3.11 ENVIRONMENTAL IMPACTS AND MITIGATION ADDRESSED IN PREVIOUS EIRS

CEQA allows a lead agency to limit the detail of discussion of environmental effects that are not potentially significant (PRC Section 21100, State CEQA Guidelines Section 15128). Following research and analysis of technical studies and data, it was determined that the Project would not result in significant environmental impacts on agriculture, biological resources, geology and soils, hazard and hazardous materials, hydrology and water quality, and land use. Approved projects and certified EIRs that address these issue areas and cover the land area within the proposed LEA Community Plan Area are listed below. The General Plan EIR provides the most recent programmatic analysis of the EIRs identified below. Figure 3.11-1 identifies the geographic extent of the environmental analyses of the following focused plans:

- General Plan Update (adopted January 2019) and EIR (State Clearinghouse 2017062058): programmatically evaluated General Plan policy and land use designations for the City and its Planning Area.
- Southeast Policy Area Strategic Plan (adopted June 2014 – referred to as Southeast Policy Area in the General Plan) and EIR (State Clearinghouse 2013042054) (see Figure 3.11-1).
- Laguna Ridge Specific Plan (adopted June 2004 and amended December 2019 – referred to as the Laguna Ridge Policy Area in the General Plan) and EIR (State Clearinghouse 2000082139) (see Figure 3.11-1).
- Lent Ranch Marketplace Special Planning Area (various Districts approved June 2001, June 2008, December 2008, and October 2014 – referred to as the Lent Ranch Policy Area in the General Plan) and EIR (State Clearinghouse 1997122002) (see Figure 3.11-1).
- Sterling Meadows Tentative Subdivision Map (approved May 2008) and EIR (State Clearinghouse 1999122067), referred to as the SouthPoint Policy Area in the General Plan.

Pursuant to State CEQA Guidelines Section 15162 an SEIR may be prepared if an EIR has been certified for a project and if one or more of the following conditions are met: 1) substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) there is new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete. This section utilizes State CEQA Guidelines Section 15162 to analyze Project impacts as compared to findings in the General Plan EIR and from prior project level environmental reviews that include portions of the LEA Community Plan Area.

Impacts to these environmental resource areas are analyzed below, including reference to adopted mitigation measures. Project impacts were determined not to be more severe than the impacts or new impacts identified in the General Plan EIR and the applicable EIRs identified above. Each subsection includes a brief setting with any updates to the regulatory or environmental setting; applicable General Plan policies; impact analysis; and an impact finding with any adopted mitigation measures that currently apply to the LEA Community Plan Area. Please refer to Appendix G for a full list of mitigation measures from the General Plan EIR and other EIRs that would apply to future projects being built in the LEA Community Plan Area. In cases where there are multiple adopted mitigation measures from different EIRs that address the same impact topic, a new mitigation measure is identified to be applied only to the LEA Community Plan Area to avoid conflicts from implementation of adopted mitigation monitoring programs for approved projects. Areas within the LEA Community Plan Area where agricultural and biological resources mitigation have been complete are shown in Figures 3.11-2 and 3.11-3.

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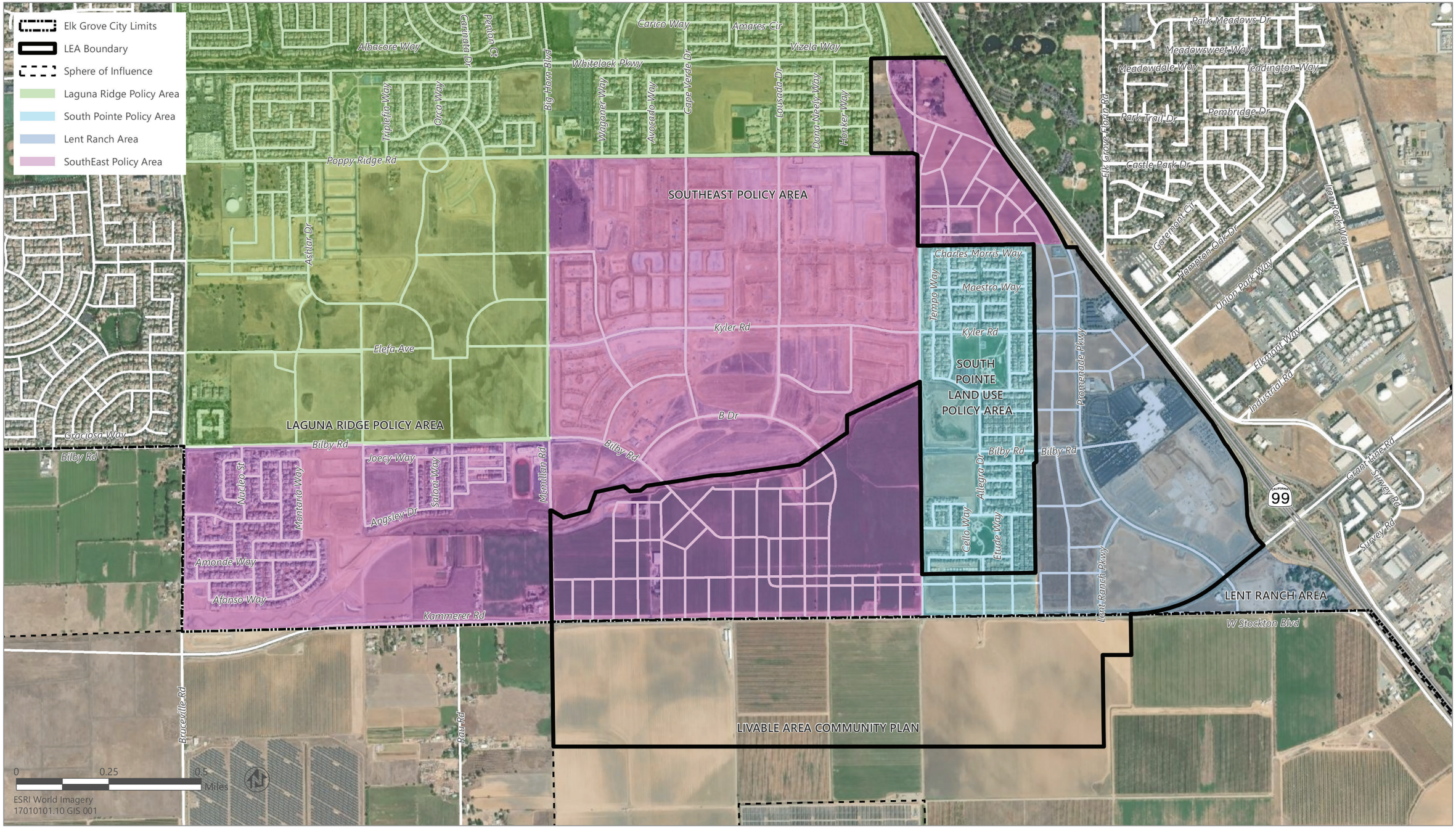
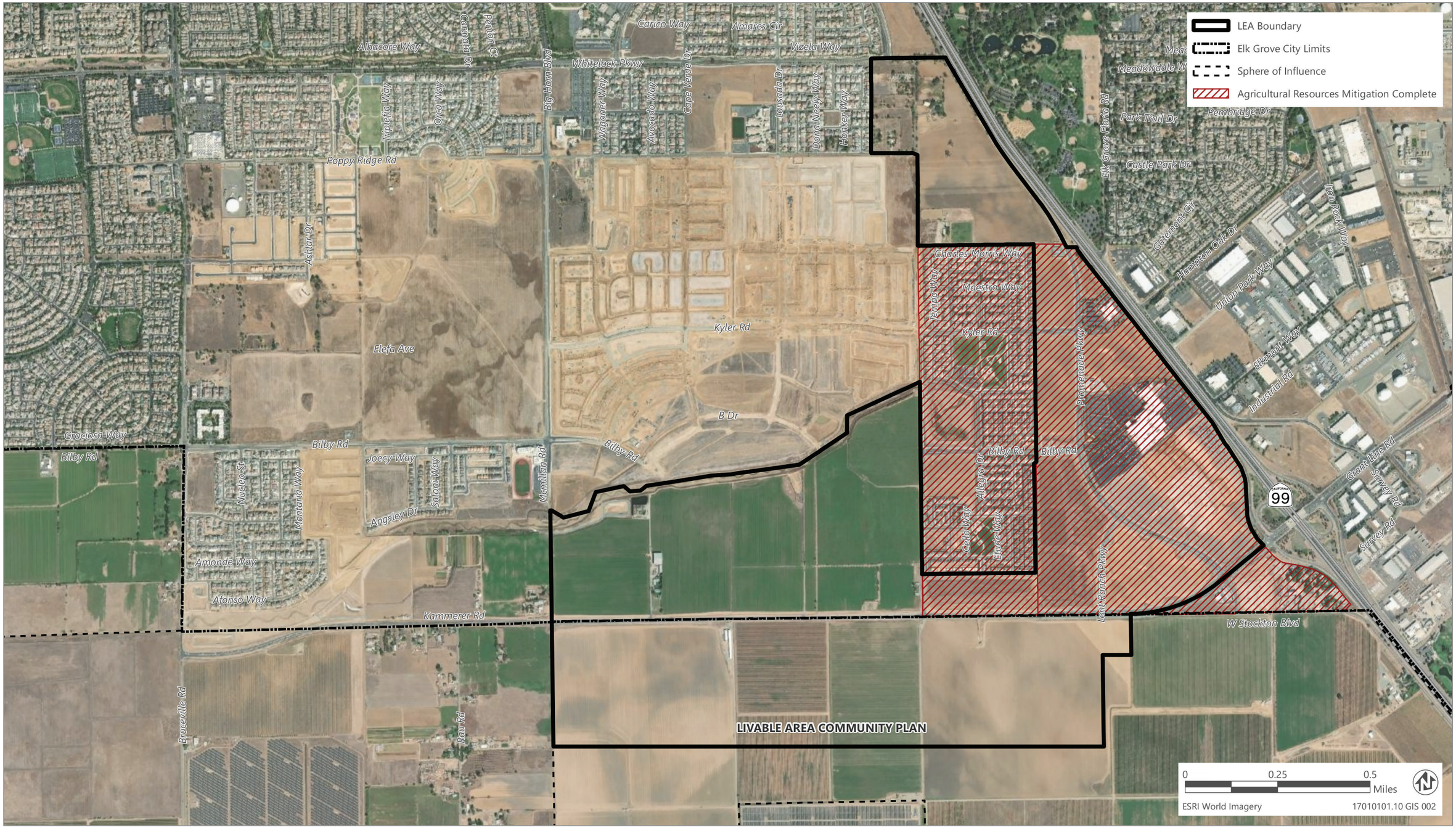


