

CITY OF ELK GROVE
DEVELOPMENT SERVICES DEPARTMENT

**Dunisch GPA, Rezone, and Map Project
(PLNG22-047)**

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION



November 2024



1501 Sports Drive, Suite A, • Sacramento • CA • 95834
Office 916.372.6100 • Fax 916.419.610

TABLE OF CONTENTS

A. BACKGROUND 1

B. SOURCES 2

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED 4

D. DETERMINATION 4

E. BACKGROUND AND INTRODUCTION..... 5

F. PROJECT DESCRIPTION..... 5

G. ENVIRONMENTAL CHECKLIST 16

I. AESTHETICS..... 17

II. AGRICULTURE AND FOREST RESOURCES..... 19

III. AIR QUALITY..... 20

IV. BIOLOGICAL RESOURCES..... 30

V. CULTURAL RESOURCES..... 44

VI. ENERGY..... 48

VII. GEOLOGY AND SOILS..... 51

VIII. GREENHOUSE GAS EMISSIONS..... 55

IX. HAZARDS AND HAZARDOUS MATERIALS..... 61

X. HYDROLOGY AND WATER QUALITY..... 66

XI. LAND USE AND PLANNING..... 71

XII. MINERAL RESOURCES..... 73

XIII. NOISE..... 74

XIV. POPULATION AND HOUSING..... 81

XV. PUBLIC SERVICES..... 82

XVI. RECREATION..... 85

XVII. TRANSPORTATION..... 86

XVIII. TRIBAL CULTURAL RESOURCES..... 92

XIX. UTILITIES AND SERVICE SYSTEMS..... 94

XX. WILDFIRE..... 98

XXI. MANDATORY FINDINGS OF SIGNIFICANCE..... 99

Appendices

- Appendix A: Air Quality and GHG Modeling Results
- Appendix B: SMAQMD Minor Project Health Effects Tool
- Appendix C: Biological Resources Assessment
- Appendix D: Recommendations for the Biological Resources Discussion
- Appendix E: Geotechnical Engineering Study
- Appendix F: Phase I Environmental Site Assessment
- Appendix G: Preliminary Drainage Analysis
- Appendix H: Noise Assessment
- Appendix I: VMT Analysis

INITIAL STUDY
NOVEMBER 2024

A. BACKGROUND

1. Project Title: Dunisch GPA, Rezone, and Map Project
2. Lead Agency Name and Address: City of Elk Grove
Current Planning Division
8401 Laguna Palms Way
Elk Grove, CA 95758
3. Contact Person and Phone Number: Sarah Kirchgessner
Senior Planner
(916) 478-2245
4. Project Location: West Stockton Boulevard and Dunisch Road
Elk Grove, CA 95758
APNs 116-0050-010, -011, -013, -027, -030, -031, and -034
5. Project Applicant's Name and Address: Thad Johnson
Pappas Investments
2020 L Street, 5th Floor
Sacramento, CA, 95811
(916) 447-7100
6. Existing General Plan Designation: Regional Commercial (RC)
7. Proposed General Plan Designation: Medium Density Residential (MDR)
Open Space (P/OS)
8. Existing Zoning Designation: Shopping Center (SC)
9. Proposed Zoning Designation: Medium-Density Residential (RD-10)
Open Space (O)
10. Required Approvals from Other Public Agencies: None
11. Surrounding Land Uses and Setting:

The Dunisch GPA, Rezone, and Map Project (Project) site is located west of the intersection of West Stockton Boulevard and Dunisch Road in the City of Elk Grove, California. The approximately 14.4-acre project site, identified by Assessor Parcel Numbers (APNs) 116-0050-010, -011, -013, -027, -030, -031, and -034, is currently undeveloped. Surrounding existing uses include single-family residences to the north, across Dunisch Road; the Laguna Gateway shopping center to the south and east, across West Stockton Boulevard; State Route (SR) 99 further east; and single-family residences

and Elk Grove/Laguna Creek to the west. The City of Elk Grove General Plan designates the site as Regional Commercial (RC) and the site is zoned Shopping District (SC).

12. Project Description Summary:

The Project includes development of a residential subdivision consisting of 111 single-family lots. Each residential lot would be approximately 3,375 square feet (sf). The project includes frontage improvements along West Stockton Boulevard, consisting of landscaping and new sidewalks. The project includes construction of an internal roadway system and primary site access would be provided by two streets off of Dunisch Road. The Project also includes on- and off-site frontage improvements on Dunisch Road. The Project requires approval of a General Plan Amendment (GPA), Rezone, Tentative Subdivision Map, Subdivision Design Review, and Tree Permit.

13. Status of Native American Consultation Pursuant to Public Resources Code Section 21080.3.1:

In compliance with Assembly Bill (AB) 52 (Public Resources Code [PRC] Section 21080.3.1), on April 24, 2023, the City provided formal notification letters to the following tribes that had requested notification: the United Auburn Indian Community of the Auburn Rancheria; Buena Vista Rancheria of Me-Wuk Indians; Chicken Ranch Rancheria of Me-Wuk Indians; Lone Band of Me-Wuk Indians; Nashville Enterprise Miwok-Maidu-Nishinam Tribe; Shingle Spring Band of Miwuk Indians; Tsi Akim Maidu; and Wilton Rancheria. The Wilton Rancheria requested consultation on May 11, 2023; upon reviewing cultural and tribal cultural resources mitigation measures included in this Initial Study/Mitigated Negative Declaration (IS/MND), the Wilton Rancheria concluded consultation. Requests to consult were not received from any other contacted tribes. It should be noted that consultation pursuant to Senate Bill (SB) 18 has also been conducted for the Project, the results of which have been incorporated into this document.

B. SOURCES

All of the technical reports and modeling results used for the Project analysis are available upon request at the City of Elk Grove Current Planning Department, 8401 Laguna Palms Way, Elk Grove, California, Monday through Friday between 8:00 AM and 5:00 PM. The following documents are referenced information sources used for the purposes of this IS/MND:

1. BSK Associates. *Phase I Environmental Site Assessment: Vacant Lot Dunisch Road and West Stockton Boulevard, Elk Grove, California*. September 16, 2015.
2. Bollard Acoustical Consultants, Inc. *Noise Assessment Dunisch Property Residential Development, Elk Grove, California*. June 17, 2024.
3. California Building Standards Commission. *2022 California Green Building Standards Code*. 2023.
4. California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed June 2024.
5. California Department of Forestry and Fire Protection. *Sacramento County, Very High Fire Hazard Severity Zones in LRA, As Recommended by CAL FIRE*. March 13, 2023.
6. California Department of Transportation. *List of eligible and officially designated State Scenic Highways*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed March 2023.

7. California Regional Water Quality Control Board, Central Valley Region. *Order No. R5-2016-0020-01 NPDES No. CA0077682*. April 2016.
8. California Tree and Landscape Consulting, Inc. *Arborist Report and Tree Inventory for Dunisch Road Project Site, City of Elk Grove Jurisdiction*. September 12, 2022.
9. City of Elk Grove. *City of Elk Grove Housing Element and Safety Element Update Draft Subsequent Environmental Impact Report*. February 12, 2021.
10. City of Elk Grove. *General Plan*. February 2019.
11. City of Elk Grove. *General Plan Update Draft Environmental Impact Report*. February 2019.
12. City of Elk Grove. *Swainson's Hawk Program*. Available at: <https://www.elkgrovecity.org/resources-and-policies/swainsons-hawk-program#:~:text=In%202003%2C%20the%20City%20established,to%20result%20in%20a%20%22potential>. Accessed May 2024.
13. Cosumnes Fire Department. *2023 Annual Report*. Available at: <https://www.cosumnescsd.gov/DocumentCenter/View/27704/2023-Calendar-Year-Cosumnes-Fire-Department-Summary-Infographic?bidId=>. Accessed June 2024.
14. Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES. Accessed March 2023.
15. Elk Grove Police Department. *Elk Grove Police Department Annual Report 2023*. Available at: <https://storymaps.arcgis.com/stories/135bec7883db42e0b598b24ae6ae3ee7>. Accessed August 2024.
16. Federal Emergency Management Agency. *Flood Insurance Rate Map 06067C0317H*. Available at: <https://msc.fema.gov/portal/search?AddressQuery=9119%20Willowberry%20Way%2C%20Elk%20Grove%2C%20CA%2095758#searchresultsanchor>. Accessed May 2023.
17. Fehr & Peers. *Dunisch Road Residential – VMT Analysis*. March 22, 2024.
18. HELIX Environmental Planning. *Biological Resources Assessment for the Dunisch Residential Project*. October 2023.
19. Madrone Ecological Consulting. *Recommendations for California Environmental Quality Act Initial Study Biological Resources Discussion and Mitigation Measure Updates*. November 8, 2024.
20. Native American Heritage Commission. *Dunisch Property Project, Sacramento County*. March 29, 2023.
21. North Central Information Center. *Records Search Results for Dunisch Property Project*. March 16, 2023.
22. Sacramento County. *Sacramento County Multi-jurisdictional Local Hazard Mitigation Plan Update*. September 2021.
23. Sacramento Metropolitan Air Quality Management District. *Climate Action Planning in the Sacramento Metropolitan Air Quality Management District*. November 2017.
24. Sacramento Metropolitan Air Quality Management District. *Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District*. October 2020.
25. United States Census Bureau. *QuickFacts: Elk Grove city, California*. Available at: <https://www.census.gov/quickfacts/elkgrovecitycalifornia>. Accessed May 2023.
26. Wood Rodgers, Inc. *Dunisch Property – Low Impact Design, Hydromodification Applicability, & Preliminary Drainage Analysis*. June 6, 2024.
27. Youngdahl Consulting Group, Inc. *Dunisch Property Subdivision Geotechnical Engineering Study*. April 30, 2024.

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is “Less-Than-Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

D. DETERMINATION

On the basis of this initial study:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the Project, nothing further is required.

Signature

Date

Sarah Kirchgessner, Senior Planner
Printed Name

City of Elk Grove
For

E. BACKGROUND AND INTRODUCTION

This Initial Study identifies and analyzes the potential environmental impacts of the Project. The information and analysis presented in this document is organized in accordance with the order of the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines. Where the analysis provided in this document identifies potentially significant environmental effects of the Project, mitigation measures are prescribed. The mitigation measures prescribed for environmental effects described in this IS/MND would be implemented in conjunction with the Project, as required by CEQA. The mitigation measures would be incorporated into the Project through project conditions of approval. The City would adopt findings and a Mitigation Monitoring/Reporting Program for the Project in conjunction with approval of the Project.

In February 2019, the City of Elk Grove adopted a new General Plan and certified an associated Environmental Impact Report (EIR) for the updated General Plan (SCH No. 2017062058). The General Plan EIR is a program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations [CCR], Sections 15000 *et seq.*). The General Plan EIR analyzed full implementation of the General Plan and identified measures to mitigate the significant adverse impacts associated with the General Plan. Consistent with Section 15150 of the CEQA Guidelines, applicable portions of the General Plan and General Plan EIR are incorporated by reference as part of this IS/MND. The referenced General Plan and General Plan EIR are available to the public for inspection at Elk Grove City Hall (8401 Laguna Palms Way) and online at the following web address:

http://www.elkgrovecity.org/city_hall/departments_divisions/planning/environmental_review

F. PROJECT DESCRIPTION

The following provides a description of the Project site location and setting, as well as the Project components and the discretionary actions required for the Project.

Project Location and Setting

The Project site is located west of the intersection of West Stockton Boulevard and Dunisch Road in the City of Elk Grove, California (see Figure 1 and Figure 2). The approximately 14.4-acre project site, identified by APNs 116-0050-010, -011, -013, -027, -030, -031, and -034, is currently undeveloped. The site consists of ruderal grasses that appear to be regularly disked for weed abatement. Three oak trees are located on the site, one along the site's northern edge, another in the eastern area of the site, and a third located in the site's southeastern corner; all three of the oak trees are subject to the City's Tree Preservation Ordinance. Surrounding existing uses include single-family residences to the north, across Dunisch Road; the Laguna Gateway shopping center to the south and east, across West Stockton Boulevard; SR 99 further east; and single-family residences and Elk Grove/Laguna Creek to the west. The City of Elk Grove General Plan designates the site as RC and the site is zoned SC.

Dunisch Road bounds the site to the north, and allows for two-way travel, with curb, gutter, sidewalk, and a 15-foot landscape corridor along the road's northern edge. The eastern site boundary is defined by West Stockton Boulevard. An existing overhead powerline is located along the southern edge of Dunisch Road, which extends from West Stockton Boulevard and terminates immediately west of the Project site.

**Figure 1
Regional Project Location**

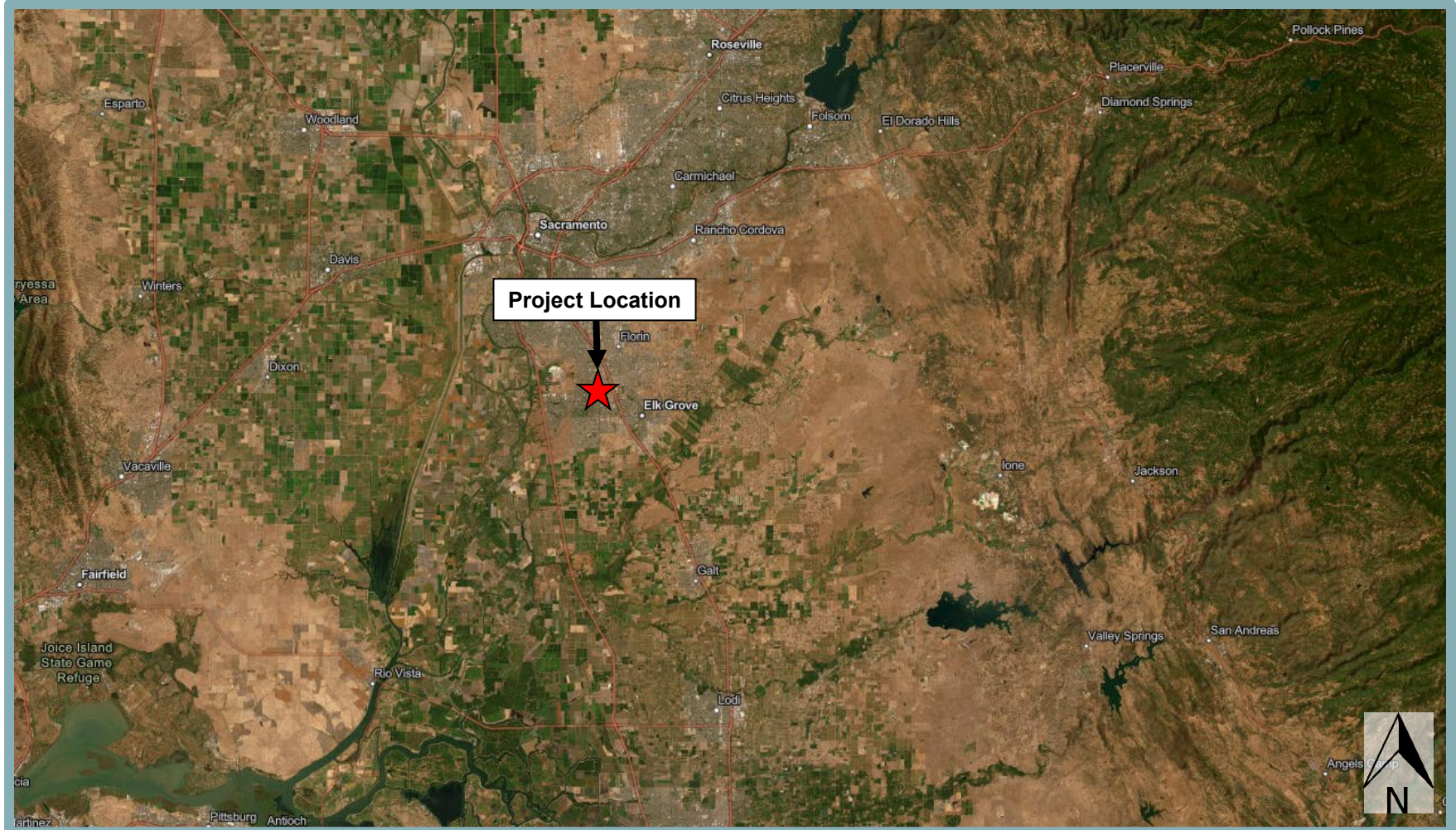


Figure 2
Project Site Boundaries



Project Components

The Project includes the subdivision of the 14.4-acre Project site, and subsequent development of 111 single-family residential units. The Project also includes frontage improvements along Dunisch Road and West Stockton Boulevard, consisting of landscaping and new sidewalks. The Project requires a GPA from RC to Medium Density Residential (MDR) and Parks and Open Space (P/OS), and a Rezone from SC to Medium-Density Residential (RD-10) and Open Space (O). The Project also requires a Tentative Subdivision Map and Subdivision Design Review, as well as three Design Exceptions for a non-standard centerline and two non-standard elbow intersections and a Tree Permit for the removal of trees of local importance. The Project components and requested approvals are discussed in detail below.

General Plan Amendment

The Project includes a GPA of the Project site from RC to MDR and P/OS (see Figure 3). As specified in the General Plan, MDR uses are generally characterized by small-lot single-family residential development, duplexes, townhomes, garden apartments, or apartments. P/OS uses include public and private parks, public plazas, trails, paseos, and similar features that provide off-street connectivity. Lands designated as P/OS are oriented toward active uses rather than passive open space uses. Approval of a GPA would ensure compatibility with surrounding land use designations, and maintain substantial compliance with the City's General Plan.

In addition, the Project includes a GPA to modify footnote 'd' under Table 8-4, Noise Performance Standards for New Project Affected by or Including Non-Transportation Noise Sources, of the City's General Plan to read as follows:

The City may impose noise level standards which are more or less restrictive based upon ~~determination of existing low or high ambient noise levels.~~ either of the following determinations:

- Existing low or high ambient noise levels; or
- Site-specific conditions or considerations as determined applicable by the designated approving authority only for new projects affected by existing non-transportation sources.

The foregoing GPA provides the City with additional flexibility in making land use determinations for new projects affected by existing non-transportation noise sources, such as the Project.

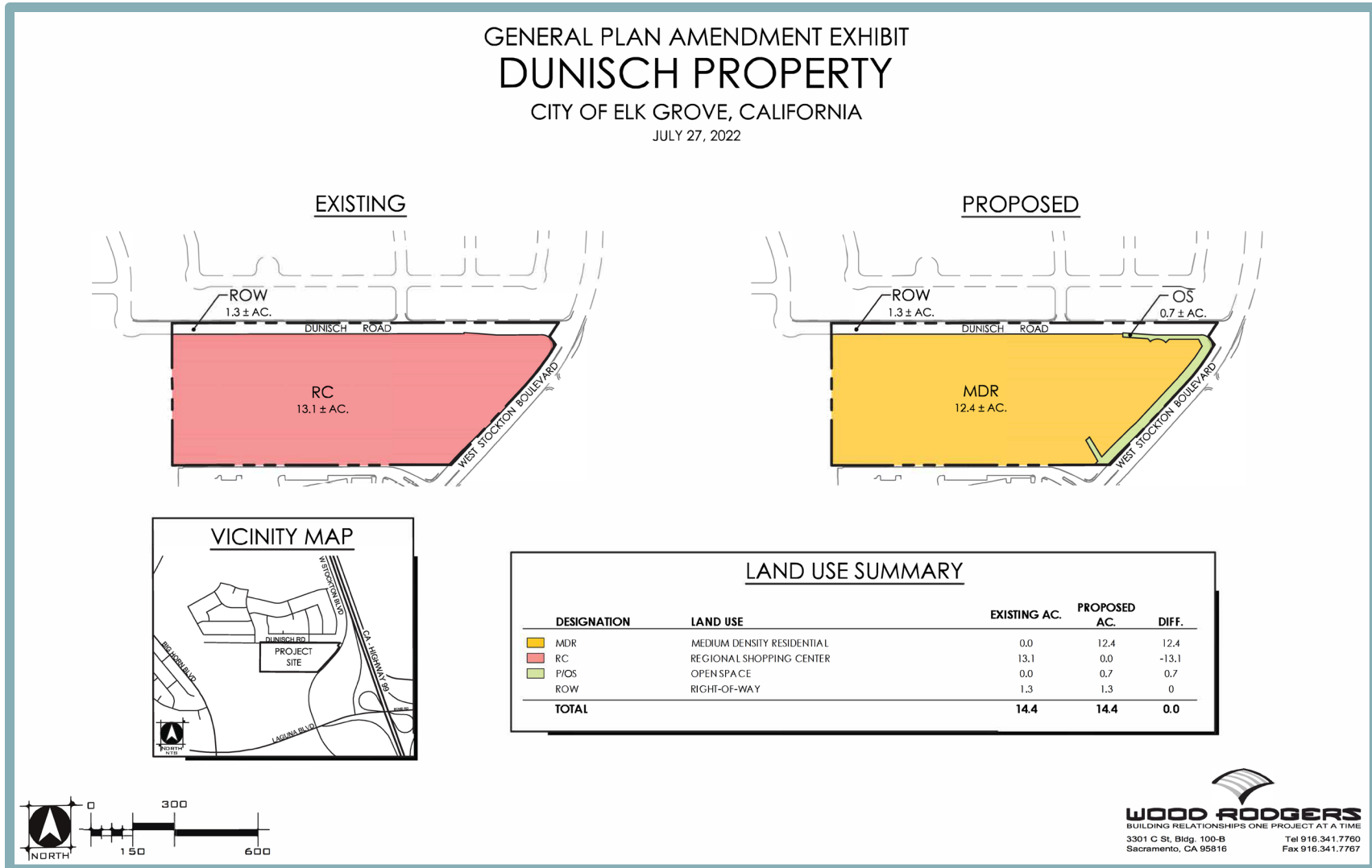
Rezone

The Project includes a Rezone of the Project site from SC to RD-10 and O (see Figure 4). Approval of a Rezone would ensure compatibility with surrounding land uses and maintain substantial compliance with the City's General Plan. According to the Elk Grove Municipal Code, the RD-10 zone allows higher density single-family homes, and may include lower density multi-family units with a maximum of 10 dwelling units per acre (du/ac). The O zoning designation is applied to lands owned by public and private entities that have been reserved for open space uses such as landscaped corridors, habitat mitigation, wetlands, wildlife habitat and corridors, lakes, trails, and similar uses. Approval of a Rezone would ensure compatibility with surrounding land uses, and maintain substantial compliance with the City's General Plan.

Tentative Subdivision Map

The proposed Tentative Subdivision Map subdivides the site into 111 single-family residential lots with a typical lot size of 45 feet by 75 feet at a density of nine (9) du/ac (see Figure 5).

