed for development within 50 feet of the perennial marsh shown in <b>Figure 4.8-1</b> of the Draft EIR, a focused plant survey for Sanford's arrowhead is required to determine the presence/absence of this species. The surveys shall be conducted by a qualified botanist retained by the City and funded by the project applicant during the blooming period (May-August) for this species.</p>	<p><i>Prior to approval of site plans and/or tentative subdivision map for parcels proposed for development within 50 feet of the perennial marsh.</i></p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.2b</b></p>	<p>If this species is not found onsite, no further measures are required. However, if Sanford's arrowhead is found, each population shall be mapped and technical assistance from CNPS and the U.S. Fish and Wildlife Service shall be requested. To the maximum extent feasible, plant populations shall be preserved within open space non-disturbance areas. However, if these areas cannot be avoided, land-supporting populations of the impacted species shall be purchased and shall be permanently protected. Under the direction of CNPS and the U.S. Fish and Wildlife Service, preservation strategies shall be implemented, which may include seed and soil collection or plant transplant. At a minimum, mitigation shall occur at a 1:1 ratio (one plant preserved for every plant impacted). A detailed mitigation plan that includes species, habitat, preserve management, and monitoring strategies shall be developed in consultation with the U.S. Fish and Wildlife Service.</p>	<p><i>Prior to approval of site plans and/or tentative subdivision maps for parcels proposed for development within 50 feet of the perennial marsh.</i></p>	<p><i>City of Elk Grove Development Services and U.S. Fish and Wildlife Service</i></p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.10.1a</b></p>	<p>Prior to subsequent approvals on non-participating properties, a detailed cultural resources field survey of the subject property shall be conducted by the City and funded by the project applicant. The cultural resources field survey shall identify any cultural resource finds and will set out measures to mitigate any impacts to any significant resources as defined by CEQA, California Register of Historic Resources and/or National Historic Preservation Act. Mitigation methods to be employed include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Redesign of the subsequent development project to avoid the resource. The resource site shall be deeded to a non-profit agency to be approved by the City for maintenance of the site.</li> <li>• If avoidance is determined infeasible by the City, then the resource shall be mapped, stabilized, and capped pursuant to appropriate standards.</li> <li>• If the City determines capping infeasible, then the resource shall be excavated and recorded to appropriate standards.</li> </ul>	<p><i>Prior to subsequent approvals on non-participating properties</i></p>	<p><i>City of Elk Grove Development Services</i></p>	
<p><b>MM 4.10.2</b></p>	<p>Prior to subsequent approvals on non-participating properties that include the buildings at 8533 and 8551 Poppy Ridge Road, a detailed evaluation of the historical significance of the structures at the two sites listed above shall be conducted by the City and funded by the project applicant. If the evaluation is negative (i.e., not historically significant), no further mitigation is required.</p> <p>If the evaluation determines that the two sites are historically significant, the subsequent development project shall be redesigned to avoid the building</p>	<p><i>Prior to subsequent approvals on non-participating properties associated with 8533 and 8551 Poppy Ridge Road</i></p>	<p><i>City of Elk Grove Development Services</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>site(s). The building site(s) will be deeded to a non-profit agency to be approved by the City for the maintenance of the site(s). If avoidance is determined to be infeasible by the City, all required documentation (in addition to the items above) shall be conducted in accordance with appropriate standards:</p> <ul style="list-style-type: none"> <li>• The development of a site-specific history and appropriate contextual information regarding the particular resource; in addition to archival research and comparative studies, this task could involve limited oral history collection;</li> <li>• Accurate mapping of the noted resources, scaled to indicate size and proportion of the structures;</li> <li>• Architectural description of affected structures;</li> <li>• Photo documentation of the designated resources, both in still and video format;</li> <li>• Recordation of measured architectural drawings, in the case of specifically designated buildings of higher architectural merit; and</li> <li>• Any historical significant artifacts within buildings and the surrounding area shall be recorded and deposited with the appropriate museum.</li> </ul> <p>These buildings shall be preserved and relocated off-site.</p>			
<b>Prior Final Subdivision Map Approval</b>				



**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.6.4.2a</b></p>	<p>The project applicant shall provide a permanent fire station within the plan area and sufficient funds to purchase associated facilities including an aerial truck, and urban interface engine. These improvements and facilities, included in the Laguna South Public Facilities Fee Program, shall be provided to the satisfaction of the Elk Grove Community Services District Fire Department (EGCSDFD).</p> <p>Fair-share funding for the above fire facilities and services improvements shall be determined by the modification of the Laguna South Public Facilities Fee Program by the annexation of the Laguna Ridge Specific Plan into the Fee Program. Project public facility financing plans and/or programs shall establish the timing of these improvements to ensure they are in place to the satisfaction of the EGCSDFD. Establishment of the financing plans and/or programs shall occur prior to the approval of any subsequent development project. Development may occur prior to approval of the project's financing plans and/or programs if the project applicant constructs the EGCSDFD required improvement and purchases associated facilities concurrent with the development of their specific project.