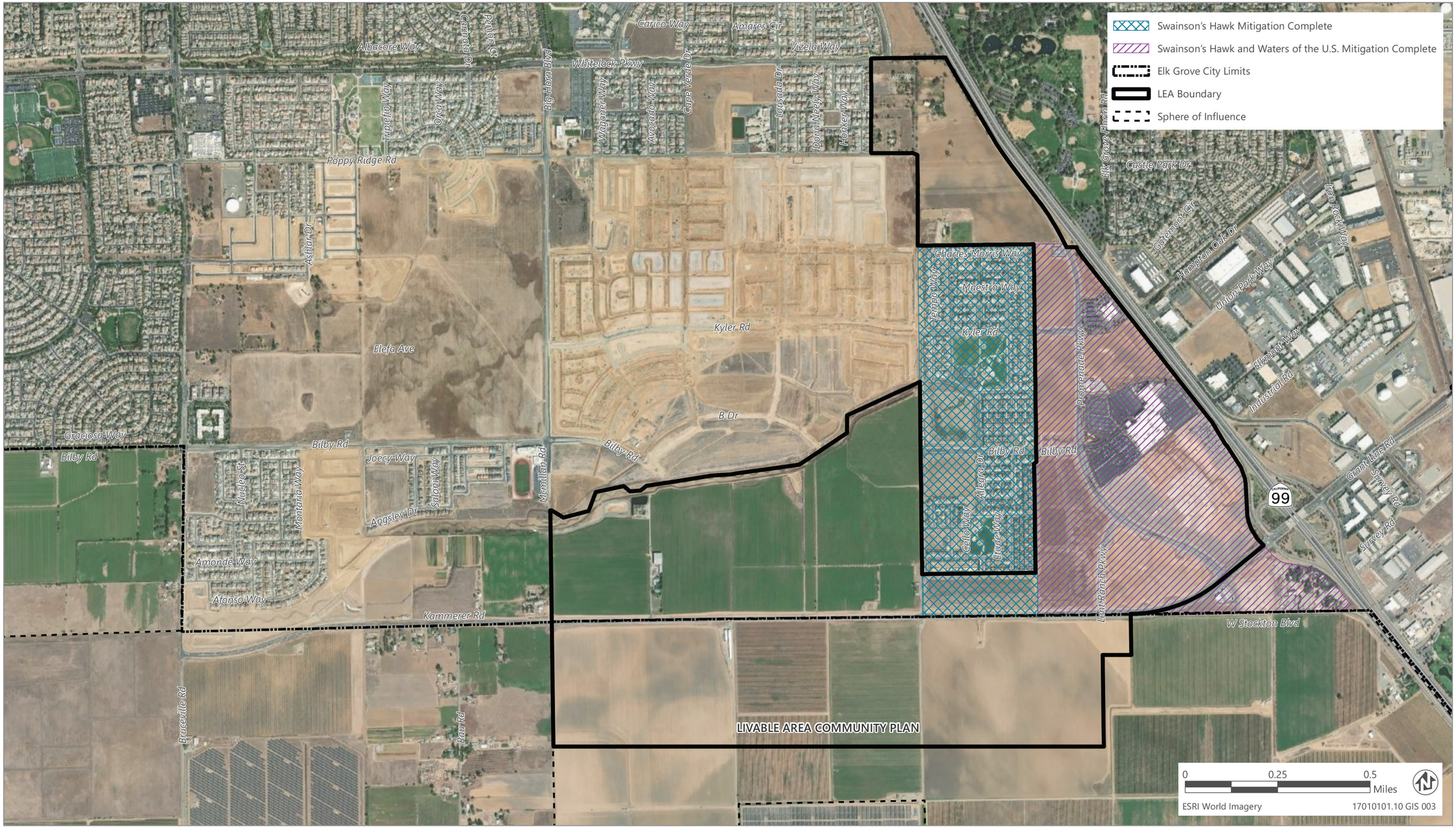
Source: Ascent Environmental 2023.

Figure 3.11-1 Livable Employment Area and Overlapping Policy Areas



Source: Ascent Environmental 2023.

Figure 3.11-2 Livable Employment Area Completed Agricultural Resources Mitigation



Source: Ascent Environmental 2023.

Figure 3.11-3 Livable Employment Area Completed Biological Resources Mitigation

3.11.1 Agricultural Resources

ENVIRONMENTAL SETTING

As described in the General Plan EIR the Planning Area includes 149,573 acres of Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland) (City of Elk Grove 2019). All 348 acres of Prime Farmland are located outside the 2019 City limits in the South and West Study Areas. Approximately 627 acres of Important Farmland are located within the City limits, including in the LEA Community Plan Area. Important Farmland is also located east of Grant Line Road. There are approximately 2,892 acres of agricultural land under Williamson Act Contract in the Planning Area, of which 172 acres are in the City limits (DOC 2023). Active Williamson Act properties are located south of Kammerer Road in the LEA Community Plan Area and South and West Study Areas. Properties north of Kammerer Road were not renewed in 2002 and 2003 and are no longer under Williamson Act Contract; however, removal of the Agricultural Preserve established under the Williamson Act may still be required. The majority of the LEA Planning Area and South and West Study Areas, including areas designated as Farmland, remain undeveloped. There are no designated Farmland or Williamson Act Contract lands in the Old Town Policy Area.

GENERAL PLAN POLICIES

The following General Plan policies are applicable to the Project:

- **Policy AG-1-2:** As appropriate, protect agricultural lands from conversion.
- **Policy AG-1-3:** Recognize the right of existing agricultural uses to continue as long as individual owners/farmers desire. As appropriate for the neighborhood, allow for buffers or feathering of lot sizes where appropriate between farmland and urban uses. Additionally, continue implementing the City's Right to Farm regulations and property title disclosures to notify prospective buyers of agricultural activities in the area.
    - **Standard AG-1-3.a:** Notify prospective buyers of property adjacent to agricultural land through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities pursuant to provisions of the City's right-to-farm regulations
- **Policy AG-1-5:** Protect agricultural lands from future risk of conversion by requiring mitigation of the loss of qualified agricultural lands at a 1:1 ratio.
- **Policy AG-1-6:** Limit the siting of projects with land uses that might result in conflicts near existing agriculture due to noise, air quality, or odors.

ENVIRONMENTAL IMPACT ANALYSIS

Implementation of the proposed Project would allow for development in areas of the Planning Area that are designated Important Farmland and/or under Williamson Act contract. Additionally, the Project would place urban land uses adjacent to primary agricultural land uses. Placing urban land uses adjacent to agriculture may impair agricultural production. However, the Project would not increase the total area impacted by development as compared to the General Plan EIR and the associated EIRs identified above, but would result in denser development in the LEA Community Plan Area and South and West Study Areas than what was analyzed in the General Plan EIR. The Project would not incorporate any new parcels featuring Important Farmland beyond what was originally analyzed in the General Plan EIR. Similarly, the Project would not result in further land use conflicts with agriculture because the Project would not result in additional parcels being developed, beyond what was analyzed in the General Plan EIR. Agricultural impacts were determined to be significant and unavoidable in the General Plan EIR and certified CEQA documents that cover portions of the LEA Community Plan Area (i.e., Southeast Policy Area Strategic Plan EIR, Laguna Ridge Specific Plan EIR, Sterling Meadows Tentative Subdivision Map, and Lent Ranch Marketplace Special Planning Area). Because this issue was evaluated in the General Plan EIR and other previous EIRs and the proposed

footprint of development has not changed from the General Plan EIR there would be no additional agricultural impacts as a result of implementing the Project. Therefore, this impact would remain **significant and unavoidable**.

IMPACT FINDING AND MITIGATION

There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR. As noted above, this impact would remain significant and unavoidable. Subsequent development would be required to comply with applicable General Plan policies and applicable regulations related to agricultural resource preservation. As discussed above portions of the LEA Community Plan Area have been analyzed in certified CEQA documents. Mitigation Measure MM 5.2.1 "Agricultural Resources Preservation" has been drafted for this SEIR to combine agricultural resources requirements from previous CEQA documents prepared for the Southeast Policy Area Strategic Plan, Laguna Ridge Specific Plan, and Lent Ranch Special Planning Area. This measure contains the same performance standards and is equivalent in effectiveness as mitigation contained in the prior environmental documents. Mitigation Measure MM 5.2.1 is only applicable to the LEA Community Plan Area and does not supersede mitigation requirements for the other community plan areas outside of the LEA Community Plan Area. No mitigation measures are available beyond compliance with policies listed above, state regulations, mitigation measures included in previous EIRs covering the Planning Area, and Mitigation Measure MM 5.2.1. A comprehensive list of mitigation measures from other community plans prior environmental review are included in Appendix G. Areas within the LEA Community Plan Area where agricultural resources mitigation has been complete are shown in Figure 3.11-2. Even with the application of this mitigation measure, this impact would remain **significant and unavoidable**.

Mitigation Measure 3.11-1 Agricultural Resources Preservation for the LEA Community Plan Area

The applicant of subsequent development projects in the LEA Community Plan Area 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. The Project mitigation acreage must be located within Sacramento County. 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). 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 farmland/wildlife habitat must have adequate water supply to support agricultural use. The preservation of off-site farmland shall be done prior to the City's approval of the project's first grading permit. Grading plans shall include 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.

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 percent of the easement price paid by the applicant, or a different amount approved by the City Council, not to exceed 15 percent 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.

i) 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.

3.11.2 Biological Resources

ENVIRONMENTAL SETTING

As described in the General Plan EIR, the Project area is located in mostly urban or rural development, cropland, vineyard and irrigated pasture with minimal areas of annual grassland, stream, and freshwater marsh. The majority of the Planning Area is already heavily modified from its natural habitat and is routinely disturbed by human activity. Due to the high levels of disturbance, urban areas are considered low quality habitat for wildlife. However, migratory birds and other common species may utilize the habitat, such as common raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), American crow *(Corvus brachyrhynchos*), mourning dove (*Zenaida macroura*), and northern mockingbird (*Mimus polyglottos).* Rural areas provide higher quality habitat for wildlife due to there being less humanmade structures, impervious surfaces, and anthropomorphic noise and light pollution. In addition, vernal pools and other wetlands can still be found in rural areas and provide niche habitat for certain special-status species, including species officially listed as threatened or endangered by the state of California or the federal government. Due to their ability to provide habitat to unique plant and wildlife species, vernal pools are considered sensitive natural communities by the California Department of Fish and Wildlife (CDFW). Jurisdictional waters of the United States and state, along with isolated wetlands, provide a variety of functions for plants and wildlife. Wetlands and other water features provide habitat, foraging, cover, and migration and movement corridors for both special-status and common species.