Figure 3
General Plan Amendment Exhibit



**Figure 4
Site Rezone Exhibit**

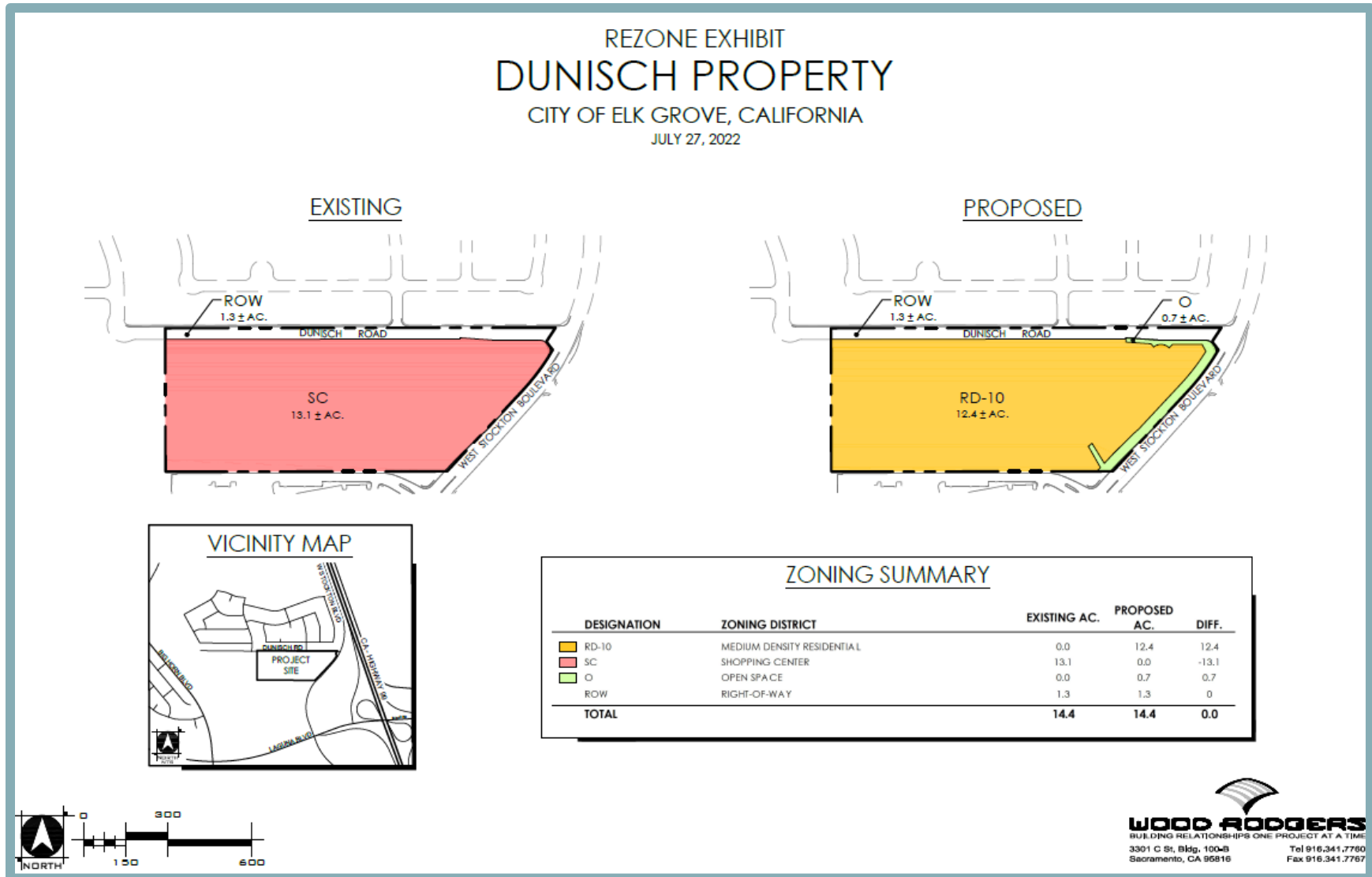


Figure 5
Tentative Subdivision Map


TENTATIVE SUBDIVISION MAP
DUNISCH PROPERTY
CITY OF ELK GROVE, CALIFORNIA
OCTOBER 30, 2024

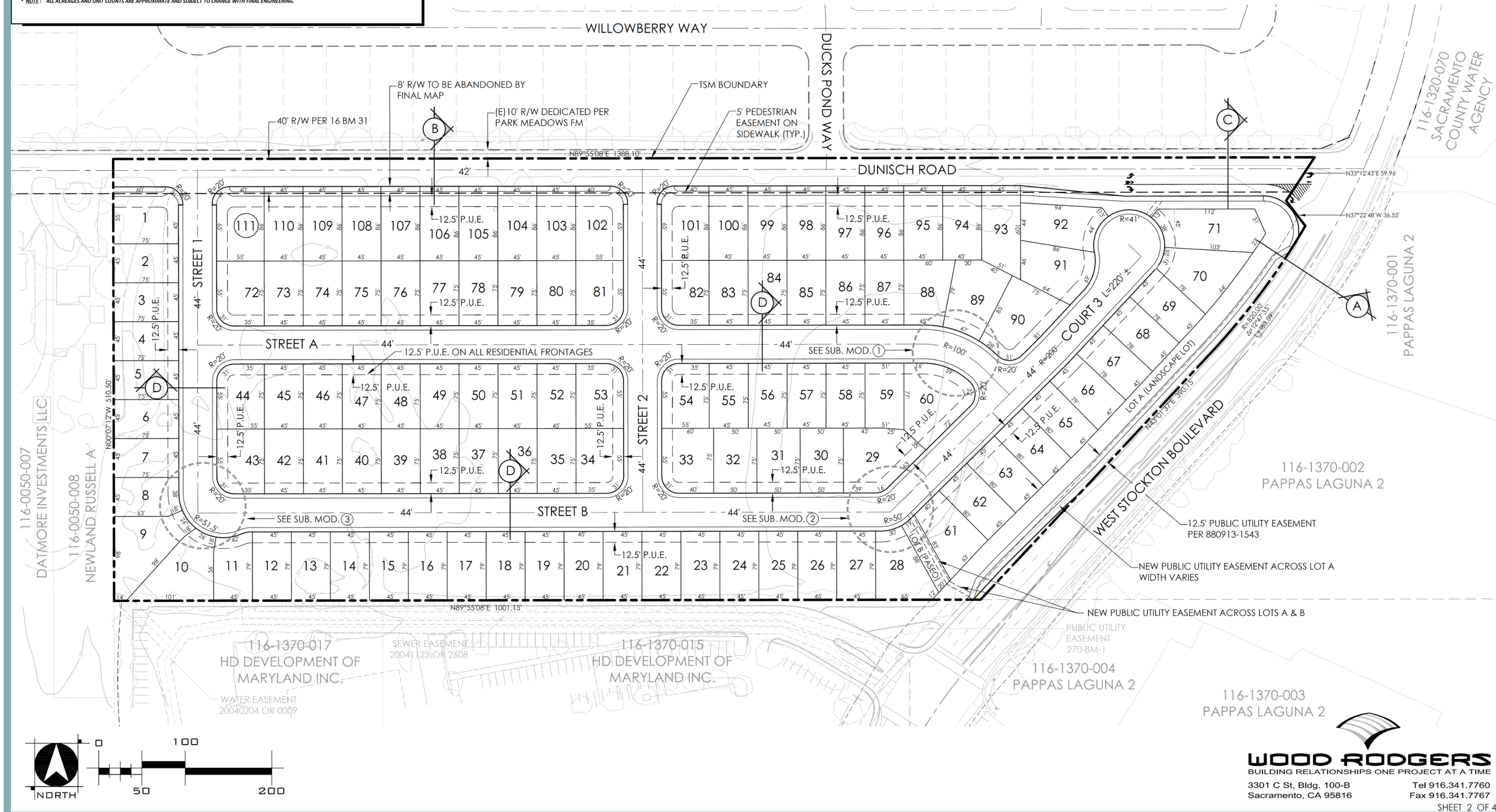
LAND USE SUMMARY							
UNIT/ LOT DESIGNATION	LAND USE	LOT SIZE (TYP)	GENERAL PLAN DESIGNATION	ZONING DESIGNATION	AREA (G)	AREA (N)	DWELLING UNITS NET DENSITY
UNIT A	MEDIUM DENSITY RESIDENTIAL (45 x 75 TYP)		MDR	RD-10	12.4	12.4	111 9.0
SUBTOTAL					12.4	12.4	111
LOT A	LANDSCAPE LOT		P/COS	O	0.6	0.6	
LOT B	PASEO		P/COS	O	0.1	0.1	
SUB-TOTAL					0.7	0.7	0
R/W	MAJOR RIGHT-OF-WAY				1.3	1.3	
SUB-TOTAL					1.3	1.3	0
TOTAL					14.4 AC.	14.4 AC.	111 DU

* NOTE: ALL ACREAGES AND UNIT COUNTS ARE APPROXIMATE AND SUBJECT TO CHANGE WITH FINAL ENGINEERING.

PROPOSED SUB. MODS.

- ① NON-STANDARD ROAD CENTERLINE RADIUS.
- ② NON-STANDARD ELBOW INTERSECTION.
- ③ NON-STANDARD ELBOW INTERSECTION.

SYMBOL: 



The Project site also includes approximately 0.7-acre of landscaped area and an internal circulation network. Below is additional detail regarding the proposed site access and circulation, landscaping, and utility infrastructure.

Site Access and Circulation

Primary site access would be provided by two proposed site entrance streets along Dunisch Road, located in the northwestern corner of the site and in the center of the site's northern boundary. As shown in Figure 5, the northwestern entryway, labeled as Street 1, would extend southwards and connect to Streets A and B, which would extend to the east before intersecting with Street 2. Street 2 would extend south from the central entryway into the Project site. Streets A and B would run west to east before reaching Court 3 in the eastern portion of the site, which would terminate in a cul-de-sac in the northeastern portion of the project site. All internal roadways would be public and would have a 44-foot right-of-way (ROW) consisting of two 14-foot travel lanes bound on either side by three-foot gutters and five-foot sidewalks. The internal roadway network would provide access to all internal single-family residential lots.

The Project also includes improvements to Dunisch Road. Where the roadway runs along the site's northern boundary, the existing 31-foot ROW of Dunisch Road would be expanded to 50 feet, consisting of two 18-foot travel lanes, an existing three-foot gutter and four-foot sidewalk on the northern side of the roadway, and a new three-foot gutter and five-foot sidewalk along the southern side of the roadway. Where Dunisch Road approaches West Stockton Boulevard northeast of the Project site, Dunisch Road would be expanded to have a 54.5-foot ROW. While the northern side of Dunisch Road would not be altered, the portion of Dunisch Road adjacent to the Project frontage would be developed with an 11-foot left-turn lane, a five-foot bike lane, a 10.5-foot right-turn lane, a three-foot gutter, and a six-foot sidewalk. The Project also includes an off-site improvement consisting of the development of a sidewalk along the south side of Dunisch Road extending from the project frontage to the west.

In addition, the Project includes the development of a six-foot sidewalk within the proposed landscape easement along the site's eastern frontage, as well as a paseo in the southeast corner of the site which would allow pedestrian access from the site to West Stockton Boulevard.

Landscaping and Open Space

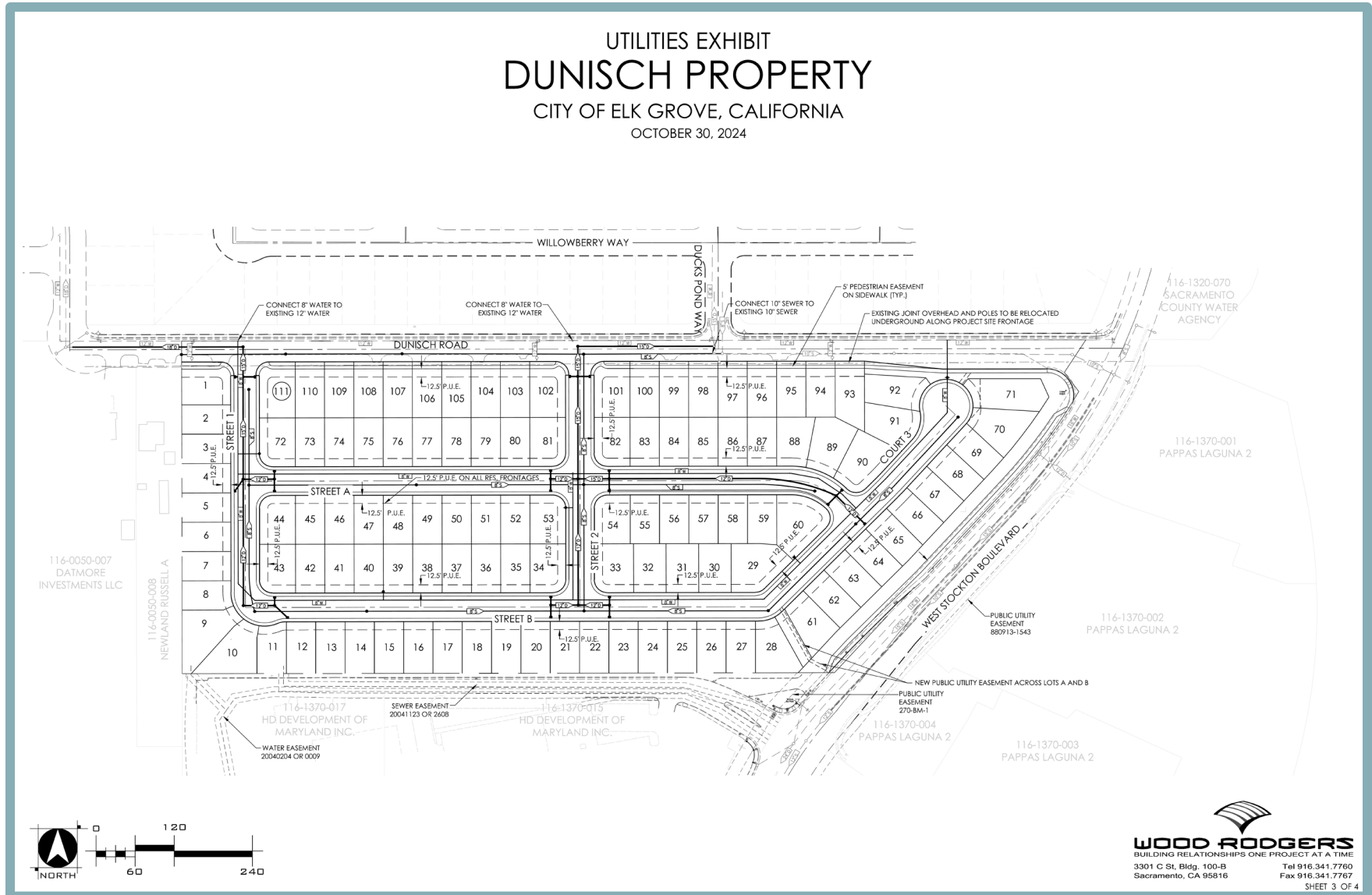
The Project includes the removal of all existing on-site trees, including three valley oaks; removal of the three valley oak trees requires approval of a Tree Permit, consistent with Chapter 19.12, Tree Preservation and Protection, of the Elk Grove Municipal Code. The easternmost boundary of the Project site, where the site's frontage abuts West Stockton Boulevard, would be developed with a 35-foot-wide landscaped area consisting of approximately 0.7-acre. A variety of trees and shrubs and drought-tolerant landscaping would be provided along the internal roadways, as well as the frontage of the residential lots.

Utilities

Sewer service would be provided by the Sacramento Area Sewer District (SacSewer). As part of the Project, a new network of eight-inch sewer lines would be installed throughout the Project site and would extend to a 10-inch sewer line which would lead out of the Project site and connect to the existing 10-inch sewer main within Dunisch Road, north of the Project site (see Figure 6).

Figure 6
Utilities Plan

UTILITIES EXHIBIT
DUNISCH PROPERTY
CITY OF ELK GROVE, CALIFORNIA
OCTOBER 30, 2024



Water supply to the proposed development would be provided by the Sacramento County Water Agency (SCWA). A 12-inch water main currently exists within Dunisch Road. As part of the Project, a new network of 8-inch water lines would be installed on the Project site and connect to the existing 12-inch water main in Dunisch Road (see Figure 6).

Stormwater generated by impervious surfaces within the Project site would be captured by a series of curb inlets and conveyed by way of a system of new 12- and 15-inch underground storm drains that would extend from the project site under Dunisch Road to either the existing 15-inch storm drain within Ducks Pond Way to the north or the 18-inch storm drain located at the corner of Dunisch Road to the west (see Figure 7).

Electricity would be provided by Sacramento Municipal Utilities District (SMUD), and natural gas would be provided by Pacific Gas and Electric (PG&E). The Project would connect to existing electrical and natural gas infrastructure in the Project vicinity, along the eastern boundary of the site and in the southeast corner of the site. The power lines along the northern site boundary would be undergrounded as part of the Project.

Subdivision Design Review

Pursuant to Section 23.16.080 of the City of Elk Grove Municipal Code, a subdivision design review is required for any tentative subdivision map within the City. The purpose of the design review process is to ensure physical, visual, and functional compatibility between uses and encourage development in keeping with the desired character of the City.

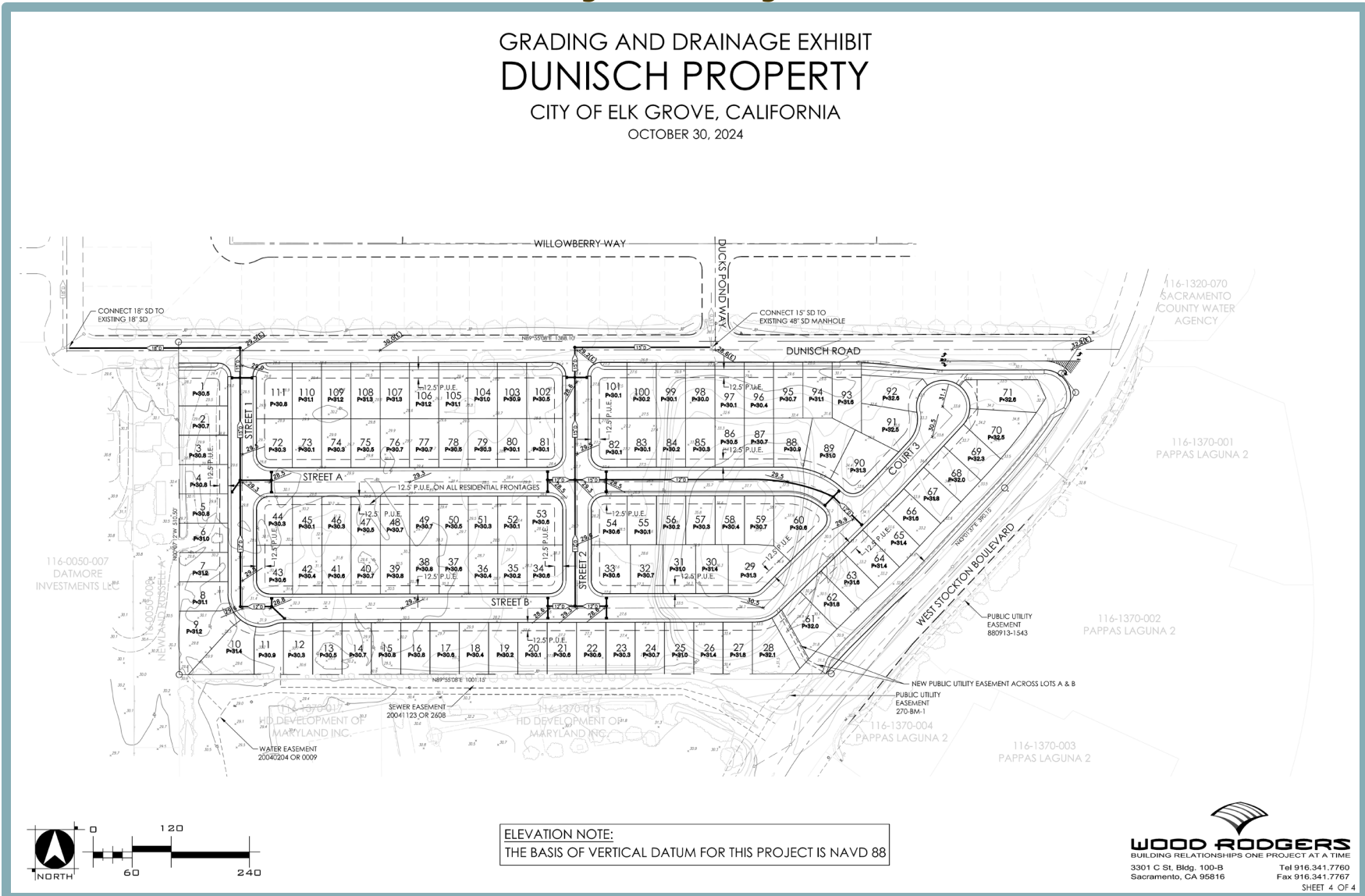
Project Approvals

The Project requires City approval of the following:

- Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- General Plan Amendment from RC to MDR and P/OS,
- General Plan Amendment to footnote 'd' of Table 8-4 of the City's General Plan;
- Rezone from SC to RD-10 and O;
- Tentative Subdivision Map;
- Subdivision Design Review;
- Design Exceptions for a non-standard centerline and two non-standard elbow intersections; and
- Tree Permit.

Figure 7 Grading and Drainage Plan

GRADING AND DRAINAGE EXHIBIT DUNISCH PROPERTY CITY OF ELK GROVE, CALIFORNIA OCTOBER 30, 2024



G. ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are Project-specific mitigation measures recommended, as appropriate, as part of the Project. For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The Project would not have any impact.

I. AESTHETICS.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b. Examples of typical scenic vistas would include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing and sightseeing. In general, a project’s impact to a scenic vista would occur if development of the Project would substantially change or remove a scenic vista. The City’s General Plan does not identify any scenic vistas in the Project area. Thus, the proposed residential development would not have a substantial adverse effect on a scenic vista. In addition, according to the California Scenic Highway Mapping System, the nearest State Scenic Highway, SR 160, is located approximately 5.45 miles west of the Project site.¹ As such, the Project site would not be visible from SR 160.

Based on the above, the Project would not have a substantial adverse effect on a scenic vista and would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway. Therefore, **no impact** would occur.

c. The Project site is located in an urbanized area. Therefore, the appropriate question is whether the Project conflicts with applicable zoning and other regulations governing scenic quality. The Project includes a Rezone from SC to RD-10 and O and a GPA from RC to MDR and P/OS. The Project would serve as an extension of the existing residential development in the Project vicinity. As discussed above, the Project includes landscaping elements to screen public views of the site and would be visually compatible with the existing residential development to the north of the site and commercial development to the east and south of the site. Additionally, all components of the Project would be subject to the City’s design review process pursuant to Section 23.16.080 of the City’s Municipal Code, which is intended to encourage development in keeping with the desired character of the City and to ensure physical, visual, and functional compatibility between uses. Furthermore, per the City’s General Plan, the Project site has been anticipated for development. As such, changes to the visual character and quality of the site have been anticipated by the City. Therefore, impacts related to conflicting with applicable zoning and other regulations governing scenic quality would be **less-than-significant**.

¹ California Department of Transportation. *List of eligible and officially designated State Scenic Highways*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed March 2023.

- d. The Project site is currently undeveloped and does not contain any existing sources of light or glare. Implementation of the Project would develop the site with single-family residences and, thus, would introduce new sources of light and glare where none currently exist. Potential sources of light and glare associated with the Project would include interior light spilling through residence windows, porch and patio lights, driveway lighting, streetlights, resident and visitor headlights, and light reflected off windows.

While the site does not currently contain sources of light or glare, the site is bordered by existing development that currently generates light and glare in the area. Furthermore, the Project would be subject to compliance with all applicable regulations included in the City's Municipal Code, as well as other applicable development standards. Compliance with such standards ensures that on-site lighting would be directed within the Project site and would not substantially illuminate adjacent properties. In addition, new landscaping elements along the Project frontages help to further screen the proposed exterior light fixtures.

Given the consistency of the Project with surrounding development, compliance with the City's Design Guidelines and Municipal Code, and the added assurance of the design review process, implementation of the Project would result in a ***less-than-significant*** impact with respect to creating a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

II. AGRICULTURE AND FOREST RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

Discussion

a,e. The Project site is currently vacant and undeveloped and consists primarily of ruderal grasses which are regularly disked. According to the California Department of Conservation’s (DOC’s) California Important Farmland Finder, the entire Project site is designated as “Farmland of Local Importance,” which is defined as “Land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.”² Although the project site is considered to be Farmland, the designation of Farmland of Local Importance is not protected under CEQA. In addition, the project site is not currently used for agricultural purposes. Thus, implementation of the Project would not result in conflicts with the Farmland Protection Policy Act.

Given the DOC’s designation for the site, development of the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, or otherwise result in the loss of Farmland to non-agricultural use. Therefore, the Project would result in **no impact**.

b. The Project site is not under a Williamson Act contract and is not designated or zoned for agricultural uses. Therefore, buildout of the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and **no impact** would occur.

c,d. The Project area is not considered forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), and is not zoned Timberland Production (as defined by Government Code Section 51104[g]). Therefore, the Project would have **no impact** with regard to conversion of forest land or any potential conflict with forest land, timberland, or Timberland Production zoning.

² California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed June 2024.