</p>	<p>Prior to approval of the Project Financing Program and/or Plan</p>	<p>EGCSD and City of Elk Grove Development Services</p>	
<p><b>MM 4.6.5.1</b></p>	<p>The project's general financing program and/or plan shall demonstrate that there are sufficient sources of funding to provide adequate law enforcement facilities and equipment for new officers required to maintain the one officer per 1,000 residents ratio with the addition of the project.</p>	<p>Prior to approval of the Project Financing Program and/or Plan</p>	<p>Elk Grove Police Department and City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.4.4</b></p>	<p>The project proponent shall ensure that a disclosure statement shall be recorded against the property and be provided to all prospective buyers of properties within the proposed plan area notifying such persons of the presence of existing and future noise-producing agricultural-related activities in the immediate Specific Plan area. The disclosure statement shall be reviewed and approved by City of Elk Grove Development Services.</p>	<p>Prior to each final subdivision map approval</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.1.2b</b></p>	<p>The project proponent shall ensure that a disclosure statement shall be recorded against the property and be provided to all prospective buyers of properties within the proposed plan area notifying such persons of the presence of existing and future noise-producing agricultural-related activities in the immediate Specific Plan area. The disclosure statement shall be reviewed and approved by City of Elk Grove Development Services.</p>	<p>Prior to the sale to prospective buyers</p>	<p>City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<b>Prior to Issuance of Demolition Permits</b>				
<b>MM 4.5.2</b>	Prior to the issuance of demolition permits for existing onsite structures, asbestos material sampling shall be conducted to determine if materials are present. Any identified asbestos containing building materials present in each of the structures to be dismantled shall be removed under acceptable engineering methods and work practices by a licensed asbestos abatement contractor prior to removal. These practices include, but are not limited to: containment of the area by plastic, negative air filtration, wet removal techniques and personal respiratory protection and decontamination. The process shall be designed and monitored by a California Certified Asbestos Consultant. The abatement and monitoring plan shall be developed and submitted for review and approval by the appropriate regulatory agency (the Sacramento Metropolitan Air Pollution Management District).	Prior to the issuance of demolition permits	Sacramento Metropolitan APMD, City of Elk Grove Development Services	
<b>MM 4.5.4a</b>	Prior to the issuance of demolition permits for existing onsite structures, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations.	Prior to issuance of demolition permits	City of Elk Grove Development Services	
<b>MM 4.5.4b</b>	The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with local, state, and federal regulations.	Prior to issuance of demolition permits and included in construction contracts.	City of Elk Grove Development Services	

Prior to Issuance of Grading Permits or Approval of Improvement Plans				
<p><b>MM 4.1.1</b></p>	<p>The applicant of subsequent projects shall protect one acre of existing farmland land of equal or higher quality for each acre of Prime Farmland, Unique Farmland or Farmland of Statewide Importance that would be developed as a result of the project. Areas of Prime Farmland and Farmland of Statewide Importance within the project site are depicted in Figure 4.1-1 of the Revised Draft EIR. This protection may consist of the establishment of farmland conservation easement, farmland deed restriction or other appropriate farmland conservation mechanism that ensures the preservation of that land from conversion in perpetuity, but may also be utilized for compatible wildlife habitat conservation efforts (e.g., Swainson's hawk foraging habitat mitigation). The farmland/wildlife habitat land to be preserved shall be located within Sacramento County, outside the City of Elk Grove city limits, bounded by Hood-Franklin Road, Kammerer Road, Grant Line Road and the Jackson Highway, by Dillard Road and Clay Station Road, by the Sacramento County line, and by the Sacramento River, and must have adequate water supply to support agricultural use. In deciding whether to approve the land proposed for preservation by the Project applicant, the City shall consider the benefits of preserving farmlands in proximity to other protected lands. The preservation of off-site farmland may be done at one time, prior to the City's approval of the project's first grading permit, or may be done in increments with the build-out of the project, with preservation occurring prior to each grading permit approval. Grading plans shall include the farmland information contained in Figure 4.1-1 of the Revised Draft EIR and the acreage and type of farmland impacted. In addition, the City shall impose the following minimum conservation easement content standards:</p> <ul style="list-style-type: none"> <li>a) All owners of the agricultural/wildlife habitat mitigation land shall execute the document encumbering the land.</li> <li>b) The document shall be recordable and contain an accurate legal description of the agricultural/wildlife</li> </ul>	<p><i>Prior to the issuance of grading permits</i></p>	<p><i>City of Elk Grove Development Services</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>habitat mitigation land.</p> <p>c) The document shall prohibit any activity which substantially impairs or diminishes the agricultural productivity of the land. If the conservation easement is also proposed for wildlife habitat mitigation purposes, the document shall also prohibit any activity which substantially impairs or diminishes the wildlife habitat suitability of the land.