An updated database search was completed for the LEA Community Plan Area to determine if there is potential for any additional species to occur. The California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory nine-quad search, eBird, and the US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) Resource List were reviewed for the Project. Results show that one plant species, Sanford's arrowhead *(Sagittaria sanfordii*) and several wildlife species have potential to occur in the LEA Community Plan Area (Table 3.11-1). The bolded species in Table 3.11-1 have previously recorded occurrences within or around the LEA Community Plan Area. Appendix H provides a list of species considered but removed from further evaluation because there is no habitat suitable for these species in the LEA Community Plan Area. Franklin's Bumble bee (*Bombus franklini)* was listed as endangered under the California Endangered Species Act (CESA) in 2021, after adoption of the General Plan EIR. Based on database searches and literature review, the Project area is considered outside of the species' range and is not included further in this analysis (Xerces Society 2023).

Table 3.11-1 Special Status Wildlife Species with Potential to Occur in the Project Vicinity

Species Common Name	Species Scientific Name	Species with Potential to Occur or Previous Observations in the LEA Community Plan Area
Cooper's Hawk	*Accipiter cooperii*	May occur
Tricolored blackbird	***Agelaius tricolor***	**May Occur**
burrowing owl	***Athene cunicularia***	**Known to Occur**
ferruginous hawk	*Buteo regalis*	May occur

Species Common Name	Species Scientific Name	Species with Potential to Occur or Previous Observations in the LEA Community Plan Area
Swainson's hawk	*Buteo swainsoni*	Known to Occur
northern harrier	*Circus hudsonius*	May occur
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	May occur
white-tailed kite	*Elanus leucurus*	May occur
western pond turtle	*Emys marmorata*	May occur
Greater sandhill crane	*Grus canadensis tabida*	May occur
loggerhead shrike	*Lanius ludovicianus*	May occur
western red bat	*Lasiurus frantzii*	May occur
song sparrow (modesto pop)	*Melospiza melodia pop 1*	May occur
Giant gartersnake	*Thamnophis gigas*	M occur

Source: CNDDB 2023, CNPS 2023, and USFWS 2023.

GENERAL PLAN POLICIES

The following General Plan policies are applicable to the Project:

- **Policy LU-5-4:** Require high standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses. Design standards shall address new construction and the reuse and remodeling of existing buildings.
  - **Standard LU-5-4a:** Nonglare glass shall be used in all nonresidential buildings to minimize and reduce impacts from glare. Buildings that are allowed to use semi-reflective glass must be oriented so that the reflection of sunlight is minimized. This requirement shall be included in subsequent development applications.
- **Policy NR-1-2:** Preserve and enhance natural areas that serve, or may potentially serve, as habitat for special-status species. Where preservation is not possible, require that appropriate mitigation be included in the project.
  - **Standard NR-1.2a**: Require a biological resources evaluation for private and public development projects in areas identified to contain or possibly contain special-status plant and animal species.
  - **Standard NR-1.2b**: Require development projects to retain movement corridor(s) adequate (both in size and in habitat quality) to allow for continued wildlife use based on the species anticipated in the corridor.
  - **Standard NR-1.2c**: Development adjacent to a natural stream(s) shall provide a "stream buffer zone" along the stream. "Natural streams" shall be generally considered to consist of the following, subject to site-specific review by the City:
    - Deer Creek
    - Elk Grove Creek
    - Laguna Creek and its tributaries
    - Morrison Creek
    - Strawberry Creek
    - White House Creek

The following are examples of desired features for this transition zone; the specific design for each transition zone shall be approved on a case-by-case basis by the City.

Stream buffer zones shall measure at least 50 (fifty) feet from the stream centerline (total width of 100) feet or more, depending on the characteristics of the stream, and shall include:

1. Sufficient width for a mowed fire-break (where necessary), access for channel maintenance and flood control, and for planned passive recreation uses.
2. Sufficient width to provide for:

   a. Quality and quantity of existing and created habitat,

   b. Presence of species as well as species sensitivity to human disturbance,

   c. Areas for regeneration of vegetation,

   d. Vegetative filtration for water quality,

   e. Corridor for wildlife habitat linkage,

   f. Protection from runoff and other impacts of urban uses adjacent to the corridor, and

   g. Trails and greenbelts.
3. The stream buffer zone shall not include above ground water quality treatment structures designed to meet pollutant discharge requirements.

- Policy NR-1-4: Avoid impacts to wetlands, vernal pools, marshland, and riparian (streamside) areas unless shown to be technically infeasible. Ensure that no net loss of wetland areas occurs, which may be accomplished by avoidance, revegetation, restoration onsite or through creation of riparian habitat corridors, or purchase of credits from a qualified mitigation bank.
- Policy NR 1-5: Recognize the value of naturally vegetated stream corridors, commensurate with flood control and public desire for open space, to assist in removal of pollutants, provide native and endangered species habitat, and provide community amenities.
- Policy NR-1-6: Encourage the retention of natural stream corridors, and the creation of natural stream channels where improvements to drainage capacity are required.
  - Standard NR 1-6a: Stream crossings shall be minimized and be aesthetically compatible with the natural appearance of the stream channel. The use of bridges and other stream crossings with natural (unpaved) bottoms shall be encouraged to minimize impacts to natural habitat.
  - Standard NR 1-6b: Uses in the stream corridors shall be limited to recreation and agricultural uses compatible with resource protection and flood control measures. Roads, parking, and associated fill slopes shall be located outside of the stream corridor, except at stream crossings.
  - Standard NR 1-6c: Open space lands within a stream corridor shall be required to be retained as open space as a condition of development approval for projects that include a stream corridor. Unencumbered maintenance access to the stream shall be provided.
  - Standard NR 1-6d: To the extent possible, retain natural drainage courses in all cases where preservation of natural drainage is physically feasible and consistent with the need to provide flood protection. Where a stream channel is to be created, such man-made channels shall be designed and maintained such that they attain functional and aesthetic attributes comparable to natural channels.
- Policy NR-1-9: Encourage development clustering where it would facilitate on-site protection of woodlands, grasslands, wetlands, stream corridors, scenic areas, or other appropriate features such as active agricultural uses and historic or cultural resources under the following conditions and requirements. Clustering shall not be allowed in the Rural Area.

- Urban infrastructure capacity is available for urban use.
- On-site resource protection is appropriate and consistent with other General Plan policies.
- The architecture and scale of development are appropriate for and consistent with the intended character of the area.
- Development rights for the open space area are permanently dedicated and appropriate long term management, with funding in perpetuity, is provided for by a public agency or another appropriate entity.
- Suitability for preservation in place
- Biological value
- Aesthetic value
- Shade benefits
- Water quality benefits
- Runoff reduction benefits
- Air quality benefits (pollutant reduction)

- **Policy NR-2-2:** Maximize tree canopy coverage on public lands and in open spaces by continuing to plant new trees and ensuring sufficient right-of-way width for new developments to provide tree plantings.
- **Policy NR-2-3:** Maintain tree health and canopy coverage throughout Elk Grove by managing and caring for all trees on public lands.
- **Policy NR-2-4:** Preserve and plant trees in appropriate densities and locations to maximize energy conservation and air quality benefits.
- **Policy NR-2-5:** Ensure that trees that function as an important part of the City's or a neighborhood's aesthetic character or as natural habitat on public and private land are retained or replaced to the extent possible during the development of new structures, roadways (public and private, including roadway widening), parks, drainage channels, and other uses and structures.
- **Policy NR-2-6:** Promote the planting of drought-resistant shade trees with substantial canopies as part of private development projects and require, where feasible, site design that uses trees to shade rooftops, parking facilities, streets, and other facilities.
- **Policy NR-2-7:** Support regional and community-led arborization efforts, including the joint annual campaign by the Sheldon Community Association and the Greater Sheldon Road Estates Homeowners Association to increase native oak tree cover in the Rural Area.
- **Policy NR-3-1:** Ensure that the quality of water resources (e.g., groundwater, surface water) is protected to the extent possible.
- **Policy NR-3-2:** Integrate sustainable stormwater management techniques in site design to reduce stormwater runoff and control erosion.
    - **Standard NR-3-2.a:** Where feasible, employ on-site natural systems such as vegetated bioswales, living roofs, and rain gardens in the treatment of stormwater to encourage infiltration, detention, retention, groundwater recharge, and/or on-site water reuse.
    - **Standard NR-3-2.b:** Roads and structures shall be designed, built and landscaped so as to minimize erosion during and after construction.
    - **Standard NR-3-2.c:** Post-development peak storm water run-off discharge rates and velocities shall be designed to prevent or reduce downstream erosion, and to protect stream habitat.
    - **Policy NR-3-13:** Advocate for native and/or drought-tolerant landscaping in public and private projects.

- Standard NR-3-13.a: Require the planting of native and/or drought-tolerant landscaping in landscaped medians and parkway strips to reduce water use and maintenance costs.

CITY REGULATIONS THAT ADDRESS BIOLOGICAL RESOURCES

City of Elk Grove Municipal Code Chapter 16.130: Swainson's Hawk Impact Mitigation Fees

Chapter 16.130 mitigates impacts from typical urban development projects and requires mitigation for the loss of Swainson's hawk habitat at a 1:1 ratio. Mitigation can be achieved through purchase of City-owned credits for projects 40 acres or less. For projects larger than 40 acres, options for achieving mitigation through the code include the direct transfer to the City of a Swainson's hawk habitat conservation easement along with an easement monitoring endowment or the purchase of credits at a CDFW-approved conservation bank. The easement must be surveyed to determine whether it is suitable Swainson's hawk foraging habitat.

City of Elk Grove Municipal Code Chapter 19.12: Tree Preservation and Protection

Chapter 19.12 provides regulations for tree preservation and protection.

The regulations apply to four types of trees as follows:

- landmark trees, which are trees specifically identified for protection by the City Council;
- trees of local importance, which are trees of specific varieties greater than 6 inches in diameter;
- secured trees, which are trees that were protected as part of the development process for residential subdivisions and commercial developments; and
- trees on City property or in the public right-of-way.

Work on or removal of any of these four types of trees requires prior approval in the form of a Tree Permit from the City of Elk Grove. Project applicants shall contact the City Current Planning Division to determine whether their tree requires a Tree Permit prior to completing work.