III. AIR QUALITY.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

Discussion

a,b. The City of Elk Grove is located within Sacramento County, which is within the boundaries of the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD). Federal and State ambient air quality standards (AAQS) have been established for six common air pollutants, known as criteria pollutants, due to the potential for these pollutants to be detrimental to human health and the environment. The criteria pollutants include particulate matter (PM), ground-level ozone, carbon monoxide (CO), sulfur oxides, nitrogen oxides (NO_x), and lead. At the federal level, Sacramento County is designated as severe nonattainment for the 8-hour ozone AAQS, nonattainment for the 24-hour PM_{2.5} AAQS, and attainment or unclassified for all other criteria pollutant AAQS. At the State level, the area is designated as a serious nonattainment area for the 1-hour ozone AAQS, nonattainment for the 8-hour ozone AAQS, nonattainment for the PM₁₀ and PM_{2.5} AAQS, and attainment or unclassified for all other State AAQS.

Due to the nonattainment designations, SMAQMD, along with the other air districts in the SVAB region, is required to develop plans to attain the federal and State AAQS for ozone and particulate matter. The attainment plans currently in effect for the SVAB are the *2013 Revisions to the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (2013 Ozone Attainment Plan), *PM_{2.5} Implementation/Maintenance Plan and Re-designation Request for Sacramento PM_{2.5} Nonattainment Area* (PM_{2.5} Implementation/Maintenance Plan), and the 1991 Air Quality Attainment Plan (AQAP), including triennial reports. The air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control measures have worked, and show how air pollution would be reduced. In addition, the plans include the estimated future levels of pollution to ensure that the area meets air quality goals.

Nearly all development projects in the Sacramento region have the potential to generate air pollutants that may increase the difficulty of attaining federal and State AAQS. Therefore, evaluation of air quality impacts is required. In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants for which the area is designated nonattainment, SMAQMD has developed the Guide to Air Quality Assessment in Sacramento County (SMAQMD Guide), which includes recommended thresholds of significance, including mass emission thresholds for construction-related and operational ozone precursors, as the area is under nonattainment for ozone. The SMAQMD's recommended thresholds of significance for the ozone precursors reactive organic compounds (ROG) and NO_x, which are expressed in pounds per day (lbs/day) and tons per year (tons/yr), are presented in Table 1. As shown

in the table, SMAQMD has construction and operational thresholds of significance for PM₁₀ and PM_{2.5} expressed in both lbs/day and tons/yr. The construction and operational thresholds for PM₁₀ and PM_{2.5} only apply to those Projects that have implemented all applicable Best Available Control Technologies (BACTs) and Best Management Practices (BMPs).

Table 1 SMAQMD Thresholds of Significance		
Pollutant	Construction Thresholds	Operational Thresholds
ROG	N/A	65 lbs/day
NO _x	85 lbs/day	65 lbs/day
PM ₁₀	80 lbs/day 14.6 tons/yr	80 lbs/day 14.6 tons/yr
PM _{2.5}	82 lbs/day 15 tons/yr	82 lbs/day 15 tons/yr
<i>Source: SMAQMD, CEQA Guidelines, April 2020.</i>		

The Project’s construction and operational emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1.1.22 software – a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including greenhouse gas (GHG) emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, trip generation rates, vehicle mix, trip length, average speed, compliance with the California Building Standards Code (CBSC), etc. The emissions intensity factor for electricity consumed at the Project site was updated to reflect SMUD’s progress towards achieving the State’s Renewable Portfolio Standards (RPS). Where Project-specific data was available, such data was input into the model (e.g., construction phases and timing, inherent site or Project design features, compliance with applicable regulations, etc.). Accordingly, the Project’s modeling assumed the following:

- Construction would likely commence in May of 2025 and take place over approximately four years;
- Trip generation data was adjusted based on project-specific traffic information provided by Fehr & Peers; and
- The Project would comply with all relevant provisions of the CBSC and the Model Water Efficient Landscape Ordinance (MWELO).

The Project’s estimated emissions associated with construction and operations are presented and discussed in further detail below. A discussion of the Project’s contribution to cumulative air quality conditions is provided below as well. All CalEEMod results are included in Appendix A to this IS/MND.

Construction Emissions

During construction of the Project, various types of equipment and vehicles would temporarily operate on the Project site. Construction exhaust emissions would be generated from construction equipment, vegetation clearing and earth movement activities, construction worker commutes, and construction material hauling for the entire construction period. The aforementioned activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria pollutants. Project construction activities also represent sources of fugitive dust, which includes PM

emissions. As construction of the Project would generate air pollutant emissions intermittently within the site and vicinity, until all construction has been completed, construction is a potential concern because the Project is located in a non-attainment area for ozone, PM₁₀, and PM_{2.5}.

The Project is required to comply with all SMAQMD rules and regulations for construction, which would be noted on City-approved construction plans. The applicable rules and regulations would include, but would not be limited to, the following:

- Rule 403 related to Fugitive Dust;
- Rule 404 Related to Particulate Matter;
- Rule 407 related to Open Burning;
- Rule 442 related to Architectural Coatings;
- Rule 453 related to Cutback and Emulsified Asphalt Paving Materials; and
- Rule 460 related to Adhesives and Sealants.

To apply the construction thresholds presented in Table 1, projects must implement all feasible SMAQMD BACTs and BMPs related to dust control. The control of fugitive dust during construction is required by SMAQMD Rule 403, and enforced by SMAQMD staff. The BMPs for dust control include the following:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads;
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered;
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited;
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph);
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [CCR, Title 13, Sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site;
- Provide current certificate(s) of compliance for the California Air Resources Board's (CARB's) In-Use Off-Road Diesel-Fueled Fleets Regulation [CCR, Title 13, Sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html; and
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.

Compliance with the foregoing measures is required per Rule 403, and Project construction is assumed to include compliance with the foregoing measures. Consequently, the Project PM emissions are assessed in comparison to the thresholds presented in Table 1 above.

According to the CalEEMod results, the Project would result in maximum unmitigated construction criteria air pollutant emissions as shown in Table 2.

Table 2			
Maximum Unmitigated Construction Emissions			
Pollutant	Project Emissions	Construction Threshold	Exceeds Threshold?
ROG	4.22 lbs/day	-	N/A
NO _x	31.7 lbs/day	85 lbs/day	NO
PM ₁₀	21.2 lbs/day and 1.85 tons/yr	80 lbs/day and 14.6 tons/yr	NO
PM _{2.5}	11.4 lbs/day and 1.0 tons/yr	82 lbs/day and 15 tons/yr	NO
<i>Source: CalEEMod, April 2024 (see Appendix A).</i>			

As shown in the table, the Project's construction emissions are anticipated to be below the applicable SMAQMD thresholds of significance for NO_x, PM₁₀, and PM_{2.5}. Accordingly, construction of the Project would not violate an air quality standard or contribute to an existing or projected air quality violation, and a less-than-significant impact would occur associated with construction.

Operational Emissions

Operational emissions of ROG, NO_x, and PM would be generated by the Project from both mobile and stationary sources. Day-to-day activities, such as residential commute vehicle trips to and from the Project site, would make up the majority of the mobile emissions. Emissions would also occur from area sources, such as landscape maintenance equipment exhaust.

The estimated operational emissions for the Project are presented below in Table 3. It should be noted that the Project would not involve installation or operation of any pieces of equipment that would require implementation of SMAQMD's BACTs; therefore, the Project is subject to SMAQMD's mass emissions thresholds for PM₁₀ and PM_{2.5}.

Table 3			
Maximum Unmitigated Operational Emissions			
Pollutant	Project Emissions	Operational Threshold	Exceeds Threshold?
ROG	10.1 lbs/day	65 lbs/day	NO
NO _x	7.26 lbs/day	65 lbs/day	NO
PM ₁₀	8.85 lbs/day and 1.56 tons/yr	80 lbs/day and 14.6 tons/yr	NO
PM _{2.5}	2.47 lbs/day and 0.42 tons/yr	82 lbs/day and 15 tons/yr	NO
<i>Source: CalEEMod, April 2024 (see Appendix A).</i>			

Cumulative Emissions

A cumulative impact analysis considers a project over time in conjunction with other past, present, and reasonably foreseeable future projects whose impacts might compound those of the project being assessed. Due to the dispersive nature and regional sourcing of air pollutants, air pollution is already largely a cumulative impact. The non-attainment status of regional pollutants, including ozone and PM, is a result of past and present development and, thus, cumulative impacts related to these pollutants could be considered cumulatively significant.

Adopted SMAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated non-attainment, consistent with applicable air quality plans. As future attainment of AAQS is a function of successful implementation of SMAQMD's planning efforts, according to the SMAQMD Guide, by exceeding the SMAQMD's project-level thresholds for construction or operational emissions, a project could contribute to the region's non-attainment status for ozone and PM emissions and could be considered to conflict with or obstruct implementation of the SMAQMD's air quality planning efforts.

As discussed above, the Project would result in construction and operational emissions below all applicable SMAQMD thresholds of significance. Therefore, the Project would not be considered to result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment, and impacts would be considered less than significant.

Conclusion

Because the Project would not result in construction-related or operational emissions of criteria air pollutants in excess of SMAQMD's thresholds of significance, the Project would not be considered to conflict with or obstruct the implementation of any applicable air quality plans. In addition, the Project would not result in a cumulatively considerable net increase of any criteria air pollutant for which the Project region is non-attainment under an applicable AAQS. Therefore, a **less-than-significant** impact would result.

- c. Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are typically defined as facilities where sensitive receptor population groups (i.e., children, the elderly, the acutely ill, and the chronically ill) are likely to be located. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. The nearest existing sensitive receptors would be the single-family residences located immediately west of the Project site.

The major pollutant concentrations of concern are toxic air contaminant (TAC) emissions, which are addressed in further detail below. In addition, a discussion of health effects related to criteria pollutants is provided.

TAC Emissions

The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the

higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk.

Due to the residential nature of the Project, the Project does not include any operations that would be considered a substantial source of TACs. Accordingly, operations of the Project would not expose sensitive receptors to excess concentrations of TACs, and any TAC concentrations resulting from truck activity or emergency generators would be reduced by State and local regulations, and building and landscaping design and placement.

Short-term, construction-related activities could result in the generation of TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions and fugitive dust from disturbing soil.

Construction is temporary and occurs over a relatively short timeframe in comparison to the operational lifetime of the Project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction period associated with the Project would be substantially shorter than 30 years. All construction equipment and operation thereof would be regulated per the In-Use Off-Road Diesel Vehicle Regulation, which is intended to help reduce emissions associated with off-road diesel vehicles and equipment, including DPM. Project construction would also be required to comply with all applicable SMAQMD rules and regulations. In addition, only portions of the site would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day rather than continuously at any one location on the project site. Construction activity occurring adjacent to existing residential uses would be limited to the hours of 7:00 AM to 7:00 PM pursuant to Section 6.32.100 of the City's Municipal Code.³ Operation of construction equipment within portions of the development area would allow for the dispersal of emissions, and would ensure that construction-activity is not continuously occurring in the portions of the Project site closest to existing receptors.

Because construction equipment on-site would not operate for long periods of time and would be used at varying locations within the site, associated emissions of DPM would not occur at the same location for long periods of time. Due to the temporary nature of construction and the relatively short duration of potential exposure to associated emissions, the potential for any one sensitive receptor in the area to be exposed to substantial concentrations of pollutants for an extended period of time would be low, and nearby receptors are not anticipated to experience substantial health risks related to Project construction.

Criteria Pollutants

Recent rulings from the California Supreme Court (including the *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502 case regarding the proposed Friant Ranch Project) have underscored the need for analysis of potential health impacts resulting from the emission of criteria pollutants during operations of proposed projects. Although analysis of project-

³ Section 6.32.100(E) states that "when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in progress be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work after 7:00 PM and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner."

level health risks related to the emission of CO and TACs has long been practiced under CEQA, the analysis of health impacts due to individual projects resulting from emissions of criteria pollutants is a relatively new field. SMAQMD released the *Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District* (Guidance) for the analysis of criteria emissions in areas within the SMAQMD's jurisdiction.⁴ The Guidance represents SMAQMD's effort to develop a methodology that provides a consistent, reliable, and meaningful analysis in response to the Supreme Court's direction on correlating health impacts to a project's emissions.

The Guidance was prepared by conducting regional photochemical modeling, and relies on the U.S. Environmental Protection Agency's (USEPA's) Benefits Mapping and Analysis Program (BenMAP) to assess health impacts from ozone and PM_{2.5}. SMAQMD has prepared two tools that are intended for use in analyzing health risks from criteria pollutants. Small projects with criteria pollutant emissions close to or below SMAQMD's adopted thresholds of significance may use the Minor Project Health Effect Screening Tool, while larger projects with emissions between two and six times greater than SMAQMD's adopted thresholds may use the Strategic Area Project Health Screening Tool. Considering the Project would result in emissions lower than the SMAQMD's thresholds of significance, the Project would qualify for use of the Minor Project Health Effects Screening Tool. It is important to note, however, that the Minor Project Health Effects Screening Tool applies the assumption that all small projects result in emissions of criteria pollutants equal to the SMAQMD thresholds of significance. As shown in Table 3, the Project would result in operational emissions well below the SMAQMD thresholds of significance and, thus, the health impacts calculated for the Project using the Minor Project Health Effects Screening Tool are highly conservative. The Project's actual health impacts associated with criteria pollutant emissions would be expected to be much less than what is presented herein based on the aforementioned SMAQMD tool. Results from the Minor Project Health Effects Screening Tool are shown in Table 4.

As shown in the table, according to the Minor Project Health Effects Screening Tool, which is based on the highly conservative assumption that the Project would emit criteria pollutants at levels equal to the SMAQMD thresholds of significance, the Project could result in up to 1.8 premature deaths per year due to the Project's PM_{2.5} emissions and up to 0.03 premature deaths per year due to the Project's ozone emissions. For comparison, the background incidence of premature deaths per year are 44,766 due to PM_{2.5} emissions and 30,386 due to ozone emissions (see Table 4). The Project's contribution represents a very small increase over the background incidence of premature deaths due to PM_{2.5} and ozone concentrations (0.0040 percent and 0.0001 percent, respectively). In addition, according to the Minor Project Health Effects Screening Tool, PM_{2.5} emissions from the Project could result in 0.86 asthma-related emergency room visits, and ozone emissions from the Project could result in 0.87 asthma-related emergency room visits. Such numbers represent a minute increase over the background level of asthma-related emergency room visits (0.0047 percent and 0.0058 percent, respectively).

⁴ Sacramento Metropolitan Air Quality Management District. *Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District*. October 2020.

**Table 4
Health Effects from Project**

Health Endpoint	Age Range ¹	Incidences Across the 5-Air-District Region Resulting from Project Emissions (per year) ²	Percent of Background Health Incidences Across the 5-Air-District Region ³	Total Number of Health Incidences Across the 5-Air-District Region (per year) ⁴
		(Mean)	(%)	
Respiratory PM_{2.5}				
Emergency Room Visits, Asthma	0-99	0.86	0.0047	18,419
Hospital Admissions, Asthma	0-64	0.057	0.0031	1,846
Hospital Admissions, All Respiratory	65-99	0.27	0.0014	19,644
Cardiovascular PM_{2.5}				
Hospital Admissions, All Cardiovascular (less Myocardial Infarctions)	65-99	0.15	0.00063	24,037
Acute Myocardial Infarction, Nonfatal	18-24	0.000	0.0019	4
Acute Myocardial Infarction, Nonfatal	25-44	0.006	0.0021	308
Acute Myocardial Infarction, Nonfatal	45-54	0.017	0.0022	741
Acute Myocardial Infarction, Nonfatal	55-64	0.027	0.0022	1,239
Acute Myocardial Infarction, Nonfatal	65-99	0.097	0.0019	5,052
Mortality PM_{2.5}				
Mortality, All Cause	30-99	1.8	0.0040	44,766
Respiratory Ozone				
Hospital Admissions, All Respiratory	65-99	0.06	0.0003	19,644
Emergency Room Visits, Asthma	0-17	0.34	0.0058	5,859
Emergency Room Visits, Asthma	18-99	0.53	0.0042	12,560
Mortality Ozone				
Mortality, Non-Accidental	0-99	0.03	0.0001	30,386
¹ Affected age ranges are shown. Other age ranges are available, but the endpoints and age ranges shown here are the ones used by the USEPA in their health assessments. The age ranges are consistent with the epidemiological study that is the basis of the health function. ² Health effects are shown in terms of incidences of each health endpoint and how it compares to the base (2035 base year health effect incidences, or “background health incidence”) values. Health effects are shown for the 5-Air-District Region. ³ The percent of background health incidence uses the mean incidence. The background health incidence is an estimate of the average number of people that are affected by the health endpoint in a given population over a given period of time. In this case, the background incidence rates cover the 5-Air-District Region (estimated 2035 population of 3,271,451 persons). Health incidence rates and other health data are typically collected by the government as well as the World Health Organization. The background incidence rates used here are obtained from BenMAP. ⁴ The total number of health incidences across the 5-Air-District Region is calculated based on the modeling data. The information is presented to assist in providing overall health context.				

Source: SMAQMD, Minor Project Health Effects Screening Tool. June 2020 (see Appendix B).

Furthermore, the SMAQMD criteria pollutant thresholds of significance were established with consideration given to the health-based air quality standards established by the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), and are designed to aid the district in achieving attainment of the NAAQS and CAAQS. The thresholds of significance represent emissions levels that would ensure that Project-specific emissions would not inhibit attainment of regional NAAQS and CAAQS and, therefore, would not adversely affect public health.

Considering that implementation of the Project would not result in emissions of criteria pollutants that exceed the SMAQMD standards, the Project would not inhibit attainment of regional NAAQS and CAAQS and would not result in adverse health impacts related to the emission of criteria pollutants.

The results of the Minor Project Health Effects Screening Tool have been presented for informational purposes only. Overall, because the Project is relatively small compared to the regional growth and development that drives health impacts from criteria pollutants, and the anticipated air quality emissions would fall below all applicable thresholds of significance, potential health impacts related to criteria air pollutants would be less than significant.

Conclusion

Based on the above discussion, the Project would not expose any sensitive receptors to substantial concentrations of TACs or criteria pollutants during construction or operation. Consequently, the Project would result in a **less-than-significant** impact related to the exposure of sensitive receptors to substantial pollutant concentrations.

- d. Pollutants of principal concern include emissions leading to odors, emission of dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in Questions 'a' through 'c' above. Therefore, the following discussion focuses on emissions of odors and dust.

Odors

While offensive odors rarely cause physical harm, they can be unpleasant, leading to considerable annoyance and distress among the public and can generate citizen complaints to local governments and air districts. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, it is difficult to quantitatively determine the presence of a significant odor impact. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The Project would not introduce any such land uses.

Construction activities often include diesel fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, as discussed above, construction activities would be temporary, and operation of construction equipment adjacent to existing residential uses would be restricted to the hours of 7:00 AM to 7:00 PM every day, unless unforeseen conditions occur, per Section 6.32.100 of the City's Municipal Code. Project construction would also be required to comply with all applicable SMAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize

air pollutant emissions as well as any associated odors. Accordingly, substantial objectionable odors would not be expected to occur during construction activities.

Dust

As noted previously, construction of the Project is required to comply with all applicable SMAQMD rules and regulations, including, but not limited to, Rule 403 (Fugitive Dust) and Rule 404 (Particulate Matter). Furthermore, all projects within Sacramento County are required to implement the SMAQMD's Basic Construction Emission Control Practices (BCECP). Compliance with SMAQMD rules and regulations and BCECP would help to ensure that dust is minimized during Project construction. Following Project construction, vehicles operating within the Project site would be limited to paved areas of the site, which would not have the potential to create substantial dust emissions. Thus, Project operations would not include sources of dust that could adversely affect a substantial number of people.

Conclusion

For the reasons discussed above, construction and operation of the Project would not result in emissions, such as those leading to odors and/or dust, that would adversely affect a substantial number of people, and a ***less-than-significant*** impact would occur.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a. Special-status species include those plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal and State Endangered Species Acts. Both Acts afford protection to listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, sensitive species included in USFWS Recovery Plans, and CDFW special-status invertebrates are all considered special-status species. Although CDFW Species of Special Concern generally do not have special legal status, they are given special consideration under CEQA Guidelines Section 15380. In addition to regulations for special-status species, most birds in the U.S., including non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under the MBTA, destroying active nests, eggs, and young is illegal. In addition, plant species on California Native Plant Society (CNPS) Lists 1 and 2 are considered special-status plant species and are protected under CEQA (CEQA Guidelines Section 15380[b][2]).

The following discussion is based on the Biological Resources Assessment (BRA) prepared for the Project by HELIX Environmental Planning (HELIX) (see Appendix C).⁵ The BRA prepared for the project was peer reviewed by Madrone Ecological Consulting on April 14, 2023. The results of the BRA prepared for the Project are presented below.

⁵ HELIX Environmental Planning. *Biological Resources Assessment for the Dunisch Residential Project*. October 2023.

Existing Setting

The Project site is currently undeveloped and is relatively flat, with on-site elevation ranging from 25 to 40 feet above mean sea level. The site has been leveled for historic agricultural/horticultural uses. The Project site generally consists of annual grassland with small areas of ruderal/disturbed habitat, as well as seasonal wetlands.

On September 28, 2022, HELIX conducted a biological reconnaissance survey of the Project site to assess the potential for special-status species and sensitive habitats. HELIX also conducted a special-status plant survey of the project site on April 24 and May 16, 2023, according to the CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018). In addition, the California Natural Diversity Data Base (CNDDDB), CNPS Inventory of Rare and Endangered Plants, USFWS Information for Planning and Consultation (IPaC), and historic aerial imagery were reviewed. The results of the site survey and database reviews are discussed below.

Special-Status Plants

According to the CNDDDB search, three special-status plant species have the potential to occur on or in the vicinity of the Project site: dwarf downingia, Boggs Lake hedge-hyssop, and Ahart's dwarf rush. Based on the results of the special-status plant surveys, HELIX concluded that all of the aforementioned special-status plant species are absent from the Project site. Therefore, ground-disturbing activities associated with construction of the Project would not adversely affect special-status plant habitat, and a less-than-significant impact would occur.

Special-Status Wildlife

Based on field observations, literature review, and published information, the BRA concluded that the following six special-status wildlife species have the potential to occur on the Project site: monarch butterfly, vernal pool fairy shrimp, white-tailed kite, Swainson's hawk, Cooper's hawk, and burrowing owl. In addition, other nesting migratory birds and raptors protected under federal, State, and local laws also have the potential to occur within the Project site.

Monarch Butterfly

Although a federal determination dated December 17, 2020 determined that monarch butterfly warranted listing as an endangered or threatened species under the Federal Endangered Species Act, the listing was precluded by higher priority listing actions. Monarch butterflies roost in wind protected tree groves, especially with *Eucalyptus* sp., and species of pine or cypress with nectar and water sources nearby. Winter roost sites extend along the coast from Mendocino County to Baja California. As caterpillars, monarchs feed exclusively on the leaves of milkweed. Monarch butterfly migration routes pass east over the Sierra Nevada in the fall and back to the California coast in the spring. The overwintering population is located along the Coast while summer breeding areas occur in interior California and North America with spring breeding areas located further east.

Narrowleaf milkweed (*Asclepias fascicularis*), a larval host plant, is scattered throughout the annual grassland within the site and could provide habitat for the monarch butterfly. The Project site is in the summer breeding range of the Monarch butterfly and not in the coastal overwintering range. According to the BRA, the Project site does not contain

overwintering habitat. Occurrences of the species have not been recorded within a five-mile radius of the Project site, and most recorded occurrences are located along the coast. While the project site contains habitat for the species, given that monarch butterfly is not using the on-site habitat, the proposed habitat modification would not impact the species. Nonetheless, monarch butterfly could fly through the Project site during the migration season and larval host plants are present in the site. Direct and indirect effects to monarch butterfly could also occur if the species were to lay eggs on larval host plant milkweed within or adjacent to the Project site.

Vernal Pool Fairy Shrimp

Vernal pool fairy shrimp is listed as a federally threatened species and is endemic to California and the Agate Desert of southern Oregon. In California, populations are known from Stillwater Plain in Shasta County through most of the length of the Central Valley to Pixley in Tulare County (additional, disjunct populations exist at various locations throughout the State). The species generally occurs in vernal pools but may also be found in seasonal wetlands, swales, and alkali pools. Vernal pool fairy shrimp is typically found in turbid water but can also occur in clear water with abundant aquatic vegetation. The species is most commonly found in grassy or mud bottomed pools or basalt flow depression pools in unplowed grasslands. Pools can vary in size from over 10 hectares to only 20 square meters. Occupied wetlands are typically small (ranging from 0.1- to 0.05-acre in size), and pond for a relatively short duration (three to four weeks). While vernal pool fairy shrimp may reach maturity in as little as 18 days, the typical maturation time is 41 days. The species is relatively short-lived, generally only surviving for 10 weeks.