</p> <p>d) The document shall protect any existing water rights necessary to maintain agricultural uses on the land covered by the document, and retain such water rights for ongoing use on the agricultural/wildlife habitat mitigation land.</p> <p>e) Interests in agricultural/habitat mitigation land shall be held in trust by an entity acceptable to the City and/or the City in perpetuity. The entity shall not sell, lease, or convey any interest in agricultural/wildlife habitat mitigation land which it shall acquire without the prior written approval of the City.</p> <p>f) The applicant shall pay to the City an agricultural/wildlife habitat mitigation monitoring fee to cover the costs of administering, monitoring and enforcing the document in an amount determined by the receiving entity, not to exceed 10% of the easement price paid by the applicant, or a different amount approved by the City Council, not to exceed 15% of the easement price paid by the applicant.</p> <p>g) The City shall be named a beneficiary under any document conveying the interest in the agricultural/wildlife habitat mitigation land to an entity acceptable to the City.</p> <p>h) If any qualifying entity owning an interest in agricultural/wildlife habitat mitigation land ceases to exist, the duty to hold, administer, monitor and enforce the interest shall be transferred to another entity acceptable to the City or to the City.</p> <p>Before committing to the preservation of any particular farmland pursuant to this measure, the Project proponent shall obtain the City's approval of the farmland proposed for preservation.</p>			
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.4.2</b></p>	<p>Prior to the commencement of pile driver operations in proximity to residential areas, an assessment of vibrations induced by pile driving at the site shall be completed. During indicator pile driving, vibrations should be measured at regular intervals to determine the levels of vibration at various distances from pile driving equipment. The indicator piles shall be driven at locations at least 400 feet from any existing residents. After monitoring, methods of reducing the peak ground velocities to less than 0.4 inches/second shall be determined and implemented during production pile driving. Methods to reduce vibrations, if needed, could include cut-off trenches, and the use of smaller hammers. The vibration reduction techniques to be used should be described in a note attached to the construction plans for the project to be reviewed and approved by the appropriate City regulatory agency prior to issuance of building permits. This requirement shall be included as a note in all project construction plans.</p>	<p>Prior to any pile driving activities</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.3.1f</b></p>	<p>This mitigation measure shall be implemented by all subsequent projects within the Laguna Ridge Specific Plan. An individual project <i>may</i> be exempt from the following mitigation if it is less than 20 acres in size and will generate less than 400 pounds per day of NO<sub>x</sub>, as determined by SMAQMD and the City. All other projects (not meeting the two exemption criteria) will be required to implement the following measures.</p> <p>(a) <b>Category 1: Reducing NO<sub>x</sub> emissions from off-road diesel powered equipment.</b></p> <p>The prime contractor shall provide a plan for approval by the City of Elk Grove and SMAQMD demonstrating</p>	<p><i>Prior to and during construction activities.</i></p>	<p>City of Elk Grove Development Services and SMAQMD.</p>	

<p>that the heavy-duty (&gt;50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average. The prime contractor shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs; and,</p> <p>(b) <b><u>Category 2: Controlling visible emissions from off-road diesel powered equipment.</u></b></p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the Specific Plan area do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a month summary of the visual results shall be submitted to the City and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and</p>			
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**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulation.</p> <p>In the event construction equipment meeting the requirements set forth above is determined not to be available, the project applicant shall notify the City and SMAQMD. Upon verification that required low-emission construction equipment is not available, the City may waive this measure. This requirement shall be included as a note in all project construction plans.</p>			
<b>MM 4.3.2</b>	<p>The project applicant shall implement all measures proposed in the AQ-15 Plan provided in Appendix 4.3 of the Draft EIR for each subsequent project to reduce the emissions from both mobile and stationary sources. Each subsequent development project shall be checked for compliance with the AQ-15 Plan.</p>	<p>During all planning and development phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD.</p>	
<b>MM 4.8.4a</b>	<p>Within 30 days prior to commencement of construction activities, a pre-construction survey of land within 200 feet of all wetlands, channels, ponds, and other such waterways within the plan area shall be conducted by a qualified biologist retained by the City and funded by the project applicant who is approved by the Service's Sacramento Fish and Wildlife Office. In order to protect snakes, dewatering of areas within the site shall not occur prior to completion of the pre-construction surveys. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist shall be retained by the City and funded by the project applicant to routinely monitor construction activities. If a snake is</p>	<p><i>30 days prior to grading and commencement of construction activities</i></p>	<p><i>USFWS and City of Elk Grove Development Services</i></p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>encountered during construction activities, the monitoring biologist shall contact the City Development Services and will have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed.</p> <p>Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a) 1(A) of the Act. The biologist shall be required to report any incidental take to the Service immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.</p> <p>This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.</p>			