Arborist Review

Prior to the consideration of a request for tree removal by the designated approving authority or grading within the critical root zone of a qualified tree, the applicant shall retain an International Society of Arboriculture–certified arborist to prepare a report. The report shall identify the basis, if any, for supporting the removal of the qualified tree(s) and shall be subject to review by the City Arborist. The arborist report shall include an analysis of the following factors:

- the condition of the tree with respect to disease, general health, damage, structural integrity, and whether or not the tree acts as a host for an organism that is parasitic to another species of tree that is in danger of being exterminated by the parasite;
- the number of existing trees on the subject property, on adjacent property, and immediately proximate to the subject tree(s) as deemed relevant by the City Arborist, and the effect of the tree removal upon public health, public safety, and the prosperity of surrounding trees;
- the number of healthy trees that a given parcel of land will support, with and without the proposed development;
- the effect of tree removal on soil stability/erosion, particularly near water courses, near drainage ditches, or on steep slopes, or the effect on runoff interception;
- present and future shade potential with regard to solar heating and cooling;
- identification of alternatives that would allow for the preservation of the tree(s) proposed for removal; and
- any other information the City Arborist finds pertinent (e.g., site conditions, other vegetation, and utility service).

Mitigation for Tree Loss

As part of the approval of a tree permit for removal of a qualified tree, the designated approving authority shall require mitigation for the loss of the tree consistent with Chapter 19.12, Article IV (Mitigation for Tree Loss). The requirement for mitigation may be waived under those circumstances as provided in Section 19.12.180 (Alternative Mitigation Requirements). Mitigation for qualified tree loss shall be provided at a ratio of 1 new inch diameter at breast height (DBH) of tree for each inch DBH lost (1:1 ratio) unless alternative mitigation is approved by the City.

ENVIRONMENTAL IMPACT ANALYSIS

Implementation of the proposed Project would allow for development in portions of the Planning Area that may contain sensitive biological resources, such as special-status and sensitive plant and wildlife species, sensitive habitats (including wetlands [waters of the State and waters of the U.S.]), and wildlife movement. Oak trees in the northern portion of the LEA Community Plan Area and elsewhere throughout the City may be impacted by development under the Project. Additionally, proposed buildings in the LEA Community Planning Area would be as tall as seven stories. Taller buildings have the potential to result in bird collisions as the result of artificial nighttime lighting and building glare. Bird collisions with buildings was not specifically addressed in the General Plan EIR.

The Project would not change the extent of land disturbance from what was evaluated in the General Plan EIR (no change in the City's planned development footprint). Although Franklin's Bumble bee was listed in 2021 following certification of the General Plan EIR, there is no suitable habitat for the bumble bee in the Project vicinity. A windshield survey of the LEA Community Plan Area on March 19, 2023 performed by a qualified biologist confirmed that biological resources have not changed significantly since adoption of the General Plan in 2019. New suitable habitat for species does not occur in the LEA Community Planning Area.

Oak trees and other protected tree species would be subject to Elk Grove Municipal Code Section 19.12 for protection and replacement of trees. As part of the approval of a tree permit for removal of a qualified tree, the City requires mitigation for the loss of the tree consistent with Chapter 19.12, Article IV (Mitigation for Tree Loss). The requirement for mitigation may be waived under those circumstances as provided in Section 19.12.180 (Alternative Mitigation Requirements). Mitigation for qualified tree loss shall be provided at a ratio of 1 new inch diameter at breast height (DBH) of tree for each inch DBH lost (1:1 ratio) unless alternative mitigation is approved by the City. Additionally, the Project would be subject to General Plan policies, specifically policies NR-2-2, NR-2-3, NR-2-4, and NR-2-5 to maximize tree canopy coverage, maintain tree health, preserve and plant trees, and ensure trees function as natural habitat for wildlife in the City.

Buildings in the LEA Planning Area would be constructed to minimize the potential for birds strikes. Projects would be required to implement lighting standards consistent with Elk Grove Municipal Code Chapter 23.56 and glare requirements included in Standard LU-5-4a. Requirements with lighting standards would reduce artificial nighttime lighting that might attract birds to buildings, while Standards LU-5-4a requires nonglare glass in all nonresidential buildings to minimize and reduce impacts from glare. Reduction in lighting and glare would minimize bird strikes. The proposed LEA form-based code includes architectural standards and guidelines that address building materials, building size, and lighting that would make future buildings visible as physical barriers and minimize conditions that create confusing reflections to birds that might cause them to strike buildings generally consistent with recommendations of the American Bird Conservancy (American Bird Conservancy 2015). For example, proposed LEA form-based code provisions would prohibit highly-reflective, mirrored, heavily-tinted and opaque glazing in windows and would require taller buildings to break-up building facades through building articulation, setbacks, patios, and decks that would make buildings visible to birds and avoid collisions. The Project would not change the extent of land disturbance from what was evaluated in the General Plan EIR. The mortality of common birds resulting from building collisions is not expected to eliminate or reduce local populations below self-sustaining levels.

Impacts to biological resources were determined to be significant and unavoidable under project and cumulative conditions in the General Plan EIR. Biological resource impacts in the LEA Community Plan Area were also previously addressed and mitigation measures adopted for the Southeast Policy Area Strategic Plan EIR, Laguna Ridge Specific Plan EIR, and Lent Ranch Marketplace Special Planning Area. Because this issue was evaluated in the General Plan EIR and other previous EIRs and the proposed footprint of development has not changed from the General Plan EIR nor

are there any new sensitive species or habitat, there would be no additional biological resources impacts as a result of implementing the Project. Therefore, this impact would remain **significant and unavoidable**.

IMPACT FINDING AND MITIGATION

There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR. Subsequent development would be required to comply with applicable General Plan policies and applicable regulations related to biological resources. Impacts to sensitive species would remain significant and unavoidable, as analyzed in the General Plan EIR. As discussed above, portions of the LEA Community Plan Area have been analyzed in certified CEQA documents. Mitigation Measures 3.11-2 through 3.11-11 have been drafted for this SEIR to combine biological resources requirements from previous CEQA documents prepared for the Southeast Policy Area Strategic Plan, Laguna Ridge Specific Plan, and Lent Ranch Marketplace Special Planning Area. These measures contain the same performance standards and are equivalent in effectiveness as mitigation contained in the prior environmental documents. Mitigation Measures 3.11-2 through 3.11-11 are only applicable to the LEA Community Plan Area and do not supersede mitigation requirements for the other community plan areas outside of the LEA Community Plan Area. No mitigation measures are available beyond compliance with policies listed above, state regulations, mitigation measures included in previous EIRs covering the Planning Area, and Mitigation Measures 3.11-2 through 3.11-11. A comprehensive list of mitigation measures related to biological resources from other prior environmental review are included in Appendix G. Areas within the LEA Community Plan Area where biological resources mitigation has been complete are shown in Figure 3.11-3. Even with the application of these mitigation measures, impacts to biological resources would remain **significant and unavoidable**.

Mitigation Measures 3.11-2 Special Status Plant Preconstruction Surveys for the LEA Community Plan Area

Applicants for any projects shall retain a qualified biologist(s) to conduct a preliminary evaluation of the specific project site to determine whether freshwater emergent wetland, or irrigation/drainage ditch habitats occur within the specific project site. If any of these habitats are identified within the specific project site, surveys in and adjacent to (within 100 feet, where appropriate) the proposed impact area, including new construction access routes, shall be conducted to determine the presence/absence of special-status plant species, including Sanford's arrowhead.

Surveys shall be conducted in accordance with CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (2009). These guidelines require that rare plant surveys be conducted at the proper time of year when rare or endangered species are both evident and identifiable. Field surveys shall be scheduled to coincide with known flowering periods and/or during appropriate developmental periods that are necessary to identify the plant species of concern. Survey results shall be submitted to the City for review and approval.

If no special status plant species are found in or adjacent to (within 100 feet) proposed impact areas, no further mitigation is required.

If any special status plant species are found in or adjacent to (within 100 feet) proposed impact areas during the surveys, these plant species shall be avoided to the greatest extent feasible. Any special status plant species that are identified adjacent to the project area, but not proposed to be disturbed by the project, shall be protected by barrier fencing to ensure that construction activities and material stockpiles do not impact any special-status plant species. These avoidance areas shall be identified on site plans and/or, tentative subdivision maps.

If project-related impacts will result in the loss of occupied habitat for a special-status plant species, mitigation to ensure that the special-status plant species population is not reduced below to self-sustaining levels, avoid elimination of the plant community, or reduce the range of the plant species based on the technical analysis of the qualified biologist and applicable agency (e.g., U.S. Fish and Wildlife and California Department of Fish and Wildlife) input/guidance. Mitigation may include redesign of the subsequent project to avoid the plant species and permanent preservation of onsite plant species population, transplantation of the plant species to habitat suitable for the plant species, or offsite mitigation banks.

Plans for avoidance, minimization, and mitigation (if appropriate) shall be prepared and submitted to the City of Elk Grove at the time of application for the City's review and approval. Surveys shall occur no more than two years prior to groundbreaking of the subsequent project.

Mitigation Measures 3.11-3 Valley Elderberry Longhorn Beetle Avoidance and Minimization in the LEA Community Plan Area

Applicants shall retain a qualified biologist to survey for the presence of elderberry shrubs with stems measuring greater than 1-inch diameter at ground level. Surveys shall be conducted in accordance with the USFWS 1999 Conservation Guidelines for the Valley Elderberry Longhorn Beetle. If no elderberry shrubs with one or more stems measuring 1 inch or greater in diameter at ground level are documented, no further mitigation is required. Survey results shall be submitted to the City for review and approval. If an elderberry shrub(s) with one or more stems measuring 1 inch or greater in diameter at ground level is documented, and a 100-foot avoidance buffer can be maintained around the shrub, the following protective measures shall be implemented:

1) Fence and flag all areas to be avoided during construction activities. In areas where encroachment into 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.
5) Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and revegetate with appropriate native plants.
6) Continue to protect buffer areas after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate.
7) Do not use insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant in the buffer areas or within 100 feet of any elderberry plant with one or more stems measuring 1 inch or more in diameter at ground level.
8) Project applicants shall provide a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed to the USFWS and the City.
9) Mowing of grasses/ground cover shall only occur from July through April to reduce fire hazard. No moving shall occur within 5 feet of elderberry plant stems. Mowing shall be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/trimming equipment).

If elderberry plants cannot be avoided, they must be transplanted to a conservation area in accordance with the 2017 USFWS guidelines, with USFWS approval. A plant that is unlikely to survive transplantation because of poor condition or location, or a plant that would be extremely difficult to move because of access problems, may be exempted from transplantation through consultation with the USFWS. In addition to transplanting all elderberry shrubs, additional elderberry seedlings or cuttings shall be planted at a 3:1 ratio (new plantings to affected stems). Native plants shall also be planted at a 1:1 ratio (native tree/plant species to each elderberry seedling or cutting). Stock of saplings, cuttings, and seedlings shall be obtained from local sources. If the parent stock is obtained from a distance greater than 1 mile from the conservation area, the USFWS must approve the plant donor sites prior to initiation of revegetation work. Planting or seeding the conservation area with native herbaceous species is encouraged.