Vernal pool fairy shrimp have the potential to occur in the seasonal wetlands within the Project site. However, the species is typically found in vernal pools rather than seasonal wetlands. In addition, the wetlands within the site are very shallow and have been subject to regular disturbance through mowing along the perimeter of the site. Although the Project site does not contain prime habitat, vernal pool fairy shrimp are documented in the vicinity of the site and have been recorded in shallow wetlands. Although the historic and ongoing mowing/tilling of the Project site may limit the species' potential to occur within the site, marginally suitable habitat is present in the on-site seasonal wetlands. The closest documented occurrence of vernal pool fairy shrimp species is approximately 2.4 miles from the Project site.

Because documented occurrences for the species exist within the vicinity of the Project site, protocol level wet-season surveys for large branchiopods, including vernal pool fairy shrimp were conducted by Helm Biological Consulting from December 2023 through April 2024, the results of which are included as Attachment A to the Recommendations for the Biological Resources Discussion provided by Madrone Ecological Consulting (see Appendix D).⁶ Large branchiopods were not observed during any of the wet-season sampling visits. As such, the Project would not have the potential to result in adverse impacts to vernal pool fairy shrimp, and mitigation is not required.

White-Tailed Kite

White-tailed kite is listed as a CDFW Fully Protected species. The species occurs in a variety of open habitats, typically grassland, agricultural, oak woodland, riparian woodland, and open suburban areas. Nesting generally occurs within riparian or edge habitats or in

⁶ Madrone Ecological Consulting. *Recommendations for California Environmental Quality Act Initial Study Biological Resources Discussion and Mitigation Measure Updates*. November 8, 2024.

lone trees that are adjacent to foraging habitat. Foraging habitat consists of a variety of open habitats that contain a high rodent population; especially grasslands, pastures, alfalfa fields, and other agricultural crops/fields.

The Project site contains suitable foraging habitat for white-tailed kite. The trees within the Project site, as well as ornamental trees just outside the southern boundary of the site, are not of sufficient size to provide ideal conditions for nesting. However, there are many tall trees located at nearby residential and commercial areas that could provide suitable nesting sites. The closest documented occurrence of this species is approximately 3.75 miles from the Project site.

Because documented occurrences for the species existing within the vicinity of the Project site, and because nesting habitat occurs near the Project site, and the Project site contains suitable foraging habitat, white-tailed kite has a high potential to occur. Thus, in the absence of mitigation, implementation of the Project could result in adverse effects to white-tailed kite.

Swainson's Hawk

Swainson's hawk is a State-listed threatened species. The species is a long-distance migrant with nesting grounds in western North America, and wintering grounds in Mexico and South America. Swainson's hawks typically arrive in the California Central Valley between March and early April to establish breeding territories. Breeding occurs from late March to August, peaking in late May through July. In the Central Valley, Swainson's hawks generally nest in isolated trees, small groves of trees in agricultural land, or in large woodlands next to open grasslands or agricultural fields. The species typically nests near riparian areas; however, it has been known to nest in urban areas as well. Nest locations are usually in close proximity to suitable foraging habitats, which include fallow fields, all types of grasslands, irrigated pastures, alfalfa, and other hay crops, and low-growing row crops, especially post-harvest when the height of the vegetation is short and easy to observe prey. Swainson's hawks leave their breeding grounds to return to their wintering grounds in late August or early September.

The Project site contains suitable foraging habitat for Swainson's hawk, and several trees surrounding the site provide suitable nesting habitat. The closest documented nesting occurrence of the species is approximately 0.24-mile east of the Project site. The nest was documented in 1989, and as of 2013, which is the last time the record was updated, it was unknown whether the nest tree was still present. The nearest active nest site (used in one or more of the last five years, consistent with CDFW's definition of an "active" nest) is located approximately 4.15 miles northwest of the Project site, and was recorded in 2024. The nest site is in isolated trees adjacent to agricultural land near the edge of the Sacramento Regional Wastewater Treatment Plan bufferlands. The record indicated nest building only.

The project would result in the loss of suitable foraging habitat for Swainson's hawk. In 2003, the City established and adopted Elk Grove Municipal Code Chapter 16.130, Swainson's Hawk Impact Mitigation Fees, which establishes mitigation policies tailored for projects in Elk Grove that have been determined through the CEQA process to result in a "potential significant impact" on Swainson's hawk foraging habitat and are zoned for agricultural use. Chapter 16.130 of the Municipal Code serves as a conservation strategy that is achieved through the selection of appropriate replacement lands and through

management of suitable habitat value on those lands in perpetuity.⁷ The Project site is not currently zoned for agricultural use and, thus, development of the Project would not trigger a requirement for compliance with the City's Swainson's hawk mitigation ordinance, mentioned above. Nevertheless, in recognition that the Project site could provide foraging habitat for Swainson's hawk, implementation of the Project could have an adverse effect to Swainson's hawk foraging habitat.

Because documented occurrences for the species exist within the vicinity of the Project site, and because the Project site provides nesting and foraging habitat, Swainson's hawk has the potential to occur within the Project site. Thus, in the absence of mitigation, implementation of the Project could result in adverse effects to Swainson's hawk.

Cooper's Hawk

Cooper's hawk is on a watch list by CDFW. The species nests in woodlands and urban trees. Cooper's hawk preys on medium-sized birds and small mammals and forages in open woodland and habitat edges. Suitable nesting habitat for the species occurs both within and adjacent to the Project site. The annual grassland within the site also provides potential foraging habitat for the species. The closest documented occurrence of Cooper's hawk is approximately 2.48 miles from the Project site.

Because documented occurrences for the species exist within the vicinity of the Project site, and because the Project site provides nesting and foraging habitat, Cooper's hawk has the potential to occur within the Project site. Thus, in the absence of mitigation, implementation of the Project could result in adverse effects to Cooper's hawk.

Burrowing Owl

Burrowing owl is a candidate for listing under the California Endangered Species Act and a State Species of Special Concern as designated by the CDFW. Burrowing owl generally occurs in a variety of open, arid habitats; typically grasslands, desert scrub, agricultural fields, washes, and disturbed areas such as golf courses or vacant lots. Burrows, perch sites, and friable soil are vital habitat components for the species, and habitats with low-lying, sparse vegetation are preferred. Ground squirrel burrows and other fossorial mammal burrows are typically used for nesting and as year-round refuge sites. The species may also utilize culverts, abandoned pipes, rubble piles, and other manmade structures if burrows are absent. The breeding season for burrowing owls is from February to August.

The Project site contains suitable grassland habitat for burrowing owl; however, suitable burrows and other structures suitable for nesting were not observed during the field survey conducted by HELIX. The soil within the Project site is also mostly clay-like and does not appear very friable. In addition, the Project site appears to be regularly mowed, further decreasing the likelihood for burrowing owl to occur on-site. Although not prime habitat, burrowing owl may utilize the site for foraging or nesting if suitable burrows can be formed. In addition, the CNDDDB search returned 10 occurrences for the species within five miles of the Project site, with the closest CNDDDB record approximately 0.24-mile to the east.

⁷ City of Elk Grove. *Swainson's Hawk Program*. Available at: <https://www.elkgrovecity.org/resources-and-policies/swainsons-hawk-program#:~:text=In%202003%2C%20the%20City%20established,to%20result%20in%20a%20%22potential.> Accessed May 2024.

Because several documented occurrences for the species exist within the vicinity of the Project site, and because the Project site provides suitable nesting and foraging habitat, burrowing owl has the potential to occur within the Project site. Thus, in the absence of mitigation, implementation of the Project could result in adverse effects to burrowing owl.

Nesting Migratory Birds and Raptors

Suitable nest locations for migratory birds and raptors include, but are not limited to trees, shrubs, herbaceous vegetation and bare ground. The potential exists for migratory birds and raptors protected under the MBTA to nest within the trees and bare ground on the Project site. Project activities such as clearing, grading, and other ground-disturbing activities during the avian nesting season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. As such, in the absence of mitigation, implementation of the Project could result in adverse effects to nesting migratory birds and raptors that are protected under the MBTA.

Conclusion

Based on the above, ground-disturbing activities associated with construction of the Project would modify existing habitat and, therefore, could result in indirect adverse effects to monarch butterfly, white-tailed kite, Swainson's hawk, Cooper's hawk, burrowing owl, and nesting migratory birds and raptors protected by the MBTA. As such, the Project could result in an adverse effect, either directly or through habitat modifications, on species identified as special-status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS. Therefore, the impact would be **potentially significant**.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above impact to a *less-than-significant* level.

Monarch Butterfly

- IV-1. *If construction activities would directly or indirectly impact milkweed plants, the host plant for monarch butterfly, during the summer breeding season (approximately March 15 through October 31), pre-construction surveys for monarch eggs, larvae, and/or chrysalis shall be required. The surveys shall include the project impact area and any areas of milkweed habitat within 25 feet and shall be conducted by a qualified biologist no more than seven days prior to the onset of construction activity. If no monarch eggs, larvae, and/or chrysalis are identified utilizing milkweed within the survey area, no further mitigation is required. If monarch eggs, larvae, and/or chrysalis are identified utilizing milkweed in the survey area, then a 25-foot no-disturbance buffer from the occupied plant(s) shall be implemented. Occupied milkweed plants shall be checked at least once per week until it is confirmed that the plants are no longer being utilized by eggs, larvae, and/or chrysalis. The no-disturbance buffer may be removed once a qualified biologist confirms that the plant(s) are no longer being utilized. If an occupied plant must be removed, consultation with USFWS shall be required if the Project activities will impact occupied monarch larval host plant habitat.*

The results of the pre-construction survey and weekly monitoring (if required) shall be submitted to the City's Development Services Department for review.

Swainson's Hawk

IV-2(a). Prior to the commencement of construction activities during the nesting season for Swainson's hawk (approximately March 1 to September 15), a qualified biologist shall conduct at least two preconstruction surveys for active nests within 0.25-mile of the Project area. If feasible, one survey should occur in period II (March 20 – April 5) and one survey should occur in period III (April 5 – April 20) as indicated in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). If the final survey is completed more than 14 days prior to initiation of construction, an additional survey shall be conducted no more than 14 days prior to the start of construction to ensure that nesting has not been initiated within the intervening time. If construction begins prior to or after the period II or III dates, two surveys shall be completed no more than 14 days prior to the start of construction, with the second survey being at least 48 hours following the first survey. If portions of the survey area outside of the Project site are inaccessible for any reason, the qualified biologist shall use binoculars to visually determine whether Swainson's hawk nests occur within the 0.25-mile survey area. A letter report with the pre-construction survey results shall be provided to the City of Elk Grove within 30 days of the final survey. The survey results shall only be valid for the year in which they are conducted.

If no active Swainson's hawk nests are identified on or within 0.25 mile of the Project site, no further avoidance and minimization measures for Swainson's hawk nesting habitat are required.

If active Swainson's hawk nests are found within 0.25-mile of the area where construction activities will occur, the qualified biologist shall contact the City of Elk Grove within one business day following the pre-construction survey to report the findings and no construction shall commence within 0.25-mile until the qualified biologist prepares a take avoidance plan. For the purposes of this mitigation measure, construction activities are defined to include heavy equipment operation associated with vegetation clearing, grading, construction (use of cranes or draglines, new rock crushing) or other Project-related activities that could cause nest abandonment or forced fledging within 0.25-mile of a nest site. The take avoidance plan shall be prepared by a qualified biologist and submitted to the City of Elk Grove and CDFW for review, and shall be approved by the City of Elk Grove. Such a plan shall address appropriate construction setbacks (no-disturbance buffers), placement of high-visibility construction fencing along the setback boundaries, and monitoring of the nest during construction activities. The qualified biologist shall have the authority to stop construction activities if nesting hawks or young in the nest show signs of distress; if this occurs, construction may not resume until the City of Elk Grove is consulted and the construction setback is increased, the young have fledged or the nest

is no longer active, or other take-avoidance measures are modified to the satisfaction of the qualified biologist. If implementation of take avoidance measures are required, a letter report describing implementation of the take avoidance measures will be submitted to the City of Elk Grove within 30 days of the final monitoring event. No further avoidance and minimization measures for nesting habitat would be required once the qualified biologist determines that the nest is no longer active.

- IV-2(b). Prior to initiation of construction activities, the Project applicant shall mitigate for the loss of Swainson's hawk foraging habitat at a 1:1 ratio. Mitigation shall be accomplished through acquisition of a conservation easement(s) or other instrument suitable to preserve foraging habitat for the Swainson's hawk in accordance with either Section 16.130.040 or 16.130.110 of the Elk Grove Municipal Code.*

Burrowing Owl

- IV-3(a). If construction is scheduled to begin during the non-breeding season (late September through the end of January) for burrowing owl, a qualified biologist shall conduct a survey for burrowing owls and burrows or debris that represent suitable nesting or refugia habitat for burrowing owls within areas of proposed ground disturbance. Should owls be present, construction activities shall avoid the refugia by 250 feet until the burrowing owl vacates the site. If burrow exclusion/passive relocation is required during the non-breeding season, the Project applicant shall consult with the California Department of Fish and Wildlife pursuant to Fish and Game Code Section 2081. Avoidance and minimization measures prescribed as part of the consultation process would include recommendations provided in the California Department of Fish and Wildlife's Staff Report on Burrowing Owl Mitigation (2012). Survey results shall only be valid for the year in which they are conducted.*

If clearing and construction activities are planned to occur during the nesting period for burrowing owls (February 1–August 31), a qualified biologist shall conduct a targeted burrowing owl nest survey of all accessible areas within 500 feet of the proposed construction area no more than 14 days prior to construction initiation, as described in the California Department of Fish and Wildlife's Staff Report on Burrowing Owl Mitigation (2012). Surveys shall be repeated if Project activities are suspended or delayed for more than 14 days during nesting season. The results of the surveys shall be submitted to the Development Services Department. If burrowing owls are not detected, further mitigation is not required. Survey results shall only be valid for the year in which they are conducted.

If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl, and/or juvenile owls are observed) is found within 250 feet of a construction area, construction shall cease within 250 feet of the active burrow until a qualified biologist determines that the young have fledged and adult has vacated, or it is determined that the nesting attempt has failed. If the applicant desires to work within 250 feet of the nest burrow, a qualified biologist shall make recommendations on an appropriate buffer

and consult with the City and CDFW to determine whether and/or how the nest buffer can be reduced.

A letter report with the pre-construction survey results shall be provided to the City of Elk Grove within 30 days.

- IV-3(b). If nesting burrowing owls are found during the pre-construction survey, mitigation for the permanent loss of burrowing owl foraging habitat (defined as all areas of suitable habitat within 250 feet of the active burrow) shall be accomplished at a 1:1 ratio. The mitigation provided shall be consistent with recommendations in the CDFW Staff Report on Burrowing Owl Mitigation and may be accomplished within the Swainson's hawk foraging habitat mitigation area for the Project if burrowing owls have been documented utilizing that area, or if the qualified biologist, the City, and CDFW collectively determine that the mitigation strategy is suitable for both species.*

Nesting Migratory Birds and Raptors (including white-tailed kite and Cooper's hawk)

- IV-4(a). If vegetation clearing, grading and/or construction activities are planned to occur during the migratory bird nesting season (February 1 to August 31), a preconstruction survey to identify active migratory bird nests shall be conducted by a qualified biologist within three days prior to construction initiation. The survey shall be performed by a qualified biologist for the purposes of determining presence/absence of active nest sites within a 500-foot radius of proposed construction areas. If portions of the survey area outside of the Project site are inaccessible for any reason, the qualified biologist shall use binoculars to scan visible potential habitat within the survey area. If a break in construction activity of more than two weeks occurs within the breeding season, then another survey shall be conducted prior to the resumption of work.*

- IV-4(b). No-disturbance buffers shall be established around active nests. Buffer distances shall be based on site conditions, each avian species, and the species' degree of acclimation to disturbance, as determined by a qualified biologist. The no-disturbance buffers may be reduced if a smaller buffer is proposed by the qualified biologist and approved by the City after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). The qualified biologist shall visit the nest as needed to determine when the young have fledged the nest and are independent of the site, or until the qualified biologist determines that the nest is no longer active.*

Should construction activities cause a nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the agitated behavior, or as otherwise required through consultation with CDFW and the City. The exclusionary

buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. Construction activities may only resume within the buffer zone after a follow-up survey by the qualified biologist has been conducted and a report indicating that the nest(s) are no longer active, and that new nests have not been identified has been submitted to the City.

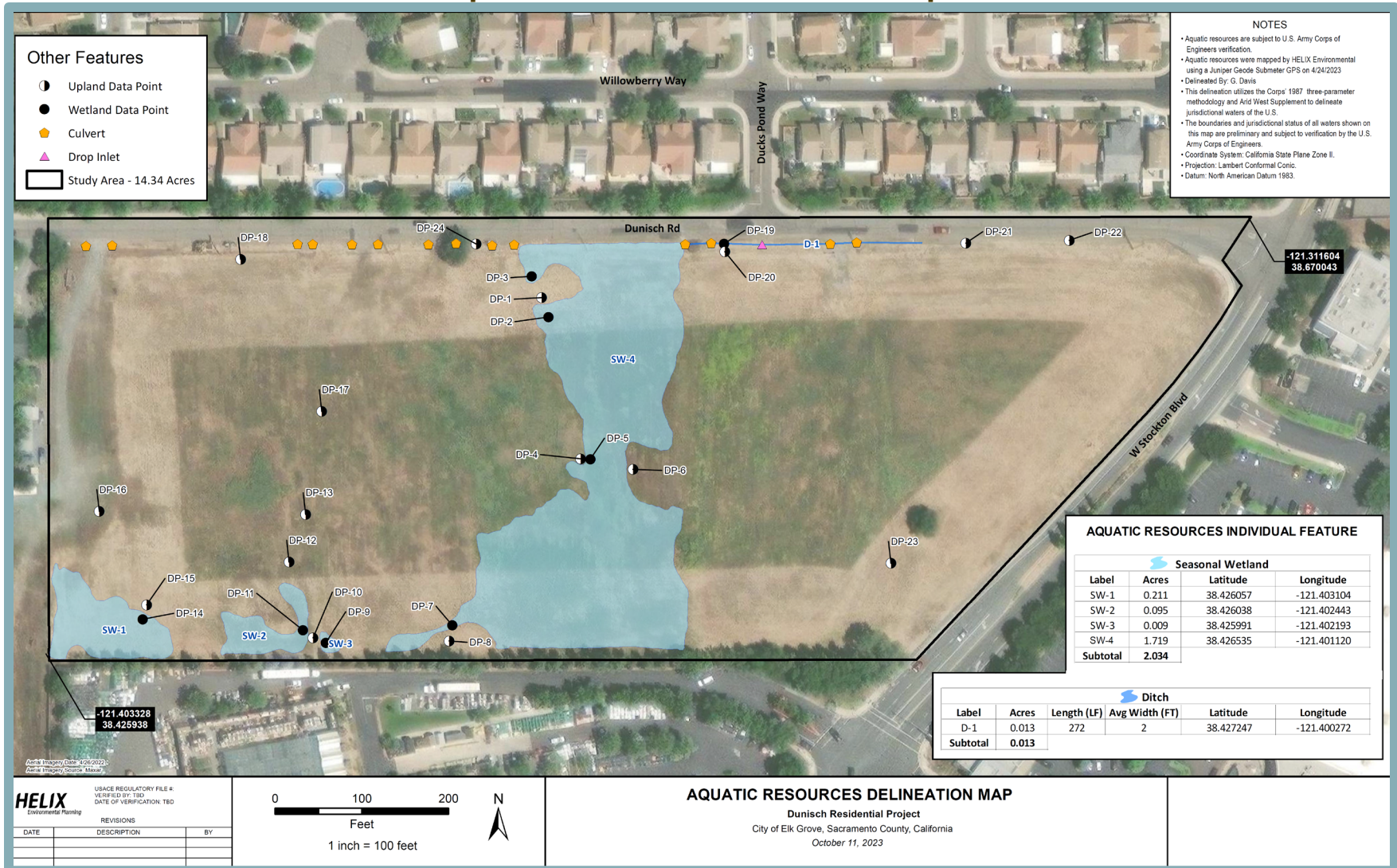
- b,c. HELIX conducted an aquatic resources delineation within the Project site on April 24, 2023 in accordance with the *Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)*. A total of 2.047 acres of aquatic resources were delineated within the Project site, consisting of four seasonal wetlands (2.034 acres) and one wetland ditch (0.013-acre), hereafter referred to as ditch (see Figure 8).

Seasonal wetlands collect surface runoff from surrounding terrain and are shallow depressions that stay inundated for a long enough duration to form hydric soil and support a dominance of hydrophytic vegetation. As shown in Figure 8, the 2.034 acres of seasonal wetland mapped within the project site consist of four seasonal wetlands. Seasonal Wetland 1 (SW-1), SW-2, and SW-3, located within the southwestern portion of the Project site, are isolated, shallow features that are not hydrologically connected to other aquatic resources. SW-4 consists of the majority of the acreage of seasonal wetland within the central portion of the Project site, is deeper than the other features, and is drained via ditch into a stormwater drainage system that conveys excess water from the site towards Laguna Creek. All of the foregoing wetlands would be filled as a result of the Project.

The 0.013-acre ditch mapped within the Project site drains SW-4 into a drop inlet culvert associated with an underground stormwater drainage system. The ditch was classified as an aquatic resource due to it diverting excess water from a seasonal wetland and because it contains hydrophytic vegetation, hydric soils, and wetland hydrology. The ditch would be filled as a result of the Project.

According to the BRA, all of the on-site aquatic resources would be considered waters of the State and, thus, are subject to regulation under the Porter-Cologne Act. Because all of the aforementioned aquatic resources delineated within the Project site lack a continuous surface connection to Traditional Navigable Waters (TNW), tributaries to TNWs, or wetlands adjacent to TNWs, HELIX determined that none of the on-site aquatic resources would be considered waters of the U.S. However, the results of the delineation are preliminary until verified by the following resource agencies: the U.S. Army Corps of Engineers (USACE). The delineation was submitted to the USACE on April 16, 2024, with a request for an approved jurisdictional determination. The USACE submitted a response on September 12, 2024, stating that of the on-site aquatic resources, the 0.013-acre ditch and the 1.719-acre SW-4 are waters of the U.S. and are subject to regulation under the federal Clean Water Act. Therefore, the Project requires a Clean Water Act Section 404 authorization from the USACE and Clean Water Act Section 401 water quality certification from the Central Valley Regional Water Quality Control Board (CVRWQCB). Although the USACE determined that it does not have jurisdiction under Section 404 for the remaining 0.315-acre of on-site aquatic resources, the aquatic resources are considered waters of the state only under Porter-Cologne and the Project requires waste discharge requirements from the CVRWQCB. Without the implementation of mitigation, a potentially significant impact related to protected wetlands could occur because the Project directly involves development within the 2.047 acres of on-site aquatic resources.

Figure 8
Aquatic Resources Delineation Map



Based on the above, implementation of the Project could result in impacts related to having a substantial adverse effect on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS or related to having a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Thus, a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

IV-5. Prior to initiation of grading activities, the Applicant shall complete the following to compensate for the loss of 0.013-acre of ditch and 1.719 acres of seasonal wetland, and for the loss of 0.315-acre of seasonal wetland, respectively:

- (a) The Applicant shall receive authorization to discharge fill 0.013-acre of ditch and 1.719 acres of seasonal wetland from the U.S. Army Corps of Engineers (USACE) and shall request a Clean Water Act Section 401 water quality certification from the Central Valley Regional Water Quality Control Board (CVRWQCB). The application for Section 401 Water Quality Certification can be a joint application that also requests Waste Discharge Requirements required under item (b). The applicant shall provide mitigation for impacts described in the authorization requests at a ratio of at least 1:1 or as negotiated with the USACE and CVRWQCB. The Applicant shall also comply with all other provisions of the Section 404 fill authorization and Section 401 Water Quality Certification (e.g., reporting and monitoring requirements, implementation of storm water best management practices).*
- (b) The Applicant shall submit a Report of Waste Discharge to the CVRWQCB with a request for Waste Discharge Requirements to receive authorization under Porter-Cologne for the fill of the 0.315-acre waters of the state. The application for Section 401 Water Quality Certification described under item (a) can be a joint application that also requests Waste Discharge Requirements. The applicant shall provide mitigation for impacts described in the Report of Waste Discharge/Waste Discharge Requirements at a ratio of at least 1:1 or as negotiated with the CVRWQCB. The Applicant shall also comply with all other provisions of the Waste Discharge Requirements (e.g., reporting and monitoring requirements, implementation of storm water best management practices).*

Proof of compensatory mitigation shall be provided to the City of Elk Grove prior to the start of grading activities.