<p><b>MM 4.8.4b</b></p>	<p>If a giant garter snake is identified within the plan area either during pre-construction surveys or during construction, the following shall occur:</p> <ol style="list-style-type: none"> <li>1. The City of Elk Grove shall be notified;</li> <li>2. The City shall suspend all construction activities on the site of the sighting and along any water feature within the plan area that is hydrologically connected to the site of the sighting;</li> <li>3. Protocol surveys shall be conducted by qualified biologists retained by the City and</li> </ol>	<p><i>Prior to and during construction activities</i></p>	<p><i>City of Elk Grove Development Services, CDFG and USFWS</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>funded by the project applicant who are approved by the Service's Sacramento Fish and Wildlife Office;</p> <p>4. The project applicant shall consult with the USFWS and CDFG to determine appropriate mitigation for the species and habitat loss, possibly including Section 10 consultation with the USFWS and Section 2081 consultation with the CDFG; and,</p> <p>5. The project applicant shall provide the City with proof of the consultation and compliance with USFWS and CDFG mitigation requirements before construction activities may resume.</p> <p>This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.</p>			
<b>MM 4.8.4c</b>	<p>No grading or other construction activities shall be conducted from October 1 to April 30, which is the inactive period of the giant garter snake. More danger is posed to snakes during their inactive period, because they are occupying underground burrows or crevices and are more susceptible to direct effects, especially during excavation. A "no grading" period from October 1 to April 30 will apply to portions of the plan area located within 1,000 feet of ditches, canals, ponds, wetlands or other such areas. This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes have been found.</p>	<p><i>Prior to project grading and during construction activity</i></p>	<p>City of Elk Grove Development Services</p>	
<b>MM 4.8.4d</b>	<p>Dewatering of ponds, ditches, canals and other such areas may begin any time after November 1, but no later than April 1 of the following year, once the absence of the species is determined or implementation of Mitigation Measure 4.8.4b has</p>	<p><i>Prior to and during construction activity</i></p>	<p>City of Elk Grove Development Services and CDFG</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>been completed. All water must be removed by April 15, or as soon thereafter as weather permits, and the habitat must remain dry without any standing water for 15 consecutive days after April 15 and prior to excavating or filling the dewatered habitat.</p> <p>This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.</p>			
<b>MM 4.8.4e</b>	<p>Construction personnel shall participate in a Service-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the Act. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the City and the Sacramento U.S. Fish and Wildlife Office.</p> <p>This mitigation measure does not apply to land areas where surveys within the active period of the snake have been conducted and no snakes were found.</p>	<i>Prior to project grading and construction</i>	<i>U.S. Fish and Wildlife Service and City of Elk Grove Development Services</i>	
<b>MM 4.8.7b</b>	<p>Prior to any and all subsequent construction activities in the plan area, a Swainson's hawk nest survey shall be conducted. The nest survey shall be conducted during the Swainson's hawk breeding season (March 15-August 31) and within 30 days of the start of construction activities for a 1/2-mile radius of the project site. In addition, a survey of the project site</p>	<i>Prior to construction activities and throughout project construction</i>	<i>City of Elk Grove Development Services and CDFG</i>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>and areas within 500 feet of the project site shall be conducted once in April and once in May. If active Swainson's hawks nests are found, the applicant shall consult with the Department of Fish and Game and a qualified biologist shall be retained by the City and funded by the project applicant and clearing and construction shall be postponed or halted until additional nesting attempts no longer occur. If a nest tree is found on the subsequent project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained and mitigation implemented pursuant to CDFG guidelines.</p>			
<p><b>MM 4.8.8a</b></p>	<p>If construction is proposed during the raptor-breeding season (February–August), a focused survey for raptors (including burrowing owls), migratory bird nests, and bat roosts shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests onsite. If active nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. This 500-foot construction prohibition zone may be reduced based on consultation and approval by the California Department of Fish and Game. Trees containing nests, or burrows that must be removed as a result of project implementation shall be removed during the non-breeding season (late September to March). If no active nests are found during the focused survey, no further mitigation will be required. This mitigation measure does not apply to a Swainson's hawk nest. Because the Swainson's hawk is Federally protected and a State threatened species, the removal of any tree containing an occupied hawk nest could severely affect nesting raptors, fledgling and/or eggs. Therefore, if an occupied Swainson's hawk nest tree is</p>	<p><i>Prior to construction activities</i></p>	<p><i>City of Elk Grove Development Services and CDFG</i></p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	found on the subsequent project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained pursuant to CDFG guidelines.			