Mitigation Measures 3.11-4 Giant Garter Snake Avoidance and Minimization in the LEA Community Plan Area

For projects with potential to impact giant garter snake (GGS) habitat, applicants shall have a qualified biologist perform a preconstruction survey within 30 days prior to commencement of construction activities within 200 feet of all aquatic habitats potentially suitable for GGS. In order to protect snakes, de-watering of areas shall not occur prior to completion of the pre-construction surveys.

If aquatic habitat potentially suitable for giant garter snake would be filled, the aquatic habitat shall be dewatered at least 15 days before fill. Dewatering of aquatic habitat for construction purposes shall not occur between October 1 and April 15, except for areas within a cofferdam, unless authorized by USFWS. Any dewatered habitat must remain dry for at least 15 consecutive days after April 15 and before excavation or filling of the dewatered habitat.

All construction activities within 200 feet of aquatic habitat suitable for giant garter snakes shall be conducted during the snake's active season of May 1 to October 1 so that snakes can move and avoid danger, and a monitoring biologist shall be retained by the City and funded by the project applicant to routinely monitor construction activities within 200 feet of aquatic habitat. For any construction outside of the snake's active period, USFWS will be consulted to determine whether additional measures are necessary to avoid or minimize potential impacts during the inactive season and avoid take. The applicant shall implement the avoidance and minimization measures outlined in *Appendix C Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake (Thamnophis gigas) Habitat* (USFWS 1997) whenever working within 200 feet of aquatic habitats potentially suitable for GGS. If a snake is encountered during construction activities, the monitoring biologist shall contact the City 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.

GGS 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 USFWS recovery permits pursuant to Section 10(a) 1(A) of the ESA. The biologist shall be required to report any incidental take to the USFWS immediately. 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.

In areas where aquatic habitats potentially suitable for giant garter snake are being retained on the site:

- A qualified biologist shall install temporary exclusion fencing around suitable upland habitat within 200 feet of aquatic habitat to prevent giant garter snakes from entering the work area during construction. The fencing shall be maintained for the duration of the construction activities;
- Ground disturbance, spoils, and equipment storage and other project activities shall not be allowed within the fenced area; and
- Water quality shall be maintained and construction runoff into wetland areas shall be limited using hay bales, filter fences, vegetative buffer strips, or other accepted equivalents. However, no plastic, monofilament, jute, or similar matting to control erosion that could entangle snakes shall be placed in the project area.

Mitigation Measures 3.11-5 Burrowing Owl Avoidance and Minimization in the LEA Community Plan Area

For projects with potential burrowing owl habitat, applicants shall retain a qualified biologist to determine whether suitable nesting habitat occurs within 500 feet of the specific project site within 30 days prior to any construction activities outside of the breeding season (September 1 through January 31). If suitable habitat exists, focused surveys must be performed by a qualified biologist in accordance with the CDFW's *Staff Report on Burrowing Owl Mitigation*, published March 7, 2012. Surveys shall be repeated if project activities are suspended or delayed more than 15 days during nesting season.

If no burrowing owls are detected, no further mitigation is required. If active burrowing owl nest sites are detected, the project applicant shall implement the avoidance, minimization, and mitigation methodologies outlined in the CDFW's *Staff Report on Burrowing Owl Mitigation* prior to initiating project-related activities that may impact burrowing owls. Burrowing owl surveys are valid for one year from the date of the survey.

Mitigation Measures 3.11-6 Migratory Bird Preconstruction Survey in the LEA Community Plan Area

If clearing and/or construction activities would occur during the nesting bird season (February 1 through September 1), preconstruction surveys to identify active non-raptor native bird nests protected under the Migratory Bird Treaty Act or California Fish and Game Code Section 3503 shall be conducted by a qualified biologist within 14 days of construction initiation on specific project sites. Focused surveys must be performed by a qualified biologist for the purpose of determining the presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if accessible). Surveys shall be repeated if construction activities are delayed or postponed for more than 30 days.

If active nest sites are identified within 500 feet of project activities, impacts on nesting birds shall be avoided by establishing appropriate buffers around active nest sites identified during focused surveys to prevent disturbance to the nest. Project activity shall not commence within the buffer areas until a qualified biologist has determined that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Buffer size for common, non-raptor bird species shall be determined by a qualified biologist. Factors to be considered for determining buffer size shall include presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and proposed project activities. Generally, buffer size for these species shall be at least 20 feet. The size of the buffer may be adjusted if a qualified biologist, determines that such an adjustment shall not be likely to adversely affect the nest. Any buffer reduction for a special-status species shall require consultation with CDFW and/or the City. Periodic monitoring of the nest by a qualified biologist during project activities shall be required if the activity has potential to adversely affect the nest, the buffer has been reduced, or if birds within active nests are showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during project activities, as determined by the qualified biologist.

Mitigation Measures 3.11-7 Raptor Nesting Preconstruction Survey in the LEA Community Plan Area

If clearing and/or construction activities would occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 14 days of construction initiation in specific project sites. Focused surveys must be performed by a qualified biologist for the purposes of determining presence/absence of active nest sites within the proposed impact area, including construction access routes and a 1,000-foot buffer. If no active nests are found, no further mitigation is required. Surveys shall be repeated if construction activities are delayed or postponed for more than 30 days.

If active white-tailed kite or other raptor (excluding Swainson's hawk) nest sites are identified within 1,000 feet of project activities, the applicant shall impose a 500-foot setback of all active nest sites prior to commencement of any project construction activities to avoid construction or access-related disturbances to nesting raptors. Project related activities (i.e., vegetation removal, earth moving, and construction) will not occur within the setback until the nest is deemed inactive. Activities permitted within setbacks and the size of setbacks may be adjusted through consultation with the CDFW and/or the City.

Trees containing white-tailed kite or other raptor (excluding Swainson's hawk) nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September 1–January 1). Swainson's hawks are State listed as a threatened species; therefore, impacts to Swainson's hawk nest trees require regulatory authorization from the CDFW prior to removal.

Mitigation Measures 3.11-8 Swainson's Hawk Avoidance and Minimization in the LEA Community Plan Area

The City shall require future project applicants to implement the measures to mitigate the potential loss of Swainson's hawk foraging habitat. For any project 40 acres and greater the following measure shall be implemented to reduce impacts to Swainson's hawk foraging habitat:

- The project applicant shall acquire conservation easements or other instruments to preserve suitable foraging habitat for Swainson's hawk. The location of mitigation parcels as well as conservation instruments protecting them shall be approved by the City.
- The amount of land preserved shall be at a ratio provided in Chapter 16.130 Swainson's Hawk Mitigation Fees of the Elk Grove Municipal Code foreach acre developed at the project site. In deciding whether to approve the land proposed for preservation by the Project applicant, the City shall consider the benefits of preserving lands in proximity to other

protected lands. The preservation of land shall be done prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first.

- The applicant shall implement the following minimum conservation easement content standards, or such other requirements as may be updated by the City Council from time-to-time and as provide din Chapter 16.130:
  - The land to be preserved must be found to be suitable Swainson's hawk foraging habitat as determined by the City based on substantial evidence.
  - The land shall be protected through either fee title or conservation easement ("legal agreement") acceptable to the City of Elk Grove.
  - The legal agreement shall be recordable and contain an accurate legal description of the mitigation land.
  - The legal agreement shall prohibit any activity, which in the sole discretion of the City, substantially impairs or diminishes the land's capacity as suitable Swainson's hawk foraging habitat.
  - If the land's suitability as foraging habitat is related to existing agricultural uses on the land, the legal agreement shall protect any existing water rights necessary to maintain such agricultural uses on the land covered by the document and retain such water rights for ongoing use on the mitigation land.
  - The applicant shall pay or cause to be paid to the City a mitigation monitoring fee to cover the costs of administering, monitoring, and enforcing the document in an amount determined by the City or a third-party receiving entity approved by the City, not to exceed 10% of the easement price paid by the applicant, or a different amount approved by the City Council.
  - Interests in 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 mitigation land without the prior written approval of the City.
  - The City shall be named a beneficiary under any legal agreement conveying the interest in the mitigation land to an entity acceptable to the City and the City shall receive indemnification, defense and indemnity in any legal agreement.
  - If any qualifying entity owning an interest in 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 land, the project proponent shall obtain the City's approval of the land proposed for preservation. This mitigation measure may be fulfilled in combination with a mitigation measure imposed on the project requiring the preservation of agricultural land as long as the agricultural land is suitable Swainson's hawk habitat as determined by the City in its sole discretion.

For any project less than 40 acres (smaller projects shall still mitigate pursuant to Chapter 16.130) the following measure shall be implemented to reduce impacts to Swainson's hawk foraging habitat:

- Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project applicant shall preserve at the Chapter 16.130 prescribed ratio land of similar equally suitable habitat for each acre of habitat lost. This land shall be protected through a fee title or conservation easement acceptable to the City of Elk Grove, or
- Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project applicant shall submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in the Elk Grove Municipal Code.

Mitigation Measures 3.11-9 Western Pond Turtle Avoidance and Minimization in the LEA Community Plan Area

The City shall require future project applicants to implement the following measures to avoid the potential loss of western pond turtles:

- Projects shall be planned and designed to avoid aquatic habitats that could support western pond turtle to the extent that is technically feasible and appropriate. Avoidance shall be deemed technically feasible and appropriate if the habitat may be preserved on-site while still obtaining the project purpose and objectives and if the preserved habitat features (i.e., aquatic habitats) could reasonably be expected to continue to function as suitable habitat for western pond turtle following project implementation.
- A preconstruction survey for western pond turtle shall be conducted by a qualified biologist prior to work in suitable aquatic habitat. If no pond turtles are observed, no further mitigation is necessary.
- If pond turtles are observed, a qualified biologist, with approval from CDFW, shall relocate pond turtles from to the nearest area with suitable aquatic habitat that will not be disturbed by project related construction activities.
- Construction within 500 feet of aquatic habitat known to support western pond turtles shall be conducted outside of the nesting season (March-August) unless a nesting survey conducted by a qualified biologist determines there are no active nests or hatchlings present in the proposed construction area.

Mitigation Measure 3.11-10 Western Red Bats Avoidance and Minimization in the LEA Community Plan Area

The City shall require future project applicants to implement the following measures to avoid the potential loss of western red bats:

- A qualified biologist shall conduct surveys for roosting western red bats prior to any tree removal. If evidence of bat use is observed, the number of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study shall be required.
- If tree roosting bats are found, bats shall be excluded from the roosting site before the tree is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed by a qualified biologist in consultation with CDFW before implementation. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once it is confirmed that bats are not present in the original roost site, the tree may be removed.