- d. The Project site is located in an urbanized area of the City, and is bordered by single-family residences to the north, across Dunisch Road; the Laguna Gateway shopping

center to the south and east, across West Stockton Boulevard; and single-family residences and Elk Grove/Laguna Creek to the west. The existing setting of the surrounding area limits the potential for use of the Project site as a wildlife movement corridor. In addition, the Project would not impede the flow of Elk Grove/Laguna Creek, which could be used by migratory fish or as a wildlife corridor for other wildlife species.

Based on the above, the Project would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Thus, a **less-than-significant** impact would occur.

- e. Section 19.12 of the City of Elk Grove Municipal Code contains the City's Tree Preservation and Protection Ordinance. The ordinance provides protections for landmark trees, trees of local importance, secured trees, and trees on City property or in a public right-of-way.

An Arborist Report and Tree Inventory was prepared for the Project by California Tree and Landscape Consulting, Inc. (CalTLC) (see Appendix E of the BRA).⁸ On August 9, 2022, CalTLC surveyed the Project site and identified a total of six trees comprised of three valley oaks, one cottonwood, one mulberry, and one juniper shrub. The three valley oaks and one cottonwood are located within the Project site; the mulberry and juniper shrub are located off-site, but were included in the arborist survey because they overhang the site. According to the Arborist Report and Tree Inventory, the three valley oaks within the Project site are protected under the City's Tree Preservation and Protection Ordinance. The Project includes the removal of all on-site trees, including the three valley oaks.

Because the Project involves the removal of three trees which are considered trees of local importance and are protected by the City, approval of a Tree Permit is required prior to any protected tree removal or work conducted within the critical root zone of any protected tree. Pursuant to Elk Grove Municipal Code Chapter 19.12, the Project shall be required to either plant off-site replacements at a 1:1 ratio, or pay in-lieu fees. The tree mitigation plan would be submitted to and approved by the City of Elk Grove Development Services Department.

Based on the above, consistent with Section 19.12 of the City's Municipal Code, mitigation would be required to compensate for the loss of the three valley oaks. As a result, the Project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a **less-than-significant** level.

- IV-6. *Prior to ground-disturbing activities and any tree removal of a tree of local importance, a tree permit shall be obtained from the City of Elk Grove, and the Project applicant shall comply with all of the conditions of the permit. As part of the approval of a tree permit for removal of a tree, the Applicant*

⁸ California Tree and Landscape Consulting, Inc. *Arborist Report and Tree Inventory for Dunisch Road Project Site, City of Elk Grove Jurisdiction*. September 12, 2022.

shall mitigate for the loss of the trees consistent with Article IV (Mitigation for Tree Loss) of Elk Grove Municipal Code Chapter 19.12. A tree mitigation plan shall be submitted to and approved by the City of Elk Grove Development Services Department.

- f. Sacramento County, the City of Rancho Cordova, the City of Galt, and other local partners have adopted the South Sacramento Habitat Conservation Plan (SSHCP). However, the City of Elk Grove is not a participating city. Furthermore, as noted above, this IS/MND includes mitigation measures to address potential impacts to species which are covered by the SSHCP, including vernal pool fairy shrimp, white-tailed kite, burrowing owl, Swainson's hawk, and Cooper's hawk. The mitigation measures included herein generally do not conflict with the avoidance and minimization measures included in Chapter 5 of the SSHCP. Therefore, the Project site is not located in an area with an approved HCP/NCCP, or local, regional, or State habitat conservation plan, and **no impact** would occur regarding a conflict with the provisions of such a plan.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

a-c. Historical resources are features that are associated with the lives of historically important persons and/or historically significant events, that embody the distinctive characteristics of a type, period, region or method of construction, or that have yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation. Examples of typical historical resources include, but are not limited to, buildings, farmsteads, rail lines, bridges, and trash scatters containing objects such as colored glass and ceramics. Pursuant to PRC Section 21083.2(g), an unique archaeological resource is defined as an archaeological artifact, object, or site that contains information needed to answer important scientific research questions, has a special or particular quality such as being the oldest or best available example of its type, or is directly associated with a scientifically recognized important prehistoric or historic event or person.

In order to determine whether the project site contains significant historical resources, a record search of the California Historic Resources Information System (CHRIS) was performed by the North Central Information Center (NCIC) for cultural resource site records and survey reports within the project area.⁹ The CHRIS records search included review of archaeological resource records, historic properties records, official records and maps of archaeological sites and surveys in the City of Elk Grove, the National Register of Historic Places (NRHP), and the California Register of Historical Resources (CRHR). The record search indicated that the site does not contain any recorded archeological or historical resources. In addition, a records search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the Project site and returned negative results, indicating that sacred tribal lands are not known to exist on or near the Project site.¹⁰

The Project site has been subject to previous disturbance, including regular disking. However, the CHRIS records search results indicate that the Project site is located in a part of Sacramento County that is known as the ethnographic-period territory of the Plains Miwok. Furthermore, the CHRIS records search results state that buildings may have been present on the Project site in the early 1900's. Therefore, the CHRIS records search results state that the Project site has moderate potential for containing previously unrecorded archeological or historical resources.

In compliance with AB 52 (PRC Section 21080.3.1), on April 24, 2023, the City provided formal notification letters to the following tribes that had requested notification: the United Auburn Indian Community of the Auburn Rancheria; Buena Vista Rancheria of Me-Wuk

⁹ North Central Information Center. *Records Search Results for Dunisch Property Project*. March 16, 2023.

¹⁰ Native American Heritage Commission. *Dunisch Property Project, Sacramento County*. March 29, 2023.

Indians; Chicken Ranch Rancheria of Me-Wuk Indians; Lone Band of Me-Wuk Indians; Nashville Enterprise Miwok-Maidu-Nishinam Tribe; Shingle Spring Band of Miwuk Indians; Tsi Akim Maidu; and Wilton Rancheria. The Wilton Rancheria requested consultation on May 11, 2023; upon reviewing cultural and tribal cultural resources mitigation measures included in this IS/MND, the Wilton Rancheria concluded consultation. Requests to consult were not received from any other contacted tribes. It should be noted that consultation letters pursuant to SB 18 were provided to relevant tribes on April 24, 2023; additional consultation was not requested by any tribe but the Wilton Rancheria.

Based on the above, while known resources do not exist on-site and the Project site has been subject to prior disturbance, previously unknown historical or archaeological resources, including human remains, may exist in the Project area. Such resources have the potential to be uncovered during ground-disturbing activities at the Project site, and the Project could cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines Section 15064.5 and/or disturb human remains, including those interred outside of dedicated cemeteries, during construction. Therefore, without mitigation, impacts could be considered **potentially significant**.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above impact to a *less-than-significant* level.

- V-1. *If cultural resources or tribal cultural resources are discovered during grading or construction activities within the Project site, work shall halt immediately within 50 feet of the discovery, the Planning Division shall be notified, and a professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in archaeology shall be retained to determine the significance of the discovery. If resources are determined to be potentially significant, the City shall require the preparation of a treatment plan and report of findings for cultural and tribal cultural resources. The City and the applicant shall consult and agree to implement all measures the City deems feasible. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The applicant shall be required to implement measures necessary for the protection and documentation of cultural resources.*
- V-2. *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 Planning Division 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.

V-3

Prior to the start of any ground disturbing activities, a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists shall be retained to develop a construction worker awareness brochure. This brochure shall be distributed to all construction personnel and supervisors who will have the potential to encounter cultural resources. Proof of compliance shall be submitted to the City. The topics to be addressed in the Worker Environmental Awareness Program will include, at a minimum:

- Types of cultural resources expected in the project area;*
- What to do if a worker encounters a possible resource;*
- What to do if a worker encounters bones or possible bones; and*
- Penalties for removing or intentionally disturbing cultural resources, such as those identified in the Archeological Resources Protection Act.*

V-4.

In the event of the accidental discovery or recognition of any human remains, the Planning Division shall be notified, and further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur and the County Coroner shall be notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 24 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the Planning Division. Work on the Project site cannot

commence until after the human remains are removed from the area or, if reburial is determined to be the appropriate course of action, reburied at a location on the property not subject to further disturbance.

VI. ENERGY.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

Discussion

a,b. The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2022 California Green Building Standards Code and the Building Energy Efficiency Standards, with which the Project would be required to comply, as well as discussions regarding the Project’s potential effects related to energy demand during construction and operations, are provided below.

California Green Building Standards Code

The 2022 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the CBSC which became effective with the rest of the CBSC on January 1, 2023.¹¹ The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of EV charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources’ MWEL0, or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Incentives for installation of electric heat pumps, which use less energy than traditional HVAC systems and water heaters;
- Required solar PV system and battery storage standards for certain buildings; and
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board.

Building Energy Efficiency Standards

The 2022 Building Energy Efficiency Standards is a portion of the CBSC that went into effect on January 1, 2023. The 2022 standards provide for additional efficiency improvements beyond the 2019 standards. The 2022 Building Energy Efficiency Standards expand upon energy efficiency measures from the 2019 Building Energy Efficiency Standards, resulting in a further reduction in energy consumption from the 2019

¹¹ California Building Standards Commission. *2022 California Green Building Standards Code*. 2023.

standards for residential structures. The 2022 Building Energy Efficiency Standards include requirements that encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, and strengthen ventilation standards.

Operational Energy Use

Following implementation of the Project, PG&E shall provide natural gas to the Project site. Electricity shall be provided by SMUD. Energy use associated with operation of the Project would be typical of industrial land uses, requiring electricity and natural gas for interior and exterior building lighting, ventilation, and air conditioning (HVAC), electronic equipment, machinery, appliances, security systems, and more. Maintenance activities during operations, such as landscape maintenance, would involve the use of electric or gas-powered equipment. In addition to on-site energy use, the Project would result in transportation energy use associated with vehicle trips generated by employee commutes and the movement of goods.

The Project would be subject to all relevant provisions of the most recent update of the CBSC, including the Building Energy Efficiency Standards. Adherence to the most recent CALGreen Code and the Building Energy Efficiency Standards, including the more stringent Tier 1 standards required per the City's Climate Action Plan (CAP), as discussed in further detail in Section VIII, Greenhouse Gas Emissions, of this IS/MND, ensures that the proposed structures consume energy efficiently through the incorporation of such features as efficient water heating systems, high performance attics and walls, and high efficacy lighting. Required compliance with the CBSC ensures that the building energy use associated with the Project would not be wasteful, inefficient, or unnecessary. In addition, electricity supplied to the Project by SMUD would comply with both the State's RPS, which requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent by 2030, as well as the SMUD's internal RPS goals. For 2029, the first full year that this IS/MND assumes the Project would be fully operational, SMUD's renewable portfolio standard is anticipated to be approximately 60 percent. Thus, a portion of the energy consumed during Project operations would originate from renewable sources.

With regard to transportation energy use, the Project would comply with all applicable regulations associated with vehicle efficiency and fuel economy. In addition, as discussed in Section XVII, Transportation, of this IS/MND, the cumulative vehicle miles traveled (VMT) associated with development of the Project and other existing and planned development within the City of Elk Grove would be below the established city-wide VMT threshold.

Based on the above, compliance with the State's latest Energy Efficiency Standards ensures that the Project would implement all necessary energy efficiency regulations. Additionally, the inclusion of solar panels and other sustainable features, such as water-conserving plumbing fixtures, by the Project would further reduce any impacts associated with energy consumption.

Conclusion

Based on the above, operation of the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local

plan for renewable energy or energy efficiency. Thus, a ***less-than-significant*** impact would occur.

VII. GEOLOGY AND SOILS.

Would the project:

<i>Would the project:</i>	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

ai-ii. As noted in the General Plan EIR, Sacramento County is less affected by seismic events and geologic hazards than other portions of the State.¹² The California Geological Survey’s (CGS) map of seismic shaking hazards in California shows that most of Sacramento County, including the City of Elk Grove, is located in a relatively low-intensity ground shaking zone. The nearest mapped fault is the Foothills Fault System, located approximately 21 miles east of the City. The City does not contain any active or potentially active faults, and is not located within an Alquist-Priolo Earthquake Fault Zone. Thus, the potential for surface rupture due to faulting occurring beneath the Project site during the design life of the proposed development would be low.

Due to the site’s proximity to the nearest active faults, the potential exists for the proposed buildings to be subject to seismic ground shaking. However, the proposed buildings would be properly engineered in accordance with the CBSC, which includes engineering standards appropriate for the seismic area in which the Project site is located. The most recent edition of the CBSC is adopted as Section 16.04.010 of the City’s Municipal Code. Conformance with the design standards is enforced through building plan review and approval by the City of Elk Grove Building Division prior to the issuance of building permits. Proper engineering of the Project ensures that seismic-related effects would not cause adverse impacts.

¹² City of Elk Grove. *General Plan Update Environmental Impact Report* [pg. 5.6-2]. July 2018.

Based on the above, a **less-than-significant** impact would occur related to seismic surface rupture and strong seismic ground shaking.

a.iii, a.iv, c, d. The Project's potential effects related to liquefaction, landslides, lateral spreading, subsidence and expansive soils are discussed in detail below. The analysis below is based on the Geotechnical Engineering Study prepared for the proposed project by Youngdahl Consulting Group, Inc. (Youngdahl)(see Appendix E).¹³ The Geotechnical Engineering Study included site visits on February 15 and 20, 2024, the advancement of five test borings, excavation of four test pits, and drilling of two hand auger borings to evaluate subsurface and near surface soils conditions. Laboratory testing was conducted of all collected samples.

Liquefaction

Liquefaction is the loss of soil strength due to seismic forces generating various types of ground failure. As noted in the General Plan EIR, the soils underlying the City's Planning Area are relatively dense/stiff, and the upper 50 feet of soil are above the depth of groundwater; therefore, the potential for liquefaction within the City is considered low.¹⁴ In addition, due to the low seismicity of the area and the high blow counts of the borings, Youngdahl determined that the potential for liquefaction to occur on-site is low. Project-specific design features related to liquefaction hazards would not be required.

Landslides

Seismically-induced landslides are triggered by earthquake ground shaking. The risk of landslide hazard is greatest in areas with steep, unstable slopes. The Project site does not contain, and is not adjacent to, any steep or unstable slopes. In addition, the Geotechnical Engineering Study states that existing on-site slopes were observed to have adequate vegetation on the slope face, appropriate drainage away from the slope face, and lack of apparent tension cracks or slump blocks in the slope face; other indications of slope instability, such as seeps or springs, were not observed. Thus, landslides are unlikely to occur on- or off-site as a result of the Project.

Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. The Project site does not contain open faces within a distance that would be considered susceptible to lateral spreading. Therefore, the potential for lateral spreading to affect the site is low.

Subsidence and Expansive Soils

When subsurface earth materials move, the movement can cause the gradual settling or sudden sinking of ground. The phenomenon of settling or sinking ground is referred to as subsidence, or settlement. Expansive soils are soils which undergo significant volume change with changes in moisture content. Specifically, such soils shrink and harden when dried and expand and soften when wetted, potentially resulting in damage to building foundations.

¹³ Youngdahl Consulting Group, Inc. *Dunisch Property Subdivision Geotechnical Engineering Study*. April 30, 2024.

¹⁴ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.6-3]. February 2019.

Based on the laboratory analysis of the soil samples taken from the site, Youngdahl found expansive soils in the upper five feet of on-site soils. As noted above, the City of Elk Grove has adopted the most recent edition of the CBSC in Section 16.04.010 of the City's Municipal Code. As discussed in the General Plan EIR, the CBSC's accepted engineering practices require special design and construction methods for dealing with expansive soils. The two most common methods to prevent damage from expansive soils are to design the building's foundation to resist soil movement and to control surface drainage in order to reduce seasonal fluctuations in soil moisture. Consistent with the CBSC, the Geotechnical Engineering Study prepared for the proposed project identifies appropriate construction and structural design methods to reduce the potential for damage from unstable soil conditions, including subsidence and expansive soils. Given compliance with the recommendations of the Geotechnical Engineering Study, associated risks to the proposed development would not occur.

Conclusion

Based on the above discussion, the Project is not anticipated to result in potential hazards or risks related to liquefaction, landslides, or lateral spreading. However, potential risks could occur related to subsidence and being located on expansive soil. As such, while the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving liquefaction or landslides, the potential exists for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site subsidence or collapse. Thus, a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

VII-1. Prior to issuance of grading permits, the project Civil Engineer shall show on the project plans that the project design adheres to all engineering recommendations provided in the site-specific Geotechnical Engineering Study prepared for the proposed project by Youngdahl Consulting Group, Inc. Proof of compliance with all recommendations specified in the Geotechnical Engineering Study shall be subject to review and approval by the City Engineer.

- b. During grading activities associated with development of the Project, and prior to overlaying of the ground with impervious surfaces and landscaping elements, topsoil would temporarily be exposed. Thus, the potential exists for wind and water to erode portions of the exposed topsoil during construction, which could adversely affect downstream storm drainage facilities. However, as noted in the General Plan EIR, Chapter 16.44, Land Grading and Erosion Control, of the City's Municipal Code establishes administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion caused by land clearing, grubbing, grading, filling, and land excavation activities. Section 16.44.050 includes the following requirement:

Except as provided by EGMC Section 16.44.060, 16.44.065 or 16.44.070, a grading and erosion control permit shall be required to: A) grade, fill, excavate, store or dispose of three hundred fifty (350 yd³) cubic yards or more of soil or earthy material, or B) clear and grub one (1) acre or greater of land within the City. A

separate permit is required for work on each site unless sites are contiguous, have the same ownership, and are included in the approved plan. Any determination by the Director as to whether a permit is required may be appealed pursuant to the provisions of EGMC Section 16.44.300.

Furthermore, per Section 16.44.090, plans submitted to the City must include the location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity, along with a description of measures designed to control dust and stabilize the construction site road and entrance. Per Section 16.44.150, grading and erosion control permit applications and improvement plans may only be issued or approved by the City if the Public Works Director finds that the Project would not adversely affect surrounding properties and public rights-of-way, the water quality of watercourses, or existing drainage.

Based on the above, the Project would be required to comply with all applicable standards established in Chapter 16.44, including issuance of a grading and erosion control permit as required by Section 16.44.050. Given compliance with Chapter 16.44 and other applicable City regulations related to erosion control, the Project would result in a **less-than-significant** impact related to substantial soil erosion or loss of topsoil during construction.

- e. The Project would connect to the existing SacSewer sanitary sewer lines located in the Project vicinity. The construction or operation of septic tanks or other alternative wastewater disposal systems is not included as part of the Project. Therefore, **no impact** regarding the capability of soil to adequately support the use of septic tanks or alternative wastewater disposal systems would occur.
- f. As noted in the General Plan EIR, impacts to paleontological resources can occur when excavation activities encounter fossiliferous geological deposits and cause physical destruction of fossil remains. The potential for impacts on fossils depends on the sensitivity of the geologic unit and the amount and depth of grading and excavation. Much of the City's Planning Area is considered highly sensitive for paleontological resources.

Based on the above, ground-disturbing activities associated with the Project could potentially result in the uncovering of paleontological resources. However, implementation of Mitigation Measure VII-2, which requires implementation of Mitigation Measure V-2, as defined in Section V, Cultural Resources, of this IS/MND, would ensure that the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Thus, without mitigation, a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a **less-than-significant** level.

VII-2. Implement Mitigation Measure V-2.

VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.				

Implementation of the Project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the Project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

Regulatory Context

In September 2006, AB 32 was enacted, which requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. AB 32 delegated the authority for implementation to the CARB and directs the CARB to enforce the statewide cap. In accordance with AB 32, CARB prepared the Climate Change Scoping Plan (Scoping Plan) for California, which was approved in 2008 and subsequently revised in 2014 and 2017. The 2017 revision to the Scoping Plan updated the plan in compliance with SB 32. SB 32 codified emissions reduction targets for the year 2030, which had previously been established by Executive Order B-30-15.

Per SMAQMD and Section 15183.5 of the CEQA Guidelines, a project may satisfy applicable GHG analysis requirements under CEQA by demonstrating compliance with a qualified CAP.¹⁵ Specifically, Section 15183.5 states the following:

Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later Project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. Project-specific environmental

¹⁵ Sacramento Metropolitan Air Quality Management District. *Climate Action Planning in the Sacramento Metropolitan Air Quality Management District*. November 2017.

documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

On February 27, 2019, the City of Elk Grove adopted an updated CAP that includes City-wide goals and strategies for the reduction of GHG emissions. In order to meet the City’s GHG emissions targets, the CAP sets forth a number of GHG emission reduction implementation measures. Individual projects that are consistent with the implementation measures of the CAP would be considered to meet the City’s emissions targets and, thereby, would not conflict with implementation of the CAP or the statewide emission reduction targets of AB 32 or SB 32.

For informational purposes, GHG emissions resulting from construction and operations of the Project were modeled using the CalEEMod emissions model under the same assumptions as discussed in Section III, Air Quality, of this IS/MND. Construction and operations of the Project and the associated GHG emissions are discussed below, and all modeling outputs are included in Appendix A to this IS/MND.

Construction GHG Emissions

Construction-related GHG emissions constitute a temporary release and are, therefore, not typically expected to generate a significant contribution to global climate change, as global climate change is inherently a cumulative effect that occurs over a long period of time and is quantified on a yearly basis. Nonetheless, total construction-related GHG emissions were estimated to be 478 MTCO_{2e}. Such emissions would be released over the course of the approximately four-year construction period. As noted above, the emissions estimates presented herein are for disclosure purposes only and do not affect the conclusions of this analysis.

Operational GHG Emissions

The emissions of GHGs resulting from operations of the Project were estimated using CalEEMod, and are presented in Table 5.

Table 5 Maximum Unmitigated Operational GHG Emissions	
Operational Emission Source	Annual GHG Emissions (MTCO_{2e}/yr)
Mobile	1,522
Area	88.9
Energy	339
Water	3.64
Solid Waste	22.8
Refrigerants	0.26
Total Annual Operational GHG Emissions¹	1,977
¹ Rounding may result in small differences in summation.	
Source: CalEEMod, April 2024 (see Appendix A).	

As shown in the table, the anticipated GHG emission rate for the first operational year (2029) would be 1,977 MTCO_{2e}/yr. The results are presented for informational purposes

only, because, as discussed above, the determination of significance for operational emissions is based on consistency with the City’s CAP.

Elk Grove CAP

The Elk Grove CAP is considered a qualified plan for determining consistency with AB 32 and SB 32 and, thus, determining the significance of project-related GHG emissions. The General Plan EIR concluded that, with implementation of the CAP, buildout of the City’s Planning Area would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs, and a less-than-significant impact would occur. As such, projects that are consistent with the CAP and implement all applicable CAP measures would result in less-than-significant impacts related to GHG emissions. Table 6, below, presents a consistency discussion for each of the CAP measures that are required for analysis in CEQA documents.