<b>MM 4.8.8b</b>	<p>Within 30 days prior to the onset of construction activities outside of the breeding season (September–January), a qualified biologist shall conduct a burrow survey to determine if burrowing owls are present in the plan area. If burrowing owls are observed on the site, measures shall be implemented to ensure that no owls or active burrows are inadvertently buried during construction. Such measures include: flagging the burrow and avoiding disturbance; securing and preserving suitable habitat offsite; passive relocation and/or active relocation to move owls from the site. All measures shall be determined by a qualified biologist and approved by the CDFG.</p> <p>All burrowing owl surveys shall be conducted according to CDFG protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.</p>	<i>Prior to construction activities.</i>	<i>City of Elk Grove Development Services and CDFG</i>	
<b>MM 4.8.8c</b>	Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, if active songbird nests or active owl burrows are found within the survey area, clearing and construction within a minimum of 250 feet for owls and 100 feet for songbirds, or as determined by a qualified biologist to ensure disturbance to the nest will be minimized, shall be	<i>Thirty days prior to construction activities occurring between September 1 through January 31</i>	<i>City of Elk Grove Development Services and CDFG</i>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

	<p>postponed or halted. Construction will not resume within the buffer until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The perimeter of the protected area shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist.</p>			
<p><b>MM 4.5.1</b></p>	<p>Soil sampling shall be conducted within the areas of potential herbicide/pesticide contamination as identified in <b>Figure 4.5-3</b> of the Draft EIR. The soil samples shall be taken to assess the potential for persistent pesticide or herbicide residuals. If substances are detected at concentrations that could pose a health hazard and/or violate local, State, or Federal health standards, remediation of the affected areas shall be undertaken in accordance with the requirements of the City of Elk Grove and the Sacramento County Environmental Management Department. Development of the site shall not commence until the site is deemed remediated and clear for development by the City in consultation with the Sacramento County Environmental Management Department.</p>	<p>Prior to approval of improvement plans and/or grading plans for areas shown on Figure 4.5-4 of the Draft EIR.</p>	<p>City of Elk Grove Development Services and Sacramento Environmental Management Department.</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.5.3b</b></p>	<p>Prior to approval of improvement plans and/or a grading permit, a detailed surface investigation shall be conducted to determine if former burn dumps, chemical dumps or ash are present within each subsequent project site. If any ash or burn sites are identified, surface and subsurface soil sampling shall be conducted to determine if contamination exists. If substances are detected at concentrations that could pose a health hazard and/or violate local, State, or Federal health standards, remediation of the affected areas shall be undertaken in accordance with the requirements of the City of Elk Grove and the Sacramento County Environmental Management Department. Development of the site shall not commence until the site is deemed remediated and clear for development by the City in consultation with the Sacramento County Environmental Management Department.</p>	<p>Prior to approval of improvement plans and/or grading plans.</p>	<p>City of Elk Grove Development Services and Sacramento County Environmental Management Department.</p>	
<p><b>MM 4.6.4.2b</b></p>	<p>All signalized intersections installed by the project developer shall be equipped with traffic pre-emption devices at the time of installation.</p>	<p>Prior to improvement plan approval</p>	<p>EGCSD and City of Elk Grove Development Services</p>	
<p><b>MM 4.6.4.2c</b></p>	<p>Prior to approval of individual subdivision improvement plans, the water supply system plans for the subdivisions shall be reviewed by the City and Sacramento County Water Agency (SCWA) to ensure adequate fire flows for the project as specified by the EGCSD Fire Department.</p>	<p>Prior to improvement plan approval</p>	<p>EGCSD and City of Elk Grove Development Services &amp; Sacramento County Water Agency (SCWA)</p>	
<p><b>MM 4.6.4.2d</b></p>	<p>All dead-end streets in excess of 150 feet in the Laguna Ridge Specific Plan area shall have emergency vehicle turn-arounds approved by the Elk Grove Community Services District Fire Department.</p>	<p>Prior to improvement plan approval</p>	<p>EGCSD and City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.6.4.2e</b></p>	<p>Prior to approval of individual subdivision improvement plans, the project applicant shall demonstrate that all required roadways, water mains, fire hydrants, and fire flow necessary to serve the subdivision shall be provided prior to the existence of any combustible construction of storage and that the installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, meets the standards of the EGCSDFD and the Sacramento County Water Agency. The roadways shall be constructed to a 20-foot minimum width with an impervious surface to the satisfaction of the Elk Grove CSD and shall have good drainage.</p>	<p>Prior to improvement plan approval</p>	<p>EGCSD, Sacramento County Water Agency and City of Elk Grove Development Services</p>	