Mitigation Measure 3.11-11 Wetland Avoidance and Minimization in the LEA Community Plan Area

If there is potential for wetlands to occur on a project site, project applicants shall retain a qualified wetland consultant to determine if state or federally protected wetlands or other waters are present. If potential waters of the United States or state are identified, the project applicant shall submit a delineation report to the U. S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB) for verification or jurisdictional determination. The verified delineation will be submitted to the City for its records. If the project site supports a lake, river, or stream, the project applicant shall complete a notification of lake and streambed alteration and submit it to CDFW. Pursuant to California Code of Regulations, a stream is defined as a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This can include human-created waterways.

Project applicants shall ensure that their specific projects would result in no net loss of state or federally protected waters through impact avoidance, impact minimization, and/or compensatory mitigation, as determined in CWA Section 404 and 401 permits and/or Waste Discharge Requirements and a California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement. Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for each proposed project.

3.11.3 Geology and Soils

ENVIRONMENTAL SETTING

As described in the General Plan EIR, City's Planning Area is primarily underlain by the Riverbank Formation and does not have a high potential of seismic events and geologic hazards. The Planning Area has a low potential for liquefaction and wind erosion and higher potential for expansive soil and liquefaction impacts. There are two formations in the Planning Area, Laguna Formation and Riverbank Formation, that have the potential to contain paleontological resources. There have been no changes to the geologic setting of the Planning Area since adoption of the General Plan EIR.

GENERAL PLAN POLICIES

The following General Plan policies are applicable to the Project:

- Policy ER-3-1: Support efforts by federal, State, and other local jurisdictions to investigate local seismic and geological hazards and support those programs that effectively mitigate these hazards.
- Policy ER-3-2: Seek to ensure that new structures are protected from damage caused by geologic and/or soil conditions.

CITY REGULATIONS THAT ADDRESS GEOLOGY AND SOILS

City of Elk Grove Municipal Code

Chapter 16.04 (California Building Code)
Chapter 16.04 of the Municipal Code consists of the adoption of the most recent edition of the CBC, Title 24, Part 2, Volumes 1 and 2, published by the International Code Council, administrative sections, Chapter 29, Appendices C, I, and O; and amendments, as adopted by the Building Standards Commission of the State of California and codified at Title 24, Part 2, in the CCR.

Chapter 16.44 (Land Grading and Erosion Control)
Chapter 16.44 of the Municipal Code establishes administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion, sedimentation, and other pollutant runoff, including construction debris and hazardous substances used on construction sites, and disruption of existing drainage and related environmental damage caused by land clearing, grubbing, grading, filling, and land excavation activities. The chapter applies to projects that would disturb 350 cubic yards or more of soil. The intent of the Chapter is to minimize damage to surrounding properties and public rights-of-way, minimize degradation of water quality in watercourses, minimize disruption of natural or City-authorized drainage flows caused by construction activities, and make projects comply with the provisions of the City's NPDES Permit Number CA0082597, issued by the RWQCB. The City of Elk Grove is a co-permittee on an NPDES permit, along with Sacramento County and the Cities of Sacramento, Folsom, Galt, and Citrus Heights.

ENVIRONMENTAL IMPACT ANALYSIS

The Planning Area is not located in an area susceptible to seismic ground failure, including surface rupture, liquefaction, or landslides. However, implementation of the proposed Project would allow for development in areas of the Planning Area that are designated as having high potential for expansive soils. As discussed in Section 3.10, "Utilities and Service Systems" the Project would connect to existing utilities and septic systems would not be permitted.

The Project would result in higher density development in the LEA Planning Area but would not increase the total area impacted by development nor would it incorporate any new parcels featuring natural characteristics than what

was originally analyzed in the General Plan EIR. Similarly, there would be no change to the development footprint in the South and West Policy Areas, Old Town Policy Area, and as part of the Precise Study. The Project would not change the extent or character of land disturbance from what was evaluated in the General Plan EIR (no change in the City's planned development footprint). Therefore, the Project would not result in additional parcels being developed, beyond what was analyzed in the General Plan EIR. Impacts to expansive soils would remain less than significant with compliance with City standards in the municipal code, as shown above. There would be potential impacts to paleontological resources when development would occur on the Laguna Formation and/or Riverbank Formation. Paleontological resources impacts would remain less than significant with implementation of adopted General Plan Mitigation Measure MM 5.6.5 for unanticipated discovery of resources.

Geology and soils impacts were determined to be less than significant with mitigation in the General Plan EIR and certified CEQA documents that cover portions of the LEA Community Plan Area (i.e., Southeast Policy Area Strategic Plan EIR, Laguna Ridge Specific Plan EIR, Sterling Meadows Tentative Subdivision Map, and Lent Ranch Marketplace Special Planning Area). Because this issue was evaluated in the General Plan EIR and other previous EIRs and the proposed footprint of development has not changed from the General Plan EIR there would be no additional geology and soils impacts as a result of implementing the Project. Therefore, this impact would remain **less than significant** with mitigation.

IMPACT FINDING AND MITIGATION

There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR. As noted above, this impact would remain less than significant with mitigation. Subsequent development would be required to comply with applicable General Plan policies, Elk Grove Municipal Code (which include erosion control standards comparable to mitigation measures identified in Appendix G), and Mitigation Measure MM 5.6.5 "Paleontological Resources Avoidance and Minimization" (below). Impacts would remain less than significant or less than significant with implementation of Mitigation Measure MM 5.6.5 to protect paleontological resources, as included in the General Plan EIR. Compliance with policies listed above, state regulations, mitigation measures included in previous EIRs covering the Planning Area, and Mitigation Measure MM 5.6.5 would reduce impacts related to geology and soils. A comprehensive list of mitigation measures from previous EIRs, including requirements for preparation of an erosion control plan and reduction of fugitive dust, that would apply to community plan areas are included in Appendix G. The reader is referred to Section 3.2, "Air Quality," for a further discussion of dust mitigation. With the application of this mitigation measure, impacts to geology and soils would remain **less than significant** with mitigation.

Mitigation Measure MM 5.6.5 Paleontological Resources Avoidance and Minimization

Before the start of any earthmoving activities, the project owner shall retain a qualified scientist (e.g., geologist, biologist, paleontologist) to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. Training on paleontological resources shall also be provided to all other construction workers but may use videotape of the initial training and/or written materials rather than in-person training.

If any paleontological resources (fossils) are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City shall be immediately notified. The project owner will retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City to be necessary and feasible will be implemented by the applicant before construction activities resume in the area where the paleontological resources were discovered.

3.11.4 Hazards and Hazardous Materials

ENVIRONMENTAL SETTING

As described in the General Plan EIR the Planning Area contains 54 listed contaminated sites. Of the 54 listed sites, most are school sites and all but three of the sites are listed as completed-case closed, certified closure, no action required, or no further action required. The Suburban Propane facility, the only facility in the City that handles large quantities of hazardous materials, is located east of State Route 99 and north of Grant Line Road. Two natural gas lines and one hazardous liquid transmission line exist in the Planning Area. Since adoption of the General Plan there are four "open/active" sites listed in the City (DTSC 2023, SWRCB 2023):

- Obie's Dump, 8437 Sheldon Road – Active
- The Gun Room, 9221 Survey Road – Open – Site Assessment
- Conoco Asphalt Terminal, 10090 Waterman Road – Open – Assessment and Interim Remedial Action
- Arco #2123, 8500 Elk Grove Boulevard – Open – Verification Monitoring

No other changes to the regulatory or environmental setting, including changes to the fire hazard severity zones, for hazardous materials have occurred since adopted of the General Plan EIR.

GENERAL PLAN POLICIES

The following General Plan policies are applicable to the Project:

- Policy EM-1-1: Seek to maintain acceptable levels of risk of injury, death, and property damage resulting from reasonably foreseeable safety hazards.
- Policy ER-1-4: Work to identify and eliminate hazardous waste releases from both private companies and public agencies.
    - Standard EIR-1-4.a: Industries which store and process hazardous or toxic materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety, the adequacy of which will be determined by the City of Elk Grove.
- Policy ER-1-5: Storage of hazardous materials and waste will be strictly regulated, consistent with State and federal law.
    - Standard EIR-1-5a: Future land uses that are anticipated to utilize hazardous materials or waste shall be required to provide adequate containment facilities to ensure that surface water and groundwater resources are protected from accidental releases. This shall include double-containment, levees to contain spills, and monitoring wells for underground storage tanks, as required by local, state and federal standards.
    - Standard EIR-1-5.b: Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material/waste database search shall require that the site and surrounding area be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.
- Policy ER-1-6: Seek to ensure that all industrial facilities are constructed and operated in accordance with up-to-date safety and environmental protection standards.
- Policy ER-1-7: To the extent feasible, uses requiring substantial transport of hazardous materials should be located such that traffic is directed away from the City's residential and commercial areas.
- Policy ER-4-1: Cooperate with the Consumnes Community Services District Fire Department to reduce fire hazards, assist in fire suppression, and promote fire safety in Elk Grove.

- Standard ER-4-1.a: Require, where appropriate, on-site fire suppression systems for all new commercial and industrial development to reduce the dependence on fire department equipment and personnel.
- Standard ER-4-1.b: Require the installation of earthquake-triggered automatic gas shut-off sensors in high-occupancy facilities and in industrial and commercial structures.

▶ Policy SAF-1-6: Require adequate emergency access for new development projects.

ENVIRONMENTAL IMPACT ANALYSIS

The sites listed above as "open/active" are not located in the LEA Community Plan Area, Old Town Policy Area, Precise Study Area, or South and West Policy Areas. The EIR certified for the City's 2019 General Plan Update evaluated the potential for impacts related to hazards and hazardous materials in the City's Planning Area. The Project would result in increased density of development, but would not change the extent or character of land disturbance from what was evaluated in the General Plan EIR (no change in the City's planned development footprint) or introduce a new land use that could create hazards. Increased density of development could result in an increased transport or use of hazardous materials. However, hazardous material use and transport would be required to comply with state, regional, and local hazardous materials regulations, as analyzed in the General Plan EIR.

Increased density could result in congestion during evacuation for a major natural disaster. Arterial and collector roadways are the main evacuation routes in the City. Within the LEA Community Plan Area Kammerer Road is designated as an evacuation route and was determined to be uncongested during all peak periods for a westbound evacuation (City of Elk Grove 2022). To accommodate additional development the Project would widen Kammerer Avenue to an urban avenue with two vehicular lanes in each direction and a 12-foot median. Widening Kammerer Road provide increased opportunity for emergency access and evacuation from the LEA Community Plan Area. Additionally, the Project would adhere to Elk Grove Municipal Chapter 22.110 that requires new subdivisions to have adequate public access for safety and emergency egress. For subdivisions of forty units or more, two points of public access are required. Similarly, General Plan Policy SAF-1-6 requires adequate emergency access for new development projects. See Section 3, "Environmental Impacts" for a discussion of wildfire hazards.