Table 6 Elk Grove CAP Consistency Review Checklist Summary	
CAP Implementation Measure	Project Consistency
<p>BE-4. Building Stock: Encourage or Require Green Building Practices in New Construction Encourage new construction Projects to comply with CALGreen Tier 1 standards, including a 15 percent improvement over minimum Title 24 Part 6 Building Energy Efficiency Standards.</p>	<p>The Project applicant has committed to comply with CALGreen Tier 1 standards.</p>
<p>BE-5. Building Stock: Phase in Zero Net Energy Standards in New Construction Phase in zero net energy (ZNE) standards for new construction, beginning in 2020 for residential Projects and 2030 for commercial Projects. Specific phase-in requirements and ZNE compliance standards will be supported by updates in the triennial building code updates, beginning with the 2019 update.</p>	<p>The Project is anticipated to be fully operational by 2025. The City is in the process of amending CAP Measure BE-5. The Applicant has committed to comply with either: (1) the existing Measure BE-5 which requires ZNE for the Project; or (2) the revised Measure BE-5 in effect at the time of Project approval, so long as such revised Measure BE-5 results in equivalent or better GHG emissions reductions than would have been achieved through implementation of ZNE. As such, the Project complies with this measure.</p>
<p>BE-6. Building Stock: Electrification in New and Existing Residential Development Encourage and incentivize new residential developments to include all-electrical appliances and HVAC systems in the design of new Projects. Support local utilities in implementing residential retrofit programs to help homeowners convert to all electrical appliances and HVAC systems. Explore the feasibility of phasing in minimum standards for all-electric developments.</p>	<p>Gas service would be provided to the Project by PG&E, and the majority of the proposed residential units would include natural gas fireplaces. Although the City has encouraged the Project to prohibit natural gas infrastructure, such utilities infrastructure is currently proposed. However, the Project applicant has committed to requiring at least 10 percent of the proposed residential units to include exclusively electric appliances and HVAC systems. Thus, the Project complies with this measure.</p>
<p>BE-7. Building Stock: Solar Photovoltaics in New and Existing Residential and Commercial Development</p>	<p>The 2022 CBSC requires that new residential structures be built with rooftop solar. The Project would be required to include rooftop solar PV panels</p>

Table 6 Elk Grove CAP Consistency Review Checklist Summary	
CAP Implementation Measure	Project Consistency
Encourage and require installation of on-site solar photovoltaic (PV) in new single-family and low-rise multi-family developments. Promote installation of on-site PV systems in existing residential and commercial development.	and, therefore, the Project complies with this measure.
TACM-2. Transit-Oriented Development Support higher-density, compact development along transit by placing high-density, mixed-use sites near transit opportunities.	The Project includes construction of medium density residential uses. However, existing bus stops located along both sides of Laguna Boulevard and Big Horn Boulevard in the Project vicinity would provide future residents of the Project with reasonably convenient access to transit. Overall, the Project generally complies with the intent of this measure.
TACM-4. Pedestrian and Bicycle Travel Provide for safe and convenient pedestrian and bicycle travel through implementation of the Bicycle, Pedestrian, and Trails Master Plan and increased bicycle parking standards.	In 2021, the City adopted the Bicycle, Pedestrian, and Trails Master Plan. As noted therein, Class II bike lanes are currently available along both sides of West Stockton Boulevard. Such bike lanes connect to the City-wide network of bike trails. Planned bike trails are not identified within the Project site and, therefore, implementation of the Project would not impede the development of any bicycle facilities that are planned for development in the Bicycle, Pedestrian, and Trails Master Plan. The Project provides for attached sidewalks along all of the proposed internal roadways, as well as along the Project frontage on West Stockton Boulevard and Dunisch Road. The Project also includes an off-site improvement consisting of the development of a sidewalk along the south side of Dunisch Road extending from the project frontage to the west. Such improvements would improve the connectivity of the site to the surroundings. As such, the Project complies with this measure.
TACM-6. Limit Vehicle Miles Traveled Achieve a 15 percent reduction in daily VMT compared to existing conditions (2015) for all new development in the City, consistent with state-mandated VMT reduction targets for land use and transportation projects.	As discussed further in Section XVII, Transportation, of this IS/MND, the Project would achieve a greater than 15 percent reduction in VMT per service population compared to the applicable threshold. As such, the Project complies with this measure.
TACM-8. Tier 4 Final Construction Equipment Require all construction equipment used in Elk Grove to achieve EPA-rated Tier 4 Final diesel engine standards by 2030 and encourage the use of electrified equipment where feasible.	The Project applicant has committed to requiring that at least 25 percent of off-road construction equipment used during Project construction be EPA-rated Tier 4 Final. Therefore, the Project complies with this measure.
TACM-9. EV Charging Requirements Adopt an electric vehicle (EV) charging station ordinance that establishes	Consistent with this measure, the City of Elk Grove adopted Section 23.58.120 of its Code related to electric vehicle charging. Pursuant to 23.58.120(C),

Table 6	
Elk Grove CAP Consistency Review Checklist Summary	
CAP Implementation Measure	Project Consistency
minimum EV charging standards for all new residential and commercial development. Increase the number of EV charging stations at municipal facilities throughout the City.	a minimum of one (1) “EV ready” space shall be provided for each single-family dwelling unit to allow for the future installation of electric vehicle supply equipment. The Project will comply with this measure by providing one (1) EV ready space per unit.
Source: City of Elk Grove. Climate Action Plan: 2019 Update. December 2019.	

As shown above, the Project complies with all applicable measures presented within the CAP.

Conclusion

As noted previously, the City’s CAP was established to ensure the City’s compliance with the statewide GHG reduction goals required by AB 32 and SB 32. As demonstrated in the table above, the Project would be consistent with all applicable measures within the City’s CAP. As such, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Nonetheless, without mitigation to ensure that the proposed project would be consistent with all applicable measures of the City’s CAP, a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

VIII-1. Prior to issuance of any grading or building permits, Project Grading and Building Plans shall demonstrate compliance with the following applicable measures included in the City’s Climate Action Plan, to the satisfaction of the City of Elk Grove Development Services Department:

- *BE-4: The Project shall comply with 2019 CALGreen Tier 1 standards, including a 15 percent improvement over minimum Title 24, Part 6, Building Energy Efficiency Standards.*
- *BE-5: The Project shall implement either:*
 1. *The existing Measure BE-5 which requires ZNE for the Project; or*
 2. *The revised Measure BE-5 in effect at the time of Project approval, so long as such revised Measure BE-5 results in equivalent or better GHG emissions reductions than would have been achieved through implementation of ZNE.*
- *BE-6: The Project shall require at least 10 percent of the proposed residential units to include exclusively electric appliances and HVAC systems.*
- *BE-7: The Project shall include rooftop solar PV panels.*
- *TACM-8: A minimum of 25 percent of the off-road construction fleet used during construction of the Project shall include Environmental Protection Agency certified off-road Tier 4 diesel engines (or better).*

- *TACM-9: The Project shall provide one EV ready space per residential unit.*

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. Operations associated with the Project would be typical of other residential land uses in the City, and would be governed by the uses permitted for the site by the City’s Municipal Code and General Plan.

A significant hazard to the public or the environment could result from the routine transport, use, or disposal of hazardous materials. Future operations on the Project site could involve the use of common household cleaning products, fertilizers, and herbicides on-site, any of which could contain potentially hazardous chemicals; however, such products would be expected to be used in accordance with label instructions. Due to the regulations governing use of such products and the amount that could reasonably be used on the site, routine use of such products would not represent a substantial risk to public health or the environment. Therefore, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and a **less-than-significant** impact would occur.

- b. The following discussion provides an analysis of potential hazards and hazardous materials associated with upset or accident conditions related to the proposed construction activities and existing on-site conditions.

Construction Activities

Construction activities associated with the Project would involve the use of heavy equipment, which would contain fuels and oils, and various other products such as concrete, paints, and adhesives. Small quantities of potentially toxic substances (e.g.,

petroleum and other chemicals used to operate and maintain construction equipment) would be used at the Project site and transported to and from the site during construction. However, the Project contractor would be required to comply with all California Health and Safety Codes and local City ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Pursuant to California Health and Safety Code Section 25510(a), except as provided in subdivision (b),¹⁶ the handler or an employee, authorized representative, agent, or designee of a handler, shall, upon discovery, immediately report any release or threatened release of a hazardous material to the unified program agency (in the case of the Project, the Sacramento County Department of Health Services) in accordance with the regulations adopted pursuant to this section. The handler or an employee, authorized representative, agent, or designee of the handler shall provide all State, city, or county fire or public health or safety personnel and emergency response personnel with access to the handler's facilities. In the case of this Project, the contractor is required to notify the Sacramento County Department of Health Services in the event of an accidental release of a hazardous material, who would then monitor the conditions and recommend appropriate remediation measures.

Site Conditions

A development project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment should a site contain potential Recognized Environmental Conditions (RECs) that are not properly addressed prior to project implementation. A REC indicates the presence or likely presence of any hazardous substances in, on, or at a property due to any release into the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

Based on the Phase I Environmental Site Assessment (ESA) prepared for the proposed project by BSK Associates (see Appendix F),¹⁷ as well as a review of historic aerial photographs, the Project site was previously used as agricultural land as recently as 2012. As such, the potential exists that organochlorine and arsenic pesticide residues may be present within surficial soils. If such materials are present in on-site soils, a potential health hazard could occur during project construction.

In addition, the CHRIS records search for the Project site indicates that structures were present on-site in the 1950s. For buildings constructed prior to 1980, the Code of Federal Regulations (29 CFR 1926.1101) states that all thermal system insulation (boiler insulation, pipe lagging, and related materials) and surface materials must be designated as "presumed asbestos-containing material" unless proven otherwise through sampling in accordance with the standards of the Asbestos Hazard Emergency Response Act. Given that the former on-site buildings were constructed prior to 1980, the potential exists that on-site soils were exposed to asbestos-containing materials. In addition, according to the Phase I ESA, underground irrigation pipelines that contain asbestos may be present within the project site. Therefore, such material has the potential to be released during construction activities.

¹⁶ Subdivision (a) does not apply to a person engaged in the transportation of a hazardous material on a highway that is subject to, and in compliance with, the requirements of Sections 2453 and 23112.5 of the Vehicle Code.

¹⁷ BSK Associates. *Phase I Environmental Site Assessment: Vacant Lot Dunisch Road and West Stockton Boulevard, Elk Grove, California*. September 16, 2015.

Lead-based paint (LBP) is defined by federal guidelines as any paint, varnish, stain, or other applied coating that has one milligram of lead per square centimeter or greater. Lead is a highly toxic material that may cause a range of serious illnesses, and in some cases death. Structures built prior to 1978, and especially prior to the 1960s, are expected to contain LBP. As noted above, the former on-site structures were developed in the 1950s and, thus are assumed to include LBP. Unlike asbestos-containing materials, LBP has the potential to remain in on-site soils. Therefore, disturbance of on-site soils could result in exposure to LBP.

Conclusion

Based on the above, potentially hazardous conditions could occur if pesticide residuals are present in on-site soils, if asbestos or asbestos-containing materials are present on-site, or if the former on-site buildings contained LBP. Therefore, without mitigation, the Project could create a significant hazard to the public or the environment, and a **potentially significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above impact to a *less-than-significant* level.

- IX-1. *Prior to initiation of ground-disturbing activities, the project applicant shall complete sampling and testing of on-site soils for asbestos and lead-based paint (LBP) in accordance with the California Department of Toxic Substances Control guidance. In the event that soil is determined to be hazardous by exceeding the U.S. Environmental Protection Agency (USEPA) Regional Screening Level for residential exposure scenarios, the soil shall be transported and disposed of at a Class I facility permitted by the California Department of Toxic Substances Control. Hazardous waste shall be transported to disposal by a licensed hazardous waste hauler under a uniform hazardous waste manifest. A State of California environmental regulatory agency or a local agency that meets the requirements of Health and Safety Code Section 101480 shall provide regulatory concurrence on the sampling plans, conclusion, and recommendations. The results of soil sampling and analysis, as well as verification of proper remediation and disposal, if warranted, shall be submitted to the City's Planning Division for review and approval.*
- IX-2. *If subsurface structures are encountered during site development or excavation, care shall be exercised in determining whether or not the subsurface structures contain asbestos. If asbestos is detected, the subsurface structures shall be removed, handled, transported, and disposed of in accordance with local, State, and federal laws and regulations. Proof of completion of such activities shall be submitted to the City's Planning Division.*
- c. The nearest school to the Project site, Rio Valley Charter School, is located approximately 2,457 feet (0.47-mile) southwest of the Project site. In addition, as discussed above, hazardous materials would not be emitted during construction or operation of the Project. Therefore, the Project would result in **no impact** related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- d. According to the Department of Toxic Substances Control's Hazardous Waste and Substances Site List, the Project site is not located on a site that is currently included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹⁸ As such, the Project would not create a significant hazard to the public or the environment associated with such, and **no impact** would occur.
- e. The nearest airport to the site is the Sacramento Executive Airport, located approximately 7.5 miles northwest of the site. As such, the Project site is not located within two miles of any public airports or private airstrips, and does not fall within an airport land use plan area. Therefore, **no impact** related to a safety hazard for people residing or working in the Project area related to such would occur.
- f. As noted in the City's General Plan EIR, Elk Grove participates in the multi-jurisdictional Sacramento County Local Hazard Mitigation Plan (LHMP), last updated in 2021.¹⁹ The purpose of the LHMP is to guide hazard mitigation planning to better protect the people and property of the County from the effects of hazard events. The Sacramento LHMP includes policies and programs for participating jurisdictions to implement that reduce the risk of hazards and protect public health, safety, and welfare. In addition to participating in the County's LHMP, the City of Elk Grove maintains an Emergency Operations Plan (EOP) that provides a strategy for the City to coordinate and conduct emergency response. The intent of the EOP is to provide direction on how to respond to an emergency from the initial onset, through an extended response, and into the recovery process.

Although the Project includes alterations to Dunisch Road and West Stockton Boulevard, such improvements would not physically interfere with the LHMP or the EOP, particularly with identified emergency routes. Development of the site with urban uses and associated effects on emergency evacuation has been anticipated by the City and analyzed in the General Plan EIR. The General Plan EIR concluded that buildout of the City, including the Project site, would result in a less-than-significant impact related to conflicting with evacuation routes in the event of an emergency. Thus, the Project would not physically interfere with the LHMP or the EOP, particularly with identified emergency routes. Therefore, the Project would not interfere with an emergency evacuation or response plan, and a **less-than-significant** impact would occur.

- g. According to the City of Elk Grove General Plan EIR, the City does not contain any areas that are designated as moderate, high, or very high Fire Hazard Severity Zones.²⁰ In addition, the Project site is surrounded by existing development and is located within an urban area within the City. Thus, the potential for wildland fires to reach the Project site would be relatively limited. Furthermore, all new development within the Project site would be required, per the California Fire Code, to incorporate ignition resistant construction standards and design features to resist the intrusion of flame or embers projected by a vegetation fire (wildfire exposure).

¹⁸ Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES. Accessed March 2023.

¹⁹ Sacramento County. *Sacramento County Multi-jurisdictional Local Hazard Mitigation Plan Update*. September 2021.

²⁰ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.11-1]. February 2019.

Based on the above, the Project would not expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and ***no impact*** would occur.

X. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The following discussion provides a summary of the Project’s potential to violate water quality standards/waste discharge requirements or otherwise degrade water quality during construction and operation.

Construction

During the early stages of Project construction activities, topsoil would be exposed due to grading, trenching for utilities, and other standard ground-disturbing activities. After grading and prior to overlaying the ground surface with impervious surfaces and structures, the potential exists for wind and water erosion to discharge sediment and/or urban pollutants into stormwater runoff, which could adversely affect water quality downstream.

The California State Water Resources Control Board (SWRCB) regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. The City’s National Pollutant Discharge Elimination System (NPDES) permit requires applicants to show proof of coverage under the State’s General Construction Permit prior to receipt of any construction permits. The State’s General Construction Permit requires that subject projects must file a Notice of Intent with the SWRCB and develop a site-specific Storm Water Pollution Prevention Plan (SWPPP). A SWPPP describes BMPs to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution

impacts of the development Project. BMPs include, but are not limited to, tracking controls, perimeter sediment controls, drain inlet protection, wind erosion/dust controls, and waste management control. Because the Project disturbs greater than one acre of land, the Project would be subject to the requirements of the State's General Construction Permit.

Operation

Residential areas in the City do not typically involve operations associated with the generation or discharge of polluted water. Thus, Project operations would be unlikely to violate any water quality standards or waste discharge requirements, nor degrade water quality. However, the addition of the impervious surfaces on the site would result in the generation of urban runoff, which could contain pollutants if the runoff comes into contact with vehicle fluids on parking surfaces and/or landscape fertilizers and herbicides.

The NPDES discharge requirements address waste discharge, such as stormwater, from municipal separate storm sewer systems (MS4s).²¹ The City jointly participates as an MS4 permittee, together with Citrus Heights, Folsom, Galt, Rancho Cordova, Sacramento, and the County of Sacramento. The current region-wide permit (Order No. R5- 2016-0040) adopted by the Central Valley RWQCB in June 2016 allows each permittee to discharge urban runoff from MS4s in its respective municipal jurisdiction, and requires Phase I MS4 permittees to enroll under the region-wide permit as their current individual permits expire. Regional MS4 permit activities are managed jointly by the Sacramento Stormwater Quality Partnership, which consists of the seven jurisdictions covered by the permit. Under the permit, each permittee is also responsible for ensuring that stormwater quality management plans are developed and implemented that meet the discharge requirements of the permit. Under the 2016 permit, measures should be included in the stormwater quality management plans that demonstrate how new development incorporates low-impact development (LID) design in projects. The City's Department of Public Works is responsible for ensuring its specific MS4 permit (Order No. R5-2016-0040-005) requirements are implemented.

According to the Low Impact Design, Hydromodification Applicability, & Preliminary Drainage Analysis (Preliminary Drainage Analysis) prepared for the Project by Wood Rodgers, Inc. (see Appendix G),²² the drainage for the Project site was originally accounted for in the Park Meadows Drainage Study prepared by Wood Rodgers, Inc. in August 1999. Pursuant to the Stormwater Quality Design Manual for the Sacramento Region (SQDM), prior approved Projects may be exempt from SQDM requirements if the Project meets certain criteria. The exemption was confirmed with City staff via email, as shown in Attachment 3 of the Preliminary Drainage Analysis. As such, the Project would not be required to incorporate LID design.

As shown in Figure 7, stormwater generated by impervious surfaces within the Project site would be captured by a series of curb inlets and conveyed by way of a system of new 12- and 15-inch underground storm drains to the existing 15- and 18-inch storm drains located within Dunisch Road.

Based on the above, the Project would not include land uses typically associated with the generation or discharge of polluted water, and would be designed to adequately treat

²¹ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.9-22]. February 2019.

²² Wood Rodgers, Inc. *Dunisch Property – Low Impact Design, Hydromodification Applicability, & Preliminary Drainage Analysis*. June 6, 2024.

stormwater runoff from the site prior to discharge. However, a SWPPP has not yet been prepared for the Project. Without preparation of a SWPPP, proper implementation of BMPs cannot be ensured at this time, and the Project's construction activities could result in an increase in erosion, and consequently affect water quality. Therefore, a **potentially significant** impact related to water quality and waste discharge requirements could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

X-1. *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the SWRCB. The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the Project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the Project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

b,e. Water for the Project site would be supplied by the SCWA. The SCWA pumps groundwater from the South American Sub-basin, as defined by the California Department of Water Resources (DWR) Bulletin 118. The Sacramento Central Groundwater Authority (SCGA) manages groundwater in the Central Basin portion of the South American Subbasin within which the Project site is located. Currently, SCGA is undergoing discussions with other groundwater basin users of the South American Subbasin to evaluate options for formation of a Groundwater Sustainability Agency and development of a Groundwater Sustainability Plan (GSP), consistent with the requirements of the Sustainable Groundwater Management Act (SGMA). However, DWR has not approved a GSP for the Subbasin at this time.

Given that the Project site represents a relatively small area compared to the size of the groundwater basin, the site does not currently represent a substantial source of groundwater recharge. In addition, the proposed landscaped areas within the Project site would continue to allow stormwater runoff to percolate into underlying soils, thereby contributing to groundwater recharge. Although the Project requires a GPA to amend the site's current General Plan land use designation from RC to MDR, the Project site has been previously designated for urban development and the loss of groundwater infiltration at the site due to development has been previously anticipated in the General Plan EIR. Furthermore, as discussed further in Section XIX, Utilities and Service Systems, of this IS/MND, adequate water supply would be available to serve the Project.

Overall, the Project would result in a **less-than-significant** impact with respect to substantially decreasing groundwater supplies or interfering substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin.

- ci-iii. Chapter 16.44, Land Grading and Erosion Control, of the City's Municipal Code 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 the increased flows. As noted previously, although the Project is exempt from compliance with the SQDM, such improvements must comply with the performance standards set forth in the regional NPDES MS4 permit. Consistent with Chapter 16.44 of the Municipal Code, the Project would be required to include appropriate site design measures and source controls to limit the rate and amount of stormwater runoff leaving the site.

Stormwater on-site would be captured by a series of curb inlets and routed, by way of a system of new 12- and 15-inch underground storm drains that extend from the project site under Dunisch Road to either the existing 15-inch storm drain within Ducks Pond Way to the north or the 18-inch storm drain located at the corner of Dunisch Road to the west. According to the Preliminary Drainage Analysis, the proposed Rezone of the Project site from SC to RD-10 would decrease the amount of impervious surface anticipated to be developed within the project site, thus decreasing stormwater runoff from the project site and improving the overall drainage condition for the surrounding area.

In conclusion, the Project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in erosion, siltation, or flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Consequently, implementation of the Project would result in a **less-than-significant** impact.

- civ. Pursuant to the General Plan EIR, in the event of dam failure, Folsom Dam and Sly Park Dam have the potential to cause flooding in the Planning Area. However, the Project site is located outside of both the Sly Park Dam and Folsom Dam inundation zones.²³ In addition, in 2017, the USACE completed improvements to the Folsom Dam spillway on the American River to help reduce downstream flood risk.

According to the Federal Emergency Management Agency (FEMA) floodplain map 06067C0317H, the Project site is located within an Area of Minimal Flood Hazard (Zone X), which is not identified as a Special Flood Hazard Area.²⁴ Thus, the Project would not include development within a Special Flood Hazard Area and would not be subject to project-specific design features related to flood hazards. Therefore, development of the Project would not impede or redirect flood flows, and a **less-than-significant** impact would result.

²³ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [Figure 5.9-5]. February 2019.

²⁴ Federal Emergency Management Agency. *Flood Insurance Rate Map 06067C0317H*. Available at: <https://msc.fema.gov/portal/search?AddressQuery=9119%20Willowberry%20Way%2C%20Elk%20Grove%2C%20CA%2095758#searchresultsanchor>. Accessed May 2023.

- d. Impacts related to development within a flood hazard zone are discussed under Question 'civ', above. Tsunamis are defined as sea waves created by undersea fault movement, whereas a seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir. The Project site is not located within the vicinity of an ocean or a large closed body of water. Thus, the Project site would not be exposed to flooding risks associated with tsunamis or seiches. Therefore, **no impact** would occur with development of the Project.

XI. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

Discussion

- a. A project risks dividing an established community if the project would introduce infrastructure or alter land use so as to change the land use conditions in the surrounding community, or isolate an existing land use. The Project site does not contain existing housing or other development. In addition, the Project would be compatible with the existing residential uses to the north of the site. The Project would not alter the existing general development trends in the area or isolate an existing land use. Therefore, the Project would not physically divide an established community and a **less-than-significant** impact would occur.

- b. The City’s General Plan designates the Project site as RC. The Project requires the approval of a GPA to designate the site as MDR and P/OS. The requested GPA is a policy issue under the purview of the Elk Grove City Council. Although the Project introduces new uses which were previously unanticipated for the site by the City, the proposed development would be consistent with residential uses to the north. As shown throughout this IS/MND, the addition of residential uses to the Project site would not result in any significant environmental effects that cannot be mitigated to a less-than-significant level by the mitigation measures provided herein. In addition, the Project would be generally consistent with the policies in the City’s General Plan and Municipal Code adopted for the purpose of avoiding or mitigating an environmental effect. Given approval of the requested entitlements, the Project’s impacts related to compliance with the Elk Grove General Plan would be less than significant.

As discussed throughout this IS/MND, the Project would not result in any significant environmental effects that cannot be mitigated to a less-than-significant level by the mitigation measures provided herein. The Project would not conflict with City policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect, including, but not limited to, all applicable SWRCB regulations related to stormwater.

According to the Noise Assessment prepared for the Project by Bollard Acoustical Consultants, Inc. (Bollard) (Appendix H),²⁵ the Project site is exposed to noise levels associated with operations of the Home Depot located south of the Project site that may exceed the City’s existing noise level standards for non-transportation noise sources. As such, as discussed in the Project Components section of this IS/MND, the Project includes a GPA to modify footnote ‘d’ under Table 8-4, Noise Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources, of the City’s General Plan. The purpose of the GPA is to provide the City with additional flexibility in making land use determinations for new projects affected by existing non-transportation noise sources. Upon approval of the GPA, the Project would be consistent with all applicable noise standards, as discussed further in Section XIII, Noise, of this IS/MND. The decision-

²⁵ Bollard Acoustical Consultants, Inc. *Noise Assessment: Dunisch Property Residential Development*. June 17, 2024.

makers, in evaluating the project, would be responsible for making the determination of whether the proposed GPA is approved.