<p><b>MM 4.7.1</b></p>	<p>The project applicant shall submit to the City of Elk Grove proof that a Storm Water Pollution Prevention Plan (SWPPP) has been submitted to the California Regional Water Quality Control Board, Central Valley Region. The SWPPP shall be administered throughout all phases of grading and project construction. The SWPPP shall be included with all subsequent project improvement and grading plans and shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. Examples of BMPs that may be implemented during site grading and construction could include inlet filters, filter barriers, silt fences, and sedimentation basins. The SWPPP shall be consistent with the City's NPDES permit (NPDES No. CAS082597).</p>	<p>Prior to the approval of subsequent improvement plans and grading plans and noted on plans</p>	<p>City of Elk Grove Public Works, and RWQCB</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.7.3a</b></p>	<p>Biofilter swales and vegetated strips shall be placed in the bottom of channel areas and be designed to provide biofiltration of pollutants in project runoff. The project engineer shall consult with the City when designing these areas, and the developer shall submit designs of the areas to the City for review and approval prior to approval of the improvement plans. Water quality control features shall be consistent with the City's NPDES permit (NPDES No. CAS082597).</p>	<p>Prior to approval of improvement plans for each water quality facility</p>	<p>City of Elk Grove Public Works, and CVRWQCB</p>	
<p><b>MM 4.6.4.2f</b></p>	<p>Within the Specific Plan Area, the following requirements will be met:</p> <ol style="list-style-type: none"> <li>1. Non-combustible fences shall be provided along all developed areas adjacent to wetlands/creeks/open spaces.</li> <li>2. Access shall be provided to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates to the satisfaction of the EGCSDFD. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside. All bike paths shall be paved with 2 inches of AC over 4 inches of AB compacts to 95 percent.</li> <li>3. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.</li> <li>4. At least 10 feet of greenbelt or other defensible space between noncombustible fences and the creek/wetland areas shall be provided.</li> </ol>	<p>Prior to improvement plan approval</p>	<p>EGCSD and City of Elk Grove Development Services</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.7.3c</b></p>	<p>All plan area storm drains shall provide a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each storm drain inlet. This may be accomplished with a stamped concrete impression (for curbs) or manufactured colored tiles, which are epoxied in place, adjacent to the inlet (for parking lots and areas without curbs).</p>	<p>Prior to improvement plan approval for drainage facilities</p>	<p>City of Elk Grove Public Works</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.1c</b></p>	<p>For trees that are planned to be removed and which meet the criteria contained in the City's Tree Preservation Ordinance (as amended) and the City of Elk Grove Draft General Plan Conservation and Air Quality Element, a tree mitigation plan shall be submitted to the City of Elk Grove in accordance with City requirements. Protected trees shall be replaced on a no-net-loss basis.</p> <p>Tree mapping required under mitigation measure MM 4.8.1a will delineate all protected trees planned to be removed. Mitigation areas, if needed, shall be within the plan area limits in landscape corridors and designated open space areas, if feasible. However, if the applicant demonstrates that onsite mitigation is not feasible, offsite mitigation within the city limits will be acceptable. Should the applicant contract with an organization for offsite tree mitigation, the City of Elk Grove shall review and may approve the contract if it meets the no-net-loss requirement and is otherwise deemed appropriate. The mitigation plan shall include the following components:</p> <ol style="list-style-type: none"> <li>1. Number, location, size, and species of the replacement trees to be planted;</li> <li>2. Methods of irrigation for planted trees;</li> <li>3. Planting and maintenance schedule; and</li> <li>4. Plan for care of planted trees for a three-year establishment period and replacement of any planted trees that do not survive.</li> </ol>	<p>Prior to issuance of grading permit</p>	<p>City of Elk Grove Development Services</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.8.7a</b></p>	<p>As a condition of approval of subsequent development (i.e., approval of improvement and construction plans), including offsite improvements, under the Plan, the project applicant shall mitigate the loss of Swainson's hawk foraging and/or nesting habitat by one of the following methods:</p> <ul style="list-style-type: none"> <li>• Preserve 1.0 acre of similar habitat for each acre lost due to project implementation. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove. The applicant shall be responsible for funding the operation and maintenance and/or monitoring of the protected land.</li> <li>• Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the CDFG that includes the preservation of Swainson's hawk foraging habitat.</li> <li>• Mitigate impacts in compliance with Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect. This option shall be suspended until Chapter 16.130 is amended to eliminate the mitigation fee option so that it is available only to projects that do not exceed 50 acres in size.</li> </ul> <p>Compliance with this mitigation measure may be fulfilled in combination with the implementation of Mitigation Measure MM 4.1.1 if the CDFG determines that farmland preserved under MM 4.1.1 also qualifies as suitable Swainson's hawk foraging habitat.</p>	<p>Prior to approval of improvement and construction plans</p>	<p>City of Elk Grove Development Services and CDFG</p>	
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**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.9.1</b></p>	<p>Prior to issuance of a grading permit for each subsequent project, the project applicant shall submit to the City an erosion control plan, which will utilize best construction practices to limit the erosion effects of the proposed project. Measures shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Hydro-seeding</li> <li>• Placement of loose straw and/or straw bales within drainage ways and ahead of drop inlets;</li> <li>• The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);</li> <li>• The placement of straw wattles along slope contours;</li> <li>• Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to washout wherever they feel like); and</li> <li>• The use of siltation fences.</li> </ul>	<p>Prior to the issue of grading permit and during construction</p>	<p>City of Elk Grove Development Services, Public Works.</p>	
<p><b>MM 4.11.2a</b></p>	<p>A lighting plan shall be developed and provided with improvement plans for each subsequent non-residential project to ensure that parking lot pole lights and streetlights shall be fully hooded and back shielded to reduce the light "spillage" and glare, prohibit the illumination from breaking the horizontal plane, and ensure that lighting not exceed the standard illumination of two-foot candles along the property lines of adjoining land uses. The two-foot candle lighting standard shall also apply to all park and school facilities where stadium lighting may be installed and used.</p>	<p>Prior to approval of improvement plans for all subsequent public and private projects.</p>	<p>City of Elk Grove Development Services, Elk Grove Community Services District and Elk Grove Unified School District.</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.3.1a</b></p>	<p>The project applicant shall require that the contractors water all exposed surfaces, graded areas, storage piles and haul roads at least twice daily during construction. This requirement shall be included as a note in all project construction plans.</p>	<p>During all grading and construction phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD</p>	
<p><b>MM 4.3.1b</b></p>	<p>The project applicant shall require that the contractor minimize the amount of material actively worked, the amount of disturbed area, and the amount of material stockpiled. This requirement shall be included as a note in all project construction plans.</p>	<p>During all grading and construction phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD.</p>	
<p><b>MM 4.3.1c</b></p>	<p>The project applicant shall require that the contractor limit vehicle speed for onsite construction vehicles to 15 mph. This requirement shall be included as a note in all project construction plans.</p>	<p>During all grading and construction phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD.</p>	
<p><b>MM 4.3.1d</b></p>	<p>The project applicant shall require paved streets adjacent to construction sites to be washed or swept daily to remove accumulated dust. This requirement shall be included as a note in all project construction plans.</p>	<p>During all grading and construction phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD</p>	
<p><b>MM 4.3.1e</b></p>	<p>The project applicant shall require that, when transporting soil or other materials by truck during construction, two feet of freeboard shall be maintained by the contractor, and that the materials be covered. This requirement shall be included as a note in all project construction plans.</p>	<p>During all grading and construction phases of the project.</p>	<p>City of Elk Grove Development Services and SMAQMD.</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<b>MM 4.3.1g</b>	The project applicant shall require contractors to implement ridesharing programs for construction employees traveling to and from the site. This requirement shall be included as a note in all project construction plans.	During all grading and construction phases of the project.	City of Elk Grove Development Services and SMAQMD.	
