

Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project (WTL016)

DRAFT INITIAL STUDY /
MITIGATED NEGATIVE DECLARATION



February 2025

**Laguna Creek Inter-Regional Trail Crossing
at State Route 99 Project (WTL016)**

Prepared for:



City of Elk Grove
Public Works Department
8401 Laguna Palms Way
Elk Grove, California 95758

Prepared by:



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LIST OF ABBREVIATIONS

AB	Assembly Bill
APE	Area of Potential Effects
BMPs	Best Management Practices
BO	Biological Opinion
BPTMP	Bicycle, Pedestrian, and Trails Master Plan
BSA	Biological Study Area
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CCA	Federal Clean Air Act
CCAA	California Clean Air Act
CCSD	Consumnes Community Service District
CCSDFD	Consumnes Community Service District Fire Department
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFG	California Fish and Game
CFR	Code of Federal Regulation
CH ₄	Methane
City	City of Elk Grove
Control Council	Sacramento Valley Basinwide Air Pollution Control Council
Corps	U.S. Army Corps of Engineers
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dBA	Decibel A-weighted
DOC	California Department of Conservation
DPM	Diesel Particulate Matter

DTSC	California Department of Toxic Substances Control
EDR	Environmental Data Resources
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmentally Sensitive Area
EO	Executive Order
FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Map
FFMP	Farmland Mapping and Monitoring Program
FHWA	Federal Highways Administration
GGG	Giant Garter Snake
GHG	Greenhouse gases
HFCs	Hydrofluorocarbons
HSC	California Health and Safety Code Section
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
LCIRT	Laguna Creek Inter-Regional Trail System
LED	Light Emitting Diode
Leq	Equivalent Continuous Sound Level
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
MS4	Municipal Separate Storm Sewer Systems
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NEPA	National Environmental Protection Act
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
N ₂ O	Nitrous oxide
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
NOA	Naturally Occurring Asbestos
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service

NWPT	Northwestern Pond Turtle
O ₃	Ozone
OHP	Office of Historic Preservation
OPR	Office of Planning and Research
PFCs	Perfluorocarbons
PM	Particulate Matter
ppm	Parts per Million
PRC	Public Resources Code
Project	Laguna Creek and Whitehouse Creek Multi-Functional Corridor Project
Recs	Recognized Environmental Conditions
ROG	Reactive organic compounds
RWQCB	Regional Water Quality Control Board
SASD	Sacramento Area Sewer District
SCEMD	Sacramento County Environmental Management Division
SFNA	Sacramento Federal Nonattainment Area
SF ₆	Sulfur hexafluoride
SHPO	State Historic Preservation Office
SHTAC	Swainson's Hawk Technical Advisory Committee
SLF	Sacred Lands File
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO ₂	Sulfur Dioxide
SPCCP	Spill Prevention, Control, and Countermeasure Program
SR	State Route
SRA	State Responsibility Area
SRCSD	Sacramento Regional County Sanitation District
SSC	Species of Special Concern (SSC).
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TAG	Traffic Analysis Guidelines
TCM	transportation control measure
TCRs	Tribal Cultural Resources
TMDLs	Total Maximum Daily Loads
UMCP	University of California Museum of Paleontology
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USEPA	United States Environmental Protection Agency

USGS United States Geological Survey
VMT Vehicle miles traveled
VOC Volatile organic compounds

1.0 INTRODUCTION

1.1 Purpose and Background of the Initial Study

This document is an Initial Study (IS) with supporting environmental studies, which provides justification for a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) for the Laguna Creek Trail Crossing at State Route 99 Project (Project).

The purpose of this IS/MND is to evaluate the potential environmental impacts of the proposed Project. Mitigation measures have also been established that reduce or eliminate any identified significant and/or potentially significant impacts.

The IS/MND is a public document to be used by the City of Elk Grove (City), acting as the CEQA lead agency, to determine whether the proposed Project may have a significant effect on the environment, pursuant to CEQA. If the lead agency finds substantial evidence that any aspect of the proposed Project, either individually or cumulatively, may have a significant effect on the environment that cannot be mitigated to a less than significant level, regardless of whether the overall effect of the proposed Project is adverse or beneficial, the lead agency is required to prepare an Environmental Impact Report (EIR), use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze the Project at hand (Public Resources Code Sections 21080(d), 21082.2(d)).

If the agency finds no substantial evidence that the proposed Project or any of its aspects may cause a significant impact on the environment with mitigation, a MND shall be prepared with a written statement describing the reasons why the proposed Project, which is not exempt from CEQA, would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (State CEQA Guidelines Section 15371).

According to State CEQA Guidelines Section 15070, a Negative Declaration shall be prepared for a project subject to CEQA when either:

- 1) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or*
- 2) *The initial study identifies potentially significant effects, but:*
 - a) *Revisions in the project plans or proposals made by, or agreed to by the applicant before the proposed MND and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - b) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

This IS/MND has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines Title 14 California Code of Regulations (CCR) Section 15000 et seq.

1.2 Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section

15051(b)(1), “The lead agency will normally be the agency with general governmental powers.” The City has initiated preliminary design of the proposed Project and it requires approval from the Elk Grove City Council. Therefore, based on the criteria described above, the lead agency for the proposed Project