Based on the above, the Project would not cause a significant environmental impact in excess of what has already been analyzed and anticipated in the General Plan EIR, and would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. Thus, a ***less-than-significant*** impact would occur.

XII. MINERAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

Discussion

a,b. According to the City’s General Plan, mineral deposits or mineral extraction activities are not located within the City’s Planning Area.²⁶ Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State or result in the loss of availability of a locally-important mineral resource recovery site delineated in the City’s General Plan. As such, **no impact** to mineral resources would occur as a result of development of the Project.

²⁶ City of Elk Grove. *General Plan* [pg. 7-25]. February 2019.

XIII. NOISE.

Would the project result in:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

Discussion

a. The discussion below presents information regarding sensitive noise receptors in proximity to the project site, applicable noise standards, the existing noise environment, and the potential for the Project to result in noise impacts during project construction and operation. The following terms are referenced in the sections below:

- Decibel (dB): A unit of sound energy intensity. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response to the typical human ear at commonly encountered noise levels. All references to decibels (dB) in this report will be A-weighted unless noted otherwise.
- Day-Night Average Level (DNL or L_{dn}): The average sound level over a 24-hour day, with a +10 decibel weighting applied to noise occurring during nighttime (10:00 PM to 7:00 AM) hours.
- Community Noise Equivalent Level (CNEL): The cumulative noise exposure over a 24-hour period. Weighting factors of +5 and +10 dBA are applied to the evening and nighttime periods, respectively, to account for the greater sensitivity of people to noise during those periods.
- Equivalent Sound Level (L_{eq}): The average sound level over a given time-period.
- Maximum Sound Level (L_{max}): The maximum sound level over a given time-period.

Sensitive Noise Receptors

Some land uses are considered more sensitive to noise than others, and, thus, are referred to as sensitive noise receptors. Land uses often associated with sensitive noise receptors generally include residences, schools, libraries, hospitals, and passive recreational areas. Surrounding existing uses include single-family residences to the north, across Dunisch Road; the Laguna Gateway shopping center to the south and east, across West Stockton Boulevard; SR 99 further east; and single-family residences and the Elk Grove/Laguna Creek to the west. The nearest noise-sensitive receptors are the single-family residences located to the north, approximately 50 feet from proposed construction activities.

City Noise Standards

Pursuant to Section 6.32.100(E) of the City’s Municipal Code, noise sources associated with construction are exempt from the City’s noise standards, provided such activities only

occur between the hours of 7:00 AM and 7:00 PM when located adjacent to residential uses. Section 6.32.100(E) of the Municipal Code is reproduced below as follows:

Noise sources associated with construction, repair, remodeling, demolition, paving or grading of any real property, provided said activities only occur between the hours of 7:00 a.m. and 7:00 p.m. when located in close proximity to residential uses. Noise associated with these activities not located in close proximity to residential uses may occur between the hours of 6:00 a.m. and 8:00 p.m. However, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in progress be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work after 7:00 p.m. and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner;

The Elk Grove General Plan Services, Health, and Safety Element Table 8-4 establishes standards for daytime and nighttime noise levels. The standards are reproduced in Table 7.

Table 7		
Performance Standards for Typical Stationary Noise Sources		
Noise Level Descriptor	Daytime (7 AM to 10 PM)	Nighttime (10 PM to 7 AM)
Typical Stationary Noise Sources – Hourly L_{eq} , dB	55	45
Stationary Noise Sources Which Are Tonal, Impulsive, Repetitive, or Consist Primarily of Speech or Music – Hourly L_{eq} , dB	50	40
Source: City of Elk Grove, 2023.		

The Services, Health and Safety Element of the Elk Grove General Plan establishes an exterior noise level standard of 60 dB DNL at outdoor activity areas of residential land uses exposed to transportation noise sources (i.e., traffic). The intent of this standard is to provide an acceptable exterior noise environment for outdoor activities. Where it is not possible to reduce noise in outdoor activity areas to 60 dB DNL through a practical application of the best available noise-reduction means, an exterior noise environment of up to 65 dB DNL may be allowed provided that available exterior noise level reduction measures have been implemented and applicable General Plan interior noise level criteria are satisfied. The General Plan utilizes an interior noise level standard of 45 dB DNL or less within interior spaces of residential uses.

The Project includes a GPA to modify footnote ‘d’ under Table 8-4, Noise Performance Standards for New Project Affected by or Including Non-Transportation Noise Sources of the City’s General Plan, reproduced as Table 7 above, to read as follows:

The City may impose noise level standards which are more or less restrictive based upon ~~determination of existing low or high ambient noise levels.~~ either of the following determinations:

- Existing low or high ambient noise levels; or

- Site-specific conditions or considerations as determined applicable by the designated approving authority only for new projects affected by existing non-transportation sources.

The foregoing GPA provides the City with additional flexibility in making land use determinations for new projects affected by existing non-transportation noise sources, such as the proposed project.

Existing Noise Environment

The existing noise environment in the project vicinity is defined by traffic noise on nearby roadways, including Dunisch Road and West Stockton Boulevard, as well as operational noise associated with the commercial uses to the south. It is noted that a sound wall is located north of Dunisch Road, along the backyards of the residential uses located north of the Project site.

Construction Noise

During the construction of the Project, heavy equipment would be used for grading, excavation, paving, and building construction, which could result in temporary noise level increases at nearby sensitive receptors. Noise levels would vary depending on the type of equipment used, how the equipment is operated, and how well the equipment is maintained. In addition, noise exposure at any single point outside the Project site would vary depending on the proximity of construction activities to that point. A Noise Assessment was prepared for the Project by Bollard (Appendix H)²⁷ to assess potential impacts related to construction noise. Standard construction equipment, such as graders, backhoes, loaders, and trucks, would be used on-site. Table 8 presents predicted noise levels for the use of typical construction equipment at a distance of 50 feet.

Table 8 Construction Equipment Noise Levels	
Type of Equipment	Maximum Noise Level at 50 Feet (dBA)
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Dozer	85
Generator	82
Grader	85
Loader	80
Paver	85
Pneumatic Tools	85
Pump	77
Saw	76
Scraper	85
Truck	84
Source: Bollard Acoustical Consultants, Inc., 2024.	

²⁷ Bollard Acoustical Consultants, Inc. *Noise Assessment: Dunisch Property Residential Development*. June 17, 2024.

It is noted that not every construction equipment included in Table 8 shall be used for construction of the Project. As shown in Table 8, typical activities involved in construction would generate maximum noise levels ranging from 70 to 85 dBA at a distance of 50 feet. According to the Noise Assessment, because the noisiest construction equipment, such as earthmoving equipment, tends to be mobile, calculating construction noise levels using the closest point of construction activity to existing residences is not considered appropriate. As such, Bollard conservatively assumed a distance of 100 feet for the construction noise evaluation distance.

Based on the information above, and conservatively assuming concurrent operation of a dozer, front loader, compactor, backhoe, and grader at a distance of 100 feet from the nearest sensitive receptor, Bollard calculated that the worst-case Project construction noise at a sensitive receptor would be approximately 75 dBA. According to the Noise Assessment, because Project construction would be temporary, and because the existing ambient noise environment in the vicinity is elevated due to traffic noise and operational noise associated with the commercial uses to the south, Project construction noise would not result in a substantial increase in ambient noise levels.

As noted above, construction activities are exempt from the City's Noise Ordinance during daytime hours. Construction activities are temporary in nature, and are anticipated to occur during the normal daytime hours for which they are exempt from the Noise Ordinance. However, if construction activities were to occur outside the normal daytime hours, a potentially significant impact could occur related to creation of a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Operational Noise

The primary noise source associated with operation of the Project would be traffic noise generated by future residents of the Project. According to the Noise Assessment, based on an assumed trip generation of 10 daily vehicle trips per residence, the 111 single-family residences would generate approximately 1,100 daily vehicle trips. Because Project site access would be provided from Dunisch Road, the Noise Assessment assumed that all 1,100 daily trips would traverse Dunisch Road.

Bollard used the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA Model) to predict traffic noise generated by Project operations at the single-family residences north of the site. Vehicle speeds on Dunisch Road were estimated to be approximately 35 mph and a 5 dB offset was applied to account for the presence of the existing six-foot-tall sound wall located along the north side of Dunisch Road.

Bollard concluded that Project-generated traffic noise levels would be approximately 50 dB DNL at the nearest backyards of the residences north of the site. According to the Noise Assessment, 50 dB DNL is well below existing ambient noise levels in the Project site vicinity. In addition, 50 dB DNL would be below the City's exterior noise standard of 60 dB DNL.

Based on the above, operation of the Project is not predicted to generate noise levels in excess of existing ambient noise levels, or in excess of the City of Elk Grove exterior noise standards. Impacts related to creation of a substantial permanent increase in ambient noise levels in the Project vicinity would be less than significant.

Conclusion

Based on the above, existing sensitive receptors would not experience Project-related noise levels in excess of the City's applicable noise level standards. However, if construction were to occur outside of the allowable daytime hours, a potentially significant impact could occur. Thus, without the implementation of mitigation, a **potentially significant** impact would occur related to generation of a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

XIII-1. Prior to the approval of grading and/or building permits, the City shall establish the following requirements and note such requirements on improvement plans:

- *Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 AM and 7 PM daily when located in close proximity to residential uses.*
- *Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.*
- *When not in use, motorized construction equipment shall not be left idling for more than 5 minutes.*
- *Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or shielded to reduce noise-related impacts.*

The improvement plans shall be submitted to the City of Elk Grove Development Services Department for review and approval.

- b. Similar to noise, vibration involves a source, a transmission path, and a receiver. However, noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration is measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration in terms of peak particle velocities (PPV) in inches per second (in/sec). Standards pertaining to perception, as well as damage to structures, have been developed for vibration levels defined in terms of PPV.

Human and structural response to different vibration levels is influenced by a number of factors, including ground type, distance between source and receptor, duration, and the

number of perceived vibration events. Table 9, which was developed by Caltrans, shows the vibration levels that would normally be required to result in damage to structures.

Table 9 Effects of Vibration on People and Buildings			
Peak Particle Velocity		Human Reaction	Effect on Buildings
mm/sec	in/sec		
0.15-0.30	0.006-0.019	Threshold of perception; possibility of intrusion	Vibrations unlikely to cause damage of any type
2.0	0.08	Vibrations readily perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
2.5	0.10	Level at which continuous vibrations begin to annoy people	Virtually no risk of "architectural" damage to normal buildings
5.0	0.20	Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relative short periods of vibrations)	Threshold at which there is a risk of "architectural" damage to normal dwelling - houses with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize "architectural" damage
10-15	0.4-0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: Transportation Related Earthborne Vibrations. Caltrans. TAV-02-01-R9601. February 20, 2002.

As shown in the table, the threshold for architectural damage to structures is 0.20 in/sec PPV. A threshold of 0.20 in/sec PPV is considered to be a reasonable threshold for short-term construction projects. The City of Elk Grove General Plan Policy N-1-9 establishes 0.2 in/sec PPV as the threshold at which additional vibration impact assessment reduction measures may be required.

During Project construction, heavy equipment would be used for grading, excavation, paving, and building construction, which would generate localized vibration in the immediate vicinity of construction. The range of vibration source levels for typical construction equipment are shown in Table 10. The nearest existing sensitive receptors are the single-family residences located approximately 50 feet away from the site at the closest point. Based on the typical vibration levels shown in the table below, construction activities associated with the Project would not exceed 0.20 PPV at over 25 feet away.

Type of Equipment	Peak Particle Velocity at 25 feet (inches/second)	Peak Particle Velocity at 50 feet (inches/second)
Hoe Ram	0.089	0.032
Large Bulldozer	0.089	0.032
Casson Drilling	0.089	0.032
Loaded Trucks	0.076	0.027
Small Bulldozer	0.003	0.011
Jackhammer	0.035	0.012
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018.		

Therefore, the Project would not result in the exposure of persons to or generation of excessive groundborne vibration levels at the Project site. Additionally, construction activities would be temporary in nature and would be limited to between 7:00 AM and 7:00 PM per Chapter 6.32 of the City’s Municipal Code.²⁸ Therefore, a **less-than-significant** impact would occur related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

- c. The nearest airport to the site is the private use Sacramento Executive Airport, located approximately 7.4 miles northwest of the site. Given the substantial distance between the airport and the Project site, noise levels resulting from aircraft at the nearest airport would be negligible at the site. Given that the Project site is not located within two miles of a public airport or public use airport, the Project would not expose people residing or working in the Project area to excessive noise levels associated with such. Thus, **no impact** would occur.

²⁸ Elk Grove Municipal Code Section 6.32.100 states that noise sources associated with the construction, repair, remodeling, demolition, paving or grading of any real property shall be exempted from the provisions of Chapter 6.32, provided said activities only occur between the hours of 7:00 AM and 7:00 PM when located in close proximity to residential uses. However, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in progress be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work after 7:00 PM and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner.”

XIV. POPULATION AND HOUSING.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

Discussion

a. The Project includes the development of 111 single-family residences lots on a set of parcels that are currently designated RC and is zoned as SC. The Project includes a GPA to MDR and P/OS and a Rezone to RD-10 and O. As such, development of the Project site with residential uses has not been anticipated by the City’s General Plan or General Plan EIR. According to current population estimates provided by the U.S. Census Bureau, the City of Elk Grove has a population of 178,997 residents and an average household size of 3.22 persons per household.²⁹ With the addition of 111 single-family residences, the Project could result in a population increase of approximately 357 new residents. Assuming all residents of the Project are new residents to the City, the Project would result in a 0.2 percent population increase for the City.

Population growth itself does not constitute an environmental impact; rather, increased demands on the physical environment resulting from increases in population are considered environmental impacts. For example, increased demands on City services could require system upgrades, the construction of which could have environmental impacts. Physical environmental effects associated with development of the proposed Project are evaluated throughout this IS/MND. While the Project would result in population growth, such growth could be accommodated by existing public services and infrastructure and would not result in significant adverse environmental effects. Therefore, the Project would not induce substantial unplanned population growth in an area, either directly or indirectly, and a **less-than-significant** impact would occur.

b. The Project site is currently vacant and does not contain existing housing or other habitable structures. As such, the Project would not displace a substantial number of existing housing or people and would not necessitate the construction of replacement housing elsewhere, and **no impact** would occur.

²⁹ United States Census Bureau. *QuickFacts: Elk Grove city, California.* Available at: <https://www.census.gov/quickfacts/elkgrovecitycalifornia>. Accessed May 2023.

XV. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
e. Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>

Discussion

- a. Fire protection services in the City of Elk Grove are provided by the Cosumnes Community Services District (CCSD).³⁰ Services include fire suppression, emergency medical services, technical rescue, and arson and explosion investigations. The CCSD has 206 personnel in its Operations Division and operates out of eight fire stations with nine advanced life support engine companies, one aerial ladder truck company, eight rescue ambulance units, and one command vehicle, as well as other specialized apparatus for specialized emergency circumstances; in 2023, the CCSD responded to 23,933 incidents, an increase from the prior four years.³¹ The nearest fire station to the Project site is Fire Station 74, located at 6501 Laguna Park Drive, approximately 2.5 miles west of the site.

The CCSD would provide fire protection services to the proposed residential development. The General Plan EIR concluded that while buildout of the Planning Area would result in an increased demand for fire protection and emergency medical services, compliance with applicable regulations and General Plan policies would ensure that new fire station siting and resources are available and that required environmental review under CEQA would be conducted as specific fire protection facilities are proposed. As noted in the General Plan EIR, three new fire stations are currently planned within the City’s Planning Area: Station 77, to be located within the Laguna Ridge Specific Plan Area near Whitelock Parkway; Station 78, to be located within the South Pointe Land Use Policy Area near Kammerer Road; and Station 79, to be located within the Eastern Elk Grove Community Plan Area near Grant Line Road. Given the Project’s proximity to the existing Fire Station 74, new fire stations would not be required in order to provide adequate fire protection service to the Project site.

In addition, the Project would be subject to payment of a Fire Fee in accordance with Chapter 16.85 of the City’s Municipal Code, which is used to pay for costs associated with development of new fire stations. Furthermore, the proposed buildings would be constructed in accordance with the fire protection requirements of the most recent California Fire Code. The CCSD would review the Project building plans to ensure compliance with all California Fire Code requirements.

³⁰ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.11-1]. February 2019.

³¹ Cosumnes Fire Department. *2023 Annual Report*. Available at: <https://www.cosumnescsd.gov/DocumentCenter/View/27704/2023-Calendar-Year-Cosumnes-Fire-Department-Summary-Infographic?bidId=>. Accessed June 2024.

Based on the above, the Project would result in a **less-than-significant** impact related to the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts.

- b. Police protection services within the City of Elk Grove are provided by the City of Elk Grove Police Department (EGPD). As noted in the General Plan EIR, the EGPD operates primarily out of two facilities located in the City Hall complex at 8380 and 8400 Laguna Palms Way. The service area is split into five police beats that are regularly patrolled. As of 2023, the EGPD has an authorized strength of 150 sworn officers and 107 civilian personnel and responded to 90,045 calls for service in 2023, and 85,055 calls for service in 2022.³² In addition to the EGPD, the California Highway Patrol provides traffic regulation enforcement, emergency accident management, and service and assistance on State roadways, as well as traffic regulation enforcement throughout the State (including in the City), from its station located at 6 Massie Court, near the interchange of Mack Road and SR 99.

The General Plan EIR concluded that while buildout of the Planning Area results in an increased demand for law enforcement services, resulting in new patrols, identified growth areas within the City would be adequately served by the EGPD's existing facilities, and construction of new facilities is not likely to be required. While the General Plan designates the Project site for commercial development, as compared to the residential development proposed for the Project, because the Project would not result in a significant increase in population and is located in a developed area that is already served by the EGPD, the Project would not result in substantially increased demands for law enforcement services relative to buildout of the site under the proposed land use designations.

Furthermore, the Project would be subject to payment of the City's Capital Facilities Fee, as required by Chapter 16.95 of the City's Municipal Code. Payment of such fees is used to pay for new staff and equipment required to provide law enforcement services to new development within the City, such as the Project.

Given required payment of the City's Capital Facilities Fee, consistent with Chapter 16.95 of the City's Municipal Code, the Project would have a **less-than-significant** impact related to the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts.

- c. School services in the City are provided by the Elk Grove Unified School District (EGUSD). As noted in the General Plan EIR, the EGUSD provides education to over 62,000 students and operates 66 schools: 42 elementary schools, nine middle schools, nine high schools, one alternative education school, four continuation schools, and one special education school. Enrollment at the EGUSD has remained relatively constant since the 2011/12 school year.

The Project includes the development of the Project site with a total of 111 residential units and, thus, would increase demand for school facilities and services. Table 5.11.3-2, Student Generation Rates, of the General Plan EIR, presents the EGUSD student generation rates for single-family units for elementary (0.4044), middle (0.1108), and high school (0.2004). Using the foregoing student generation rates, the proposed project is

³² Elk Grove Police Department. *Elk Grove Police Department Annual Report 2023*. Available at: <https://storymaps.arcgis.com/stories/135bec7883db42e0b598b24ae6ae3ee7>. Accessed August 2024.

anticipated to generate a total of 79 school-aged children, including 45 elementary school students, 12 middle school students, and 22 high school students. Such an increase in student population would not be large enough to be considered significant and would not be anticipated to exceed the EGUSD's existing capacity, and, thus, would not significantly increase demand for school facilities and services.

Furthermore, the EGUSD collects development fees for new residential Projects on a per square foot basis. The development fees serve to offset school facility costs associated with serving new students. The Leroy F. Green School Facilities Act prohibits local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any "[...] legislative or adjudicative act...involving ...the planning, use, or development of real property" (Government Code 65996(b)). Satisfaction of the Proposition 1A/SB 50 statutory requirements by a developer is deemed to be "full and complete mitigation."

Because the Project applicant would be required to pay development fees to the EGUSD, the Project would result in a **less-than-significant** impact regarding an increase in demand for schools.

- d,e. Parks and recreation services within the City are provided by the CCSD through the CCSD's Parks and Recreation Department. The CCSD plans and designs new parks, owns, operates, and maintains parks and community centers, manages rentals of community centers, picnic sites, and sports fields, and offers recreation programs; recreational opportunities offered by the CCSD include, but are not limited to, 97 parks, 21 miles of trails, 36 multipurpose sports fields, two aquatic centers, and eight recreation buildings as of 2018.³³ The nearest existing park is Guttridge Park, located approximately 1,500 feet northwest of the Project site.

The CCSD parkland standards, as established in Section 22.40.032 of the City's Municipal Code, and General Plan Policy PT-1-3 require a minimum of five acres of developed parkland per 1,000 residents. In addition to parkland requirements established in Policy PT-1-3, General Plan Policy PT-1-5 requires assurance of funding for maintenance of parks and/or trails prior to City approval of any Final Subdivision Map that contain or contributes to the need for public parks and facilities.

In total, the Project provides for approximately 0.7-acre of public open space on-site. As discussed in Section XIV, Population and Housing, of this IS/MND, the Project would house an estimated 357 future residents. Thus, in order to meet the City's parkland standard of five acres per 1,000 residents, the Project would be required to provide a minimum of 1.8 acres of parkland on-site. Given that the Project includes only 0.7 acres of open space, which does not contribute toward parkland requirements, payment of an in-lieu fee would be required pursuant to Section 22.40.040 of the City's Municipal Code.

With required payment of in-lieu park fees, the Project would have a **less-than-significant** impact related to the need for new or physically altered parks or other public facilities, the construction of which could cause significant environmental impacts.

³³ City of Elk Grove. *General Plan* [pg. 5.11-15]. February 2019.

XVI. RECREATION.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

Discussion

a,b. As discussed in Section XIV, Population & Housing, the Project involves the development of 111 single-family residences, which are anticipated to serve approximately 357 residents. Thus, an increase in demand on recreational facilities is anticipated. The parkland dedication standards set forth in Section 22.40.032 of the City’s Municipal Code and General Plan Policy PT-1-3 require a minimum of five acres of developed parkland per 1,000 residents. In addition to parkland requirements established in Policy PT-1-3, General Plan Policy PT-1-5 requires assurance of funding for maintenance of parks and/or trails prior to City approval of any Final Subdivision Map that contain or contributes to the need for public parks and facilities. As stated in Section XV, Public Services, of this IS/MND, the Project would not include dedication of sufficient land to the City for recreational facilities; therefore, the project applicant would be subject to in-lieu fees required per the Municipal Code. Payment of the in-lieu fees would contribute toward the acquisition of off-site parkland in the area to maintain the City’s required ratio of five acres of parkland per 1,000 residents. The Project would also be subject to payment of fees to the CCSD that would be used to maintain existing recreational facilities, thus offsetting potential physical deterioration of such facilities resulting from the increase in population associated with the Project.

Given payment of the applicable fees, the Project would not result in substantial physical deterioration of any existing neighborhood or regional parks or other recreational facilities, and would not result in adverse physical effects related to the construction or expansion of new facilities, and a **less-than-significant** impact would occur.

XVII. TRANSPORTATION.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

Discussion

a. The law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used level of service (LOS) to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Mitigation measures typically took the form of capacity-increasing improvements, which often had their own environmental impacts (e.g., to biological resources). Depending on circumstances, and an agency’s tolerance for congestion (e.g., as reflected in its general plan), LOS D, E, or F often represented significant environmental effects. In 2013, however, the State Legislature passed legislation with the intention of ultimately doing away with LOS in most instances as a basis for environmental analysis under CEQA. Enacted as part of SB 743 (2013), PRC Section 21099, subdivision (b)(1), directed the Governor’s Office of Planning and Research (OPR) to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing “criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. In developing the criteria, [OPR] shall recommend potential metrics to measure transportation impacts that may include, but are not limited to, vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. The office may also establish criteria for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of this section.”

Subdivision (b)(2) of Section 21099 further provides that “[u]pon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion *shall not be considered a significant impact on the environment* pursuant to [CEQA], except in locations specifically identified in the guidelines, if any.” (Italics added.)