<b>MM 4.4.1a</b>	Site preparation and construction activities shall be limited to between the hours of 6:00 A.M. to 8:00 P.M., Monday through Friday, and 7:00 A.M. to 8:00 P.M. on Saturday and Sunday (City of Elk Grove Noise Control Ordinance, Section #6.68.090 (e)). Furthermore, construction equipment maintenance shall be limited to the same hours. This requirement shall be included as a note in all project construction plans.	During all construction phases of the project	City of Elk Grove Development Services	
<b>MM 4.4.1b</b>	All construction equipment shall be equipped with appropriate mufflers in good working condition. This requirement shall be included as a note in all project construction plans.	During all construction phases of the project	City of Elk Grove Development Services	
<b>MM 4.4.1c</b>	Construction staging areas shall be located as far from noise-sensitive uses as is feasible. This requirement shall be included as a note in all project construction plans.	During all construction phases of the project	City of Elk Grove Development Services	
<b>MM 4.4.1d</b>	Stationary construction equipment shall be located as far from noise sensitive uses as feasible, and temporary or portable acoustic barriers shall be installed around the equipment/work area when within 100 feet or less of residential properties or other sensitive uses. This requirement shall be included as a note in all project construction plans.	During all construction phases of the project	City of Elk Grove Development Services	

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.4.1e</b></p>	<p>Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted on a sign no larger than 4 foot by 8 foot at all construction entrances to allow for surrounding and onsite property owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. This requirement shall be included as a note in all project construction plans.</p>	<p>During all construction phases of the project</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.6.4.1</b></p>	<p>As a condition of subsequent development entitlements, uses constructed in the Plan area shall meet the minimum necessary fire flow and other standard fire protection and life safety requirements identified in the Uniform Fire Code, Uniform Building Code, and other applicable state regulations. Construction sites shall ensure adequate on-site water supply and all-weather access for fire-fighting equipment and emergency vehicles before framing can occur. The applicant shall also pay the Fire Protection Development Fee in effect at the time of building permit issuance. These requirements shall be noted on all construction plans.</p>	<p>During construction activities and prior to improvement plan approval</p>	<p>EGCSD and City of Elk Grove Development Services</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.10.1b</b></p>	<p>In the event that any historic surface or subsurface archaeological features or deposits, including locally darkened soil indicative of an archaeological midden that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during on-site or off-site construction, all work within 100 feet of the find shall cease and Development Services shall be notified. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall be contacted to determine if the resource is significant and to determine appropriate mitigation. Any artifacts uncovered shall be recorded and removed to a location to be determined by the archaeologist. The discovery of human remains shall also be reported to the County Coroner in accordance with Section 7050.5 the California Health and Safety Code, and the Native American Commission for further investigation. If the remains are determined to be Native American, the Native American Commission shall inform the most likely descendent and will determine the appropriate disposition of the remains and grave goods.</p>	<p>During construction activities</p>	<p>City of Elk Grove Development Services</p>	
<p><b>Prior to Issuance of Building Permits</b></p>				
<p><b>MM 4.6.1.1b</b></p>	<p>As a condition of subsequent development applications, uses constructed on the property shall incorporate into the building plans water conservation measures including drought tolerant landscaping with low fuel potential, low-flow toilets, urinals, shower heads, lavatory faucets, and sink faucets, as well as insulation to reduce water uses before hot water reaches equipment or fixtures.</p>	<p>Prior to issuance of each building permit</p>	<p>City of Elk Grove Development Services</p>	
<p><b>Prior To Issuance of Occupancy Permits</b></p>				

**MITIGATION MONITORING AND REPORTING PROGRAM**

<p><b>MM 4.1.2a</b></p>	<p>All of the landscape corridors directly adjacent to the project area that are located between existing agricultural operations or agriculturally zoned properties and the project area shall be fully improved and functional prior to the occupancy of any residence that adjoins the subject corridor.</p>	<p>Prior to issuance of occupancy permits</p>	<p>City of Elk Grove Development Services</p>	
<p><b>MM 4.11.2b</b></p>	<p>Non-glare glass shall be used in all non-residential buildings to minimize and reduce impacts from glare. Office and commercial buildings, which are allowed to use semi-reflective glass, must be oriented so that the reflection of sunlight is minimized. This requirement shall be incorporated into the Specific Plan and reflected in subsequent development applications.</p>	<p>Types of non-glare glass shall be specified on final development plans for subsequent commercial and office projects, and installed prior to building occupancy</p>	<p>City of Elk Grove Development Services</p>	