Hazardous materials impacts were determined to be less than significant with mitigation in the General Plan EIR. The Project would not change the development footprint for the LEA Community Plan Area, Old Town Policy Area, Precise Study Area, or South and West Policy Areas and there would not be additional development within 0.25 mile of a school. Because this issue was evaluated in the General Plan EIR and other environmental documents for the City's special planning areas and the proposed footprint of development has not changed from the General Plan EIR there would be no additional hazardous materials impacts as a result of implementing the Project. Therefore, this impact would remain **less than significant** with mitigation.

IMPACT FINDING AND MITIGATION

There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR. Projects would be required to comply with applicable regulations, General Plan policies, and mitigation measures. Impacts would remain less than significant or less than significant with Mitigation Measure MM 5.5.2 "Hazardous Materials Evaluation" to require evaluation of future development sites with a Phase I Environmental Site Assessment, as analyzed in the General Plan EIR. Additionally, as discussed above portions of the LEA Community Plan Area have been analyzed in certified CEQA documents. Mitigation Measure 3.11-12 "Soil Contaminant Evaluation," 3.11-13 "Asbestos Prevention," and 3.11-14 "Utility Hazard Avoidance" have been drafted for this SEIR to combine hazardous material requirements from previous CEQA documents prepared for the Southeast Policy Area Strategic Plan, Laguna Ridge Specific Plan, Sterling Meadows Tentative Subdivision Map, and Lent Ranch Marketplace Special Planning Area. These measures contain the same performance standards and are equivalent in effectiveness as mitigation contained in the prior environmental documents. The mitigation measures listed below are only applicable to the LEA Community Plan Area and do not supersede mitigation requirements for the other community plan areas outside of the LEA Community Plan Area. No mitigation measures are available beyond compliance with policies listed above,

state regulations, mitigation measures included in previous EIRs covering the Planning Area, Mitigation Measure MM 5.5.2, and Mitigation Measures 3.11-12 through 3.11-14. A comprehensive list of mitigation measures from other community plans prior environmental review are included in Appendix G. With the application of these mitigation measures to the LEA Community Plan Area, impacts to hazards would remain **less than significant** with mitigation.

Mitigation Measure MM 5.5.2 Hazardous Materials Evaluation

Prior to approval of improvement plans, grading permits, and or demolition permits for properties in the Planning Area that have not already been evaluated for the potential for the presence of hazardous materials and hazardous conditions, Phase I ESAs shall be prepared by a qualified professional. Each Phase I ESA shall assess the potential for hazards and provide recommendations whether additional investigation (Phase II ESA) should be completed. If determined necessary, a Phase II ESA shall be conducted to determine the lateral and vertical extent of soil, groundwater, and/or soil vapor contamination, as recommended by the Phase I ESA. The City shall not issue a grading or building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the site use have been completed consistent with applicable regulations and to satisfy the Sacramento County Environmental Management Department, the California Department of Substances Control, and/or Central Valley Regional Water Quality Control Board, as appropriate. If the Phase I ESA determines there are no recognized environmental conditions, no further action is required. However, the City shall ensure any grading or improvement plan or building permit includes a statement that if hazardous materials contamination is discovered or suspected during construction activities, all work in the vicinity of the contamination shall stop immediately until a qualified professional has evaluated the site and determined an appropriate course of action.

Mitigation Measure 3.11-12 Soil Contaminant Evaluation for the LEA Community Plan Area

With each improvement plan and/or grading plan application, the Project applicant shall include a detailed assessment of soil contamination associated with previous herbicide/pesticide use on the site. Soil sampling shall be conducted within the areas of potential herbicide/pesticide contamination. 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.

Mitigation Measure 3.11-13 Asbestos and Lead Prevention in the LEA Community Plan Area

Prior to the issuance of demolition permits for existing onsite structures constructed prior to 1979, asbestos material sampling shall be conducted to determine if asbestos containing building 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 Sacramento Metropolitan Air Quality Management District.

Prior to the issuance of demolition permits for existing onsite structures that were constructed prior to 1970, 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. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take precautions in accordance with local, state, and federal regulations to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint.

Mitigation Measure 3.11-14 Utility Hazard Avoidance in the LEA Community Plan Area

Prior to approval of improvement plans and/or a grading permit for development of properties that contain transformers, the City Planning Department shall consult with SMUD, which owns and operates the transformers, to

determine whether onsite transformers are to be abandoned, moved, upgraded, etc. Together, the City Planning Department and SMUD shall develop a plan for dealing with all of the transformers located within the Project area. Future actions associated with the transformers may be implemented as individual development Projects are proposed.

3.11.5 Hydrology and Water Quality

ENVIRONMENTAL SETTING

The City of Elk Grove is located in the Sacramento River watershed and Laguna Creek is the main creek that flows through the City (City of Elk Grove 2018). Urban runoff within the Planning Area is conveyed through a storm drainage and a flood control collection system with underground pipes and natural and constructed channels. Even with the City's storm drainage system there is potential for flooding. Additionally, the City is subject to dam inundation in the event of a dam failure at Folsom Dam or Sly Park Dam.

The City is located in the Sacramento Valley Groundwater Basin, South American Subbasin. Groundwater in the Basin generally occurs in a shallow aquifer zone or in an underlying deeper aquifer zone. Water quality in the Subbasin is generally good, although iron and manganese are common and some occurrences of arsenic and nitrate occur (City of Elk Grove 2018). Groundwater in the City moves from sources of recharge to areas of discharge. Groundwater extraction from the South American Subbasin has resulted in a general lowering of groundwater elevation and is managed by the Sacramento Central Groundwater Authority (SCGA). Groundwater is also a component of the Sacramento Water Agency's water supply portfolio and groundwater supply is projected during preparation of the Urban Water Management Plan.

The Groundwater Sustainability Agencies that consists of the SCGA, Omochumne-Hartnell Water District (OHWD), Sloughhouse Resource Conservation District, North Delta GSAs, Reclamation District 551 (RD 551), and Sacramento County adopted the 2021 *South American Subbasin Groundwater Sustainability Plan* (SASb GSP) in compliance with SGMA. The SASb GSP identifies that the long-term average annual sustainable groundwater yield of the South American Subbasin is 235,000 AFY. Project and management actions that would contribute to the achievement of the sustainability goal of the SASb GSP include the following:

- Existing projects that include diversification of water supplies (Freeport Regional Water Project, Vineyard Surface Water Treatment Plant, and conjunctive use improvements).
- Near-term planned project that include the Sacramento Regional County Sanitation District Harvest Water project, OHWD Groundwater Recharge Project, Regional Conjunctive Use Program, and Sacramento Area Flood Control Agency Flood-MAR. (Northern Delta Groundwater Sustainability Agency et al. 2021: 4-1 – 4-22).

GENERAL PLAN POLICIES

The following General Plan policies are applicable to the Project:

- Policy NR-3-2: Integrate sustainable stormwater management techniques in site design to reduce stormwater runoff and control erosion.
- Standard NR-3-2.a: Where feasible, employ on-site natural system such as vegetated bioswales, living roofs, and rain gardens in the treatment of stormwater to encourage infiltration, detention, retention, groundwater recharge, and/or on-site water reuse.
- Standard NR-3-2.b: Roads and structures shall be designed, built and landscaped so as to minimize erosion during and after construction.
- Standard NR-3-2.c: Post-development peak storm water run-ff discharge rates and velocities shall be designed to prevent or reduce downstream erosion, and to protect stream habitat.

- **Policy NR-3-3**: Implement the City's National Pollutant Discharge Elimination System permit through the review and approval of development projects and other activities regulated by the permit.
- **Policy ER-2-2**: Require that all new projects not result in new or increased flooding impacts on adjoining parcels or on upstream and downstream areas.
- **Policy ER-2-6:** Development shall not be permitted on land subject to flooding during a 100-year event, based on the most recent floodplain mapping prepared by FEMA or updated mapping acceptable to the City of Elk Grove. Potential development in areas subject to flooding may be clustered onto portions of a site which are not subject to flooding, consistent with other policies of the General Plan.
- **Policy ER-2-7**: A buildable area outside the 100-year floodplain must be present on every residential lot sufficient to accommodate a residence and associated structures. Fill may be placed to create a buildable area only if approved by the City and in accordance with all other applicable policies and regulations. The use of fill in the 100-year floodplain to create buildable area is strongly discouraged and shall be subject to review to determine potential impacts on wildlife, habitat, and flooding on other parcels.
- **Policy ER-2-8**: The City will not enter into a development agreement, approve a building permit or entitlement, or approve a tentative or parcel map for a project located within an urban level of flood protection area, identified in Figure 8-2, unless it meets one or more established flood protection findings. Findings shall be based on substantial evidence, and substantial evidence necessary to determine findings shall be consistent with criteria developed by the DWR.
- **Policy ER-2-11**: Vehicular access to the buildable area of all parcels must be at or above the 10-year flood elevation.
- **Policy ER-2-12**: Creation of lots whose access will be inundated by flows resulting from a 10-year or greater storm shall not be allowed. Bridges or similar structures may be used to provide access over creeks or inundated areas, subject to applicable local, State, and federal regulations.
- **Policy ER-2-17**: Require all new development projects to incorporate runoff control measures to minimize peak flows of runoff and/or assist in financing or otherwise implementing comprehensive drainage plans.
- **Policy ER-2-18**: Drainage facilities shall be properly maintained to ensure their proper operation during storms.

SOUTHEAST POLICY AREA DRAINAGE STUDY

The Southeast Policy Area Drainage Study covers portions of the LEA Community Plan Area. The study prepared for the Southeast Policy Area recommends a multi-functional drainage system to accommodate future development in the watershed and to enhance the natural stream and habitat values (City of Elk Grove 2014). The multi-functional corridor would include a low flow channel that is stable and self-sustaining, and meanders within a larger floodway corridor. The larger floodway corridor would provide flood conveyance and wetland habitat. Detention basins would be constructed along the floodway to provide storage volume and opportunity to establish riparian habitat. While the Project would modify land uses within a portion of the area covered by the Southeast Policy Area Drainage Study, the core facilities of improvements to the Shed C Drainage Channel and construction of three detention basins, along with trunk drainage pipelines, would remain substantially similar to that described in the Drainage Study.

CITY REGULATIONS THAT ADDRESS WATER RESOURCES

City of Elk Grove Storm Drainage Master Plan

The City's comprehensive Storm Drain Master Plan identifies drainage concepts for upgrading the existing storm drainage and flood control collection system. It identifies and analyzes existing drainage deficiencies throughout the City, provides a range of drainage concepts for the construction of future facilities required to serve the City at buildout of the existing General Plan, and establishes criteria for selecting and prioritizing projects. The Storm Drain Master Plan may also be used for the development of a capital drainage financing program (City of Elk Grove 2011).

City of Elk Grove Municipal Code

Municipal Code Chapter 15.12: Stormwater Management and Discharge Control

Municipal Code Chapter 15.12 provides authority to the City for inspection and enforcement related to control of illegal and industrial discharges to the City storm drainage system and local receiving waters. It also addresses the requirement for BMPs and regulations to reduce pollutants in the City's stormwater.

Municipal Code Chapter 16.44: Land Grading and Erosion Control

Municipal Code Chapter 16.44 establishes administrative procedures, standards for review and implementation, and enforcement procedures for controlling erosion, sedimentation, other pollutant runoff, and the disruption of existing drainage and related environmental damage to ensure compliance with the City's NPDES permit. The chapter requires, before grading activities begin, that a detailed set of plans be developed that include measures to minimize erosion, sediment, and dust created by development activities.

Municipal Code Chapter 16.50: Flood Damage Prevention

Municipal Code Chapter 16.50 regulates development in flood-prone areas through specific siting and design requirements consistent with FEMA regulations.

ENVIRONMENTAL IMPACT ANALYSIS

The EIR certified for the City's 2019 General Plan Update evaluated the potential for impacts related to hydrology and water quality in the City's Planning Area. As a result of increased density implementation of the Project may result in an increase in the amount of impervious surfaces within the Planning Area compared to what was analyzed in the General Plan EIR. Development facilitated by the Project would be in compliance with the City's drainage and water quality standards, and Elk Grove Municipal Code Chapter 15 and Chapter 16. Specifically, development would be required to comply with the municipal separate storm sewer systems (MS4) permit as regulated through Chapter 15.12 of the Elk Grove Municipal Code. Chapter 16.44 of the Elk Grove Municipal Code requires implementation of measures to minimize erosion, sediment, dust, and other pollutant runoff during construction. Chapter 16.44 also requires projects that would increase drainage flows and have the potential to exceed the capacity of existing drainage facilities to identify, on project plans, the improvements needed to accommodate increased flows, thus ensuring any increase to the amount of impervious surfaces will result in no new impacts. Additionally, the LEA Community Plan Area, Precise Study area, South and West Study Areas, and Old Town Policy Area are not located in designated flood zones or dam inundation zones (City of Elk Grove 2018). Therefore, areas proposed for development under the Project are not at risk from flooding.

Hydrology and water quality impacts related to water quality, flooding, groundwater recharge, and drainage were determined to be less than significant in the General Plan EIR and certified CEQA documents that cover portions of the LEA Community Plan Area (i.e., Southeast Policy Area Strategic Plan EIR, Laguna Ridge Specific Plan EIR, and Sterling Meadows Tentative Subdivision Map, Lent Ranch Marketplace Special Planning Area). Specifically, the planned drainage facilities serving the LEA Community Plan area were considered in the Southeast Policy Area Strategic Plan EIR and the Lent Ranch EIR and Sterling Meadows EIR. The Project would not change the extent or character of land disturbance from what was evaluated in the General Plan EIR. Because this issue was evaluated in the General Plan EIR and other previous and the proposed footprint of development has not changed from the General Plan EIR there would be no additional hydrology impacts as a result of the Project. Therefore, this impact would remain **less than significant**.

Impacts related to groundwater and groundwater sustainability are discussed in Section 3.10, "Utilities and Service Systems." As discussed therein, impacts to groundwater and groundwater sustainability would remain significant and unavoidable.

IMPACT FINDING AND MITIGATION

There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR. Projects would be required to comply with applicable General Plan policies and applicable regulations related to hydrology and water quality. As discussed above portions of the LEA Community Plan Area have been analyzed in certified CEQA documents. Mitigation Measure 3.11-15 "Stormwater Retention" and Mitigation Measure 3.11-16 "Drainage Report" have been drafted for this SEIR to combine hydrological resources requirements from previous CEQA documents prepared for the Southeast Policy Area Strategic Plan, Laguna Ridge Specific Plan, and Lent Ranch Marketplace Special Planning Area. These measures contain the same performance standards and are equivalent in effectiveness as mitigation contained in the prior environmental documents. Mitigation Measure 3.11-15 and 3.11-16 are only applicable to the LEA Community Plan Area and do not supersede mitigation requirements for the other community plan areas outside of the LEA Community Plan Area. A comprehensive list of mitigation measures from other community plans prior environmental review are included in Appendix G. With the application of these mitigation measures to the LEA Community Plan Area, impacts to hydrology and water quality would remain **less than significant** with mitigation.

Mitigation Measure 3.11-15 Stormwater Retention for the LEA Community Plan Area

Grading plans for individual development projects in the LEA Community Plan Area shall be designed in such a way to direct all overland flow into proposed on-site detention basins. If this is not feasible, separate stormwater quality treatment facilities shall be constructed and a detailed drainage study shall be completed which demonstrates that the overall flood control and hydromodification goals for the watershed, contained in the City's Storm Drainage Master Plan, are still met.

Mitigation Measure 3.11-16 Drainage Report for the LEA Community Plan Area

New development in the LEA Community Plan Area shall be accompanied by site-specific drainage report. The project drainage report shall be reviewed and approved by the City prior to improvement plan approval for new development. The project drainage report shall include, at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site improvements, and drainage easements, if necessary, to accommodate flows from the site. The sites specific drainage plans shall ensure that peak flows from developed areas do not exceed pre-development conditions. Site-specific drainage reports shall demonstrate consistency with the Southeast Policy Area Drainage Study.

3.11.6 Land Use and Planning

ENVIRONMENTAL SETTING

Elk Grove has a wide array of land uses. A suburban setting is concentrated primarily in the western portion of the City and the eastern portion includes a large rural community. The City has a range of housing options, historic district, parks system, and a business community. The General Plan provides the framework for the City to expand employment opportunities, continue to provide a variety of housing options, and develop greater recreational opportunities. The Old Town Policy Area is the City's historic center and the LEA Community Plan Area includes some areas that were previously part of the Southeast Policy Area, South Pointe Land Use Policy Area, and the Lent Ranch Marketplace Policy Area. The South and West Study Areas are designed in the General Plan to provide a mix of residential, industrial, employment, and public service developments.

GENERAL PLAN POLICIES

The following General Plan goals are applicable to the Project:

- **GOAL LU-1**: A coordinated development pattern.
  - This goal is implemented through policies LU-1-1 through LU-1-10.

- GOAL LU-2: A focus on infill.
  - This goal is implemented through policies LU-2-1 through LU-2-4.
- GOAL LU-3: Expansion with purpose.
  - This goal is implemented through policies LU-3-1 through LU-3-34.
- GOAL LU-4: Thriving activity centers.
  - This goal is implemented through Policy LU-4-1.
- GOAL LU-5: Consistent, high-quality urban design.
  - This goal is implemented through policies LU-5-1 through LU-5-12.
- GOAL LU-6: Context-appropriate development of land use policy areas.
  - This goal is implemented through policies LU-6-1 through LU-6-10.
- GOAL LU-7: An established, protected, and supported rural area.
  - This goal is implemented through Policy LU-7-1.
- GOAL H-1: Adequate sites to accommodate the City's housing needs.
  - This goal is implemented through policies H-1-1 through H-1-5.
- GOAL H-2: Adequate housing stock to meet the needs of lower-income households and special needs groups.
  - This goal is implemented through policies H-2-1 through H-2-5.
- GOAL H-3: Development regulations that remove constraints to the maintenance, improvement, and development of housing.
  - This goal is implemented through policies H-3-1 through H-3-3.
- GOAL H-5: Housing opportunities for all persons, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
  - This goal is implemented through Policy H-5-1.
- GOAL H-6: Preserved assisted (subsidized) housing developments for lower-income households.
  - This goal is implemented through Policy H-6-1.
- GOAL ED-1: A diverse and balanced mix of land uses.
  - This goal is implemented through policies ED-2-1 through ED-2-5.
- GOAL ED-2: More residents employed locally.
  - This goal is implemented through policies ED-1-1 through ED-1-5.
- GOAL ED-3: Successful local businesses.
  - This goal is implemented through policies ED-3-1 and ED-3-2.
- GOAL RC-1: A new regional employment center.
  - This goal is implemented through policies RC-1-1 through RC-1-15.
- GOAL RC-3: Regional mobility and infrastructure to support the local economy.
  - This goal is implemented through policies RC-3-1 through RC-3-5.

ENVIRONMENTAL IMPACT ANALYSIS

The EIR certified for the City's 2019 General Plan Update evaluated the potential for impacts related to land uses and plans in the City's Planning Area. No significant land use impacts were identified in the General Plan EIR. The Project would amend the land uses in the LEA Community Plan Area, Old Town Policy Area, and South and West Study Areas. The Lent Ranch Land Use Policy Area and a portion of the South Study Area would be incorporated into the LEA Community Plan as part of the Project. The LEA Community Plan Area would be organized with three transects (sub-urban zone, general urban zone, and urban center zone) and around four centers, providing denser development than envisioned in the General Plan. Additionally, the LEA Community Plan would include new land use designations to achieve the transect based development. The South Study Area would serve as the second phase of the LEA that would build off development to the north. The land use district designations would be adjusted to increase industrial development with transitional neighborhoods and high density residential development. The West Study Area would include additional high density residential development, and rural and estate residential development. The Project would promote more mixed-use development in the Old Town Policy Area as land uses would be updated to encourage retail and commercial uses in proximity to similar enterprises in Old Town with surrounding housing consistent with General Plan policy provisions. Additionally, implementation of preferred alternatives in the Precise Study would result in changes to Grant Line Road.

Land use and roadway changes that would be implemented by the Project are designed to further implement the vision, intent, and goals of the General Plan, therefore, creating no new land use impacts. Additionally, proposed development would be consistent with goals and policies in the General Plan, as discussed throughout this SEIR. The Project would not change the extent or character of land disturbance from what was evaluated in the General Plan EIR (no change in the City's planned development footprint). Therefore, this impact would remain **not significant.**

IMPACT FINDING AND MITIGATION

Projects would be required to comply with applicable General Plan policies and applicable regulations related to land use. There is no new significant effect, and the impact is not more severe than the impact identified in the General Plan EIR.

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