Pursuant to SB 743, the Natural Resources Agency promulgated CEQA Guidelines Section 15064.3 in late 2018, which became effective in early 2019. Subdivision (a) of that section provides that “[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, ‘vehicle miles traveled’ refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel.

Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact."³⁴

Please refer to Question 'b' for a discussion of VMT.

Consistency with California Department of Transportation (Caltrans) Facilities

Prior project analysis has identified that in the cumulative conditions, continued development in the City of Elk Grove and other portions of south Sacramento County will have impacts on State facilities. To address this, the I-5 Subregional Fee program was developed between the City of Elk Grove, the cities of Sacramento and West Sacramento, and Caltrans. Policy MOB-7-4 in the City General Plan requires development applications to pay this fee in order to fund the necessary improvements. Payment of the fee would be required by Mitigation Measure XVII-1. Thus, the Project would not conflict with applicable Caltrans policies, and a less-than-significant impact would occur with implementation of mitigation.

Consistency with City of Elk Grove General Plan Policies - Transit, Bicycle, and Pedestrian Facilities

The following section discusses the availability of bicycle and pedestrian facilities and transit service and facilities in the Project area based on the VMT Analysis prepared for the Project by Fehr & Peers (see Appendix I).³⁵

Pedestrian and Bicycle Facilities

Existing and proposed pedestrian and bicycle facilities in the Project vicinity are discussed below.

Existing paved sidewalks in the Project vicinity are located along both sides of West Stockton Boulevard and along the northern side of Dunisch Road, across from the Project site. As part of the Project, the portion of Dunisch Road adjacent to the Project frontage would be developed with a new six-foot sidewalk. In addition, the Project includes the development of a six-foot sidewalk within the proposed landscape easement along the site's eastern frontage, as well as a paseo in the southeast corner of the site which allows pedestrian access from the site to West Stockton Boulevard. The Project also includes an off-site improvement consisting of the development of a sidewalk along the south side of Dunisch Road extending from the project frontage to the west. The new sidewalks along Dunisch Road and the site's eastern frontage is planned for future development in the City's Bicycle, Pedestrian, and Trails Master Plan. As such, by implementing the foregoing improvements, the Project would be consistent with and help execute the local plan addressing the circulation system.

The City of Elk Grove maintains three classes of bicycle facilities (Class I, Class II, and Class III). Per Figure 5.1, Existing and Proposed Bicycle and Pedestrian Network, of the

³⁴ Subdivision (b)(2) of Section 15064.3 ("transportation projects") provides that "[t]ransportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

³⁵ Fehr & Peers. *Dunisch Road Residential – VMT Analysis*. March 22, 2024.

City's Bicycle, Pedestrian, and Trails Master Plan, a Class II bike lane exists in both directions on West Stockton Boulevard, and connects to the citywide bicycle network. The Project includes improvements to the site's frontages, including along West Stockton Boulevard, and also includes the development of a 20-foot paseo in the southeast corner of the site which would provide a connection between the internal roadway network and West Stockton Boulevard. As such, the Project would improve the pedestrian and bicycle connectivity in the area.

As part of the VMT Analysis, Fehr & Peers used a tool called Streetscore+ in order to evaluate Pedestrian and Bicycle Level of Traffic Stress (LTS), which refers to pedestrian and bicyclist comfort associated with a roadway or intersection. Using Streetscore+, Fehr and Peers determined that the Project would not degrade the existing pedestrian or bicycle LTS in the Project vicinity. Therefore, the existing and proposed pedestrian and bicycle facilities are anticipated to have substantial capacity to accommodate any pedestrian and bicycle traffic generated from implementation of the Project.

Transit Service and Facilities

Transit services in the City of Elk Grove are provided by E-tran, which is operated by Sacramento Regional Transit (SacRT). In addition, the Project site is served by SacRT's Smart Ride Microtransit, which is an on demand smart ride service.

Although the Project requires approval of a GPA and Rezone from commercial to residential uses, both the existing and proposed land uses are urban in nature. As such, development of the Project site with urban uses has already been considered by the City and evaluated in the General Plan EIR. General Plan Policies MOB-5-6 and MOB-5-7 encourage the provision of the appropriate level of transit service in all areas of the City and the extension of bus rapid transit and/or light rail service (referred to as "fixed transit") to existing and planned employment centers. Accordingly, General Plan EIR Impact 5.13.7 concludes that buildout of the General Plan, which includes buildout of the Project site, would result in less-than-significant impacts related to transit facilities.

Therefore, implementation of the Project would result in a less-than-significant impact related to transit service and facilities.

Conclusion

As noted above, without the payment of the I-5 Subregional Fee, a **potentially significant** impact could occur related to Caltrans facilities. However, with implementation of mitigation, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, bicycle, and pedestrian facilities; thus, a less-than-significant impact would occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

- XVII-1. *Prior to issuance of building permits, the Project applicant shall pay the applicable I-5 Subregional Fee in effect at the time of payment, consistent with Sections 16.97.040 and 16.97.050 of the City's Municipal Code. Receipt of payment shall be provided to the City of Elk Grove Planning Division.*

- b. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel.

Pursuant to General Plan Policy MOB-1-1, new development projects are required to demonstrate a 15 percent reduction in VMT from 2015 conditions. To demonstrate this reduction, conformance with following land use and cumulative VMT limits is required:

1. Development projects shall demonstrate that the VMT produced by the project at buildout is equal to or less than the VMT limit of the project's General Plan land use designation, as shown in Table 6-1 of the General Plan, which incorporates the 15 percent reduction from 2015 conditions; and
2. Development projects located within the existing City limits shall demonstrate that cumulative VMT within the City, including the project, would be equal to or less than the established Citywide limit of 6,367,833 VMT (total daily VMT).

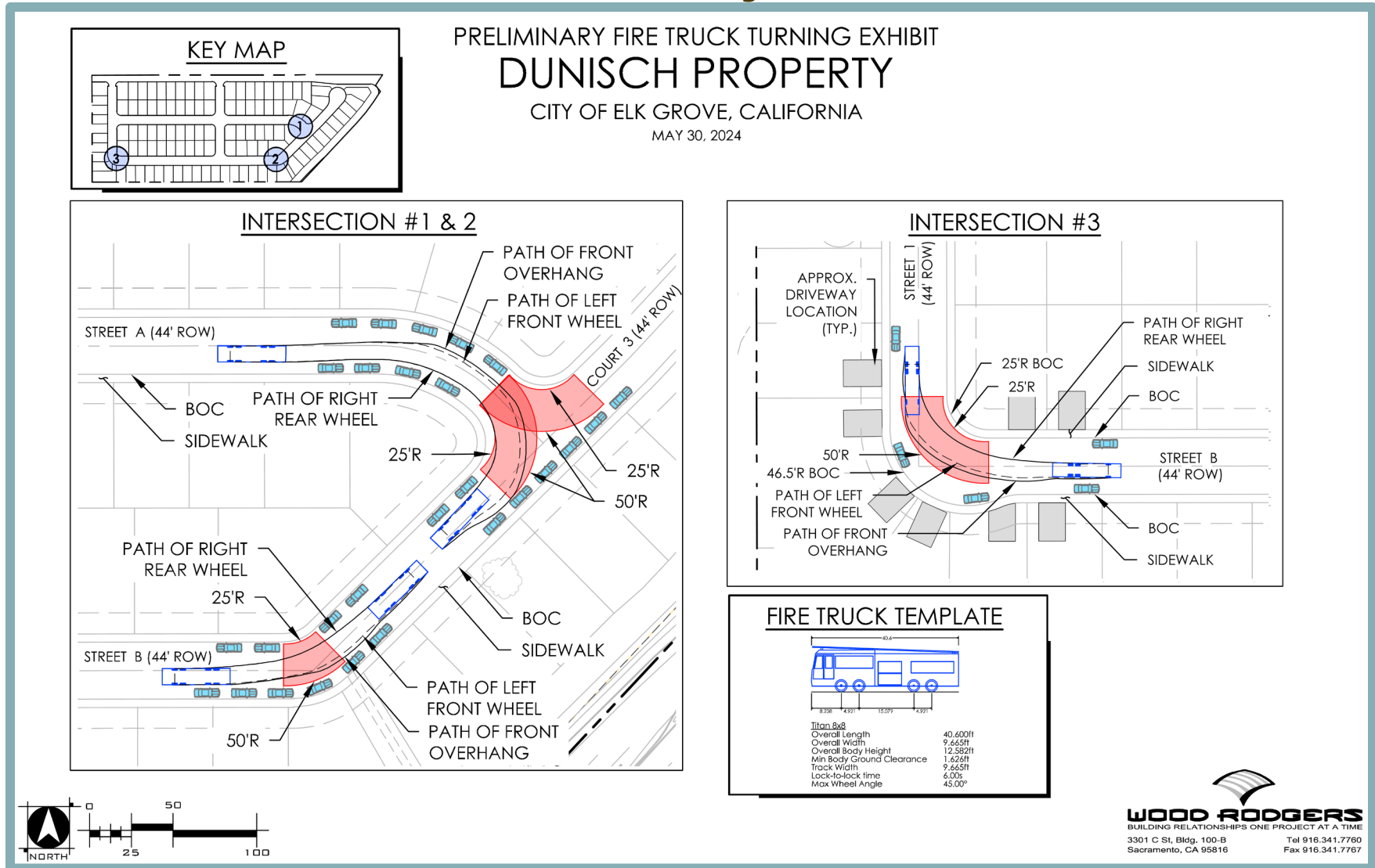
As part of the VMT Analysis, Fehr & Peers re-estimated the VMT conditions for 2020 to provide a consistent basis of evaluating the Project, a key requirement of SB 743, in order to ensure that the effects of the Project are accurately identified. Using the EGSIM20 Travel Demand Model, Fehr & Peers updated the 2015 conditions presented in General Plan Policy MOB-1-1 to reflect 2020 conditions. Fehr & Peers determined that under 2020 conditions, the Citywide limit of total daily VMT is 8,066,247 VMT, and the City's VMT per service population limit for the MDR land use, with the 15 percent reduction in total VMT from the 2020 baseline incorporated, is 17.9 VMT per service population.

Using the EGSIM20 Travel Demand Model, Fehr & Peers determined that the Project would generate 17.2 VMT per service population, which does not exceed the 17.9 VMT per service population for the MDR land use. In addition, Fehr & Peers determined that cumulative VMT within the City, including the Project, would be 8,060,760 total daily VMT, which does not exceed the 8,066,247 total daily VMT Citywide limit. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and a **less-than-significant** impact would occur.

- c,d. Although the Project includes alterations to Dunisch Road, all such improvements would be required to comply with local, State, and federal standards, which would ensure that the alterations to the existing transportation network would not result in hazards due to a geometrical design feature. Furthermore, during Project construction, public roads in the vicinity would remain open and available for use by emergency vehicles and other traffic. In addition, the new internal roadway provides two points of access to the Project site. As shown in Figure 9, the internal roadways would be adequate for emergency vehicle access.

Implementation of the Project would introduce additional vehicle traffic along Dunisch Road and West Stockton Boulevard. However, as noted in the General Plan EIR, buildout of the General Plan would result in less-than-significant impacts related to hazards and emergency access (see Impacts 5.13.5 and 5.13.6).

Figure 9
Fire Truck Turning Exhibit



Because the existing and proposed land uses for the site are both urban in nature, impacts related to hazards and emergency access associated with the Project were already generally analyzed and anticipated in the General Plan EIR. In addition, the General Plan EIR noted that any new transportation facility improvements required as part of General Plan buildout would be constructed based on industry design standards consistent with Policy MOB-3-10, which stresses that the safety of the most vulnerable user is a priority.

Based on the above, the Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and would not result in inadequate emergency access. Therefore, a ***less-than-significant*** impact would occur.

XVIII. TRIBAL CULTURAL RESOURCES.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b. As discussed in Section V, Cultural Resources, of this IS/MND, based on the results of a search of the NAHC Sacred Lands File, the Project site does not contain any known Tribal Cultural Resources.³⁶

In compliance with AB 52 (PRC Section 21080.3.1), on April 24, 2023, the City provided formal notification letters to the following tribes that had requested notification: the United Auburn Indian Community of the Auburn Rancheria; Buena Vista Rancheria of Me-Wuk Indians; Chicken Ranch Rancheria of Me-Wuk Indians; Lone Band of Me-Wuk Indians; Nashville Enterprise Miwok-Maidu-Nishinam Tribe; Shingle Spring Band of Miwuk Indians; Tsi Akim Maidu; and Wilton Rancheria. The Wilton Rancheria requested consultation on May 11, 2023; upon reviewing cultural and tribal cultural resources mitigation measures included in this IS/MND, the Wilton Rancheria concluded consultation. Requests to consult were not received from any other contacted tribes. It should be noted that consultation letters pursuant to SB 18 were provided to relevant tribes on April 24, 2023; additional consultation was not requested by any tribe but the Wilton Rancheria.

The Project site has been subject to previous disturbance, including regular disking. However, the CHRIS records search results indicate that the Project site is located in a part of Sacramento County that is known as the ethnographic-period territory of the Plains Miwok. Therefore, the Project site has moderate potential for containing previously unrecorded underground tribal cultural resources.

Based on the above, known tribal cultural resources do not exist within the Project site. Nevertheless, the possibility exists that previously unknown tribal cultural resources could be uncovered during grading or other ground-disturbing activities. However, implementation of Mitigation Measure XVIII-1 would ensure that a **less-than-significant** impact to tribal cultural resources would occur.

³⁶ Native American Heritage Commission. *Dunisch Property Project, Sacramento County*. March 29, 2023.

Mitigation Measure(s)

Implementation of the following mitigation measure, which refers to the mitigation measures presented previously in Section V of this IS/MND, would reduce the above impact to a *less-than-significant* level.

XVIII-1. Implement Mitigation Measures V-1, V-2, V-3, and V-4.

XIX. UTILITIES AND SERVICE SYSTEMS.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>Would the project:</i>				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a-c. The sections below describe the wastewater, water supply, stormwater drainage, electric power, and telecommunications infrastructure necessary to serve the Project.

Wastewater Infrastructure

Sewer service for the Project would be provided by SacSewer. SacSewer owns, operates, and maintains a network of 107 pump stations and approximately 80 miles of pressurized force main pipes.³⁷ SacSewer trunk sewer pipes function as conveyance facilities to transport the collected wastewater flows to the SacSewer interceptor system. The existing City trunk line extends southeast from the Sacramento Regional Wastewater Treatment Plant (SRWTP) influent diversion structure to Laguna Boulevard, then parallel to SR 99 along East Stockton Boulevard, extending close to the southern boundary of the City of Elk Grove. As part of the Project, a new network of eight-inch sewer lines would be installed throughout the Project site and would extend to a 10-inch sewer line which would lead out of the Project site and connect to the existing 10-inch sewer main within Dunisch Road, north of the Project site.

Pursuant to the General Plan EIR, the SRWTP treats an average of 181 million gallons per day (mgd). Wastewater is treated by accelerated physical and natural biological processes before discharge to the Sacramento River. The SRWTP's reliable capacity is currently limited, based on hydraulic considerations, to an equivalent 207 mgd average dry weather flow (ADWF). The SRWTP has been master planned to accommodate 350 mgd ADWF following planned improvements. In addition, SacSewer has prepared a long-

³⁷ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.12-26]. February 2019.

range master plan for the large-diameter interceptors that transport wastewater to the SRWTP. The master plan includes interceptor upgrades/expansions to accommodate anticipated growth through 2035.³⁸

The Project requires a GPA from RC to MDR and P/OS. Using the General Plan EIR's assumption of 310 gallons of wastewater per day per residential dwelling unit, operation of the Project would contribute a total of approximately 34,410 gallons of wastewater per day. Although the Project would contribute more wastewater than what would be anticipated in the SRWTP Master Plan and General Plan EIR, per the SRWTP's NPDES Permit (No. CA0077682), adopted in April of 2016, the ADWF at that time was approximately 120 mgd.³⁹ As such, the SRWTP was operating at approximately 63 percent of permitted capacity. Therefore, adequate capacity exists to treat the additional 34,410 gallons of wastewater that would be generated by the Project. In addition, the Project applicant would be required to pay sewer impact fees to the sewer district, which would contribute towards the cost of future upgrades of the SRWTP. Required payment of sewer impact fees would ensure that the SRWTP receives adequate funding for necessary future improvements. Therefore, a less-than-significant impact would occur related to construction of new or expanded wastewater facilities.

Water Supply Infrastructure

The City of Elk Grove is served by three water service providers: the SCWA; the Elk Grove Water District; and the Omochumne-Hartnell Water District. As noted above, the Project would be served by the SCWA. The SCWA uses purchased water, surface water, groundwater, and recycled water as sources of water supply. The site is located within the SCWA's 40/41 service area and within the 2030 Water Supply Master Plan (WSMP) study area.

Since approval of the WSMP, the SCWA has produced amendments to the WSMP for the following areas: Cordova Hills (approved 2011), Jackson Township (pending approval), New Bridge (pending approval), and West Jackson (pending approval). In 2016, SCWA also developed the Water System Infrastructure Plan (WSIP). The WSIP is a staff-level document that describes the projected water supply infrastructure needs to meet the projected built-out water demands in Zone 40, including the demands associated with buildout of the Project site. Subsequently, the 2015 Urban Water Management Plan (UWMP) was developed using the same water demand and supply information analyzed in the WSIP. Thus, the 2015 UWMP demand projections include the estimated demands associated with buildout of the Project site.

The City of Elk Grove's General Plan currently designates the project site as RC; the City's General Plan EIR estimated that RC land uses would be expected to generate 2.02 acre-feet (AF) of water per acre per year.⁴⁰ The Project site consists of approximately 14.4 acres; therefore, the existing land use designation for the Project site would be anticipated to generate demand for approximately 29 AF of water per year (AFY). The Project requires a GPA from RC to MDR and P/OS. MDR land uses are estimated to generate 2.13 AF of water per acre per year, bringing the total estimated water demand for the Project to 30.67 AFY for the 14.4-acre Project site. Thus, the difference in water demand between the

³⁸ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.12-27]. February 2019.

³⁹ California Regional Water Quality Control Board, Central Valley Region. *Order No. R5-2016-0020-01 NPDES No. CA0077682* [pg 1-7]. April 2016.

⁴⁰ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.12-22]. February 2019.

existing and proposed land uses is approximately 1.67 AFY, or 544,171 gallons of water per year. The Project would therefore represent an increase in water demand. However, SWCA has a projected 35,659 AF water surplus for 2020 and an 18,853 AF water surplus by 2040. Therefore, SCWA's water supplies would be sufficient to satisfy water demands associated with the Project while still meeting the current and projected water demands of existing customers within the SCWA service area.

Water supply to the proposed development would be provided by the SCWA by way of new network of 8-inch water lines extending throughout the Project site. The new water lines would connect to the existing 12-inch water line within Dunisch Road. Given that the Project would connect to existing water supply lines located in the Project vicinity, construction of substantial off-site water supply infrastructure would not be required. Although the Project requires a GPA to change the site's land use designation from RC to MDR and P/OS and a Rezone from SC to RD-10 and O, construction of on-site water supply improvements associated with urban development has been previously anticipated by the City and analyzed in the General Plan EIR. Therefore, a less-than-significant impact would occur related to construction of new or expanded water supply facilities.

Stormwater Infrastructure

The Project site is currently undeveloped vacant land with ruderal vegetation. Completion of the Project would increase site runoff due to the introduction of impervious surfaces to the site. As described previously, a new network of 12- and 15-inch underground storm drains would direct all runoff from the Project site into to the existing 15- and 18-inch storm drains located within Dunisch Road.

As discussed in further detail in Section X, Hydrology and Water Quality, of this IS/MND, adequate capacity would be available to capture runoff from the proposed impervious surfaces. Therefore, the Project would result in a less-than-significant impact with respect to requiring or resulting in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Electricity, Natural Gas, and Telecommunications Facilities

The Project site is located within a developed area of the City of Elk Grove and is situated within close proximity to existing electric power, natural gas, and telecommunications facilities. Although the Project requires approval of a GPA and Rezone, buildout of the site with urban uses was anticipated by the City and accounted for in utility planning. Therefore, implementation of the Project would implement the development that has been planned for the site, substantial expansion of off-site utilities would not be required to serve the proposed development, and associated environmental effects would not occur.

Conclusion

Based on the above, a ***less-than-significant*** impact would occur related to requiring or resulting in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects, or resulting in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

- d,e. Republic Services provides solid waste collection, disposal, recycling, and yard waste services to residential development within the City of Elk Grove. As noted in the General Plan EIR, the City is served by a total of ten landfills, the majority of which had over 70 percent available remaining capacity as of 2019.⁴¹ Due to the substantial amount of available capacity remaining at the landfills serving the City, sufficient capacity would be available to accommodate the Project's solid waste disposal needs. In addition, the Project would be required to comply with all applicable solid waste regulations, including Title 30, Solid Waste Management, of the City's Municipal Code, as well as Chapter 30.90, the City's Space Allocation and Enclosure Design Guidelines for Trash and Recycling. Given compliance with the foregoing requirements, a ***less-than-significant*** impact related to solid waste would occur as a result of the Project.

⁴¹ City of Elk Grove. *General Plan Update Draft Environmental Impact Report* [pg. 5.12-32]. February 2019.

XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

Discussion

a-d. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program, the Project site is not located within or near a Very High Fire Hazard Severity Zone or State Responsibility Area.⁴² As such, the Project would not be expected to be subject to or result in substantial adverse effects related to wildfires, and **no impact** would occur.

⁴² California Department of Forestry and Fire Protection. *Sacramento County, Very High Fire Hazard Severity Zones in LRA, As Recommended by CAL FIRE*. March 13, 2023.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. As discussed in Section IV, Biological Resources, of this IS/MND, while the potential exists for monarch butterfly, vernal pool fairy shrimp, white-tailed kite, Swainson’s hawk, Cooper’s hawk, burrowing owl, and nesting migratory birds and raptors protected by the MBTA to occur on the Project site, Mitigation Measures IV-1 through IV-5 ensure that impacts to such species would be reduced to a less-than-significant level. The Project site is undeveloped and does not contain any known historic or prehistoric resources. Thus, implementation of the Project is not anticipated to have the potential to result in impacts related to historic or prehistoric resources, including tribal cultural resources. Nevertheless, Mitigation Measures V-1, V-2, and V-3 ensure that, in the event that historic or prehistoric resources are discovered within the Project site during construction activities, such resources are protected in compliance with the requirements of CEQA.

Considering the above, the Project would not: 1) degrade the quality of the environment; 2) substantially reduce or impact the habitat of fish or wildlife species; 3) cause fish or wildlife populations to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory. Therefore, a **less-than-significant** impact would occur.

b. The Project in conjunction with other development within the City of Elk Grove could incrementally contribute to cumulative impacts in the area. However, as demonstrated in this IS/MND, all potential environmental impacts that could occur as a result of Project implementation would be reduced to a less-than-significant level with implementation of Project-specific mitigation measures and compliance with applicable General Plan policies. As discussed in Section XVII of this IS/MND, while the Project includes generation of vehicle trips on local roadways, the Project site is located within an area determined to result in an average service population VMT 15 percent below the City’s existing baseline limit. As such, development of the Project was analyzed in the General Plan EIR and determined to result in less-than-significant impacts related to VMT. In

addition, as noted in Section VIII, Greenhouse Gas Emissions, the Project is consistent with the City's CAP, thereby resulting in a less-than-significant impact related to cumulative GHG emissions.

When viewed in conjunction with other closely related past, present, or reasonably foreseeable future Projects, development of the Project would not result in a cumulatively considerable contribution to cumulative impacts in the City of Elk Grove, and the Project's cumulative impact would be ***less than significant***.

- c. As described in this IS/MND, the Project complies with all applicable General Plan policies, Municipal Code standards, other applicable local and State regulations, and mitigation measures included herein. In addition, as discussed in the Air Quality, Geology and Soils, Hazards and Hazardous Materials, Greenhouse Gas Emissions, and Noise sections of this IS/MND, the Project would not cause substantial effects to human beings, which cannot be mitigated to less-than-significant levels, including effects related to exposure to air pollutants, geologic hazards, GHG emissions, hazardous materials, and excessive noise. As such, the Project would not result in direct or indirect impacts to human beings and, thus, the Project's impact would be ***less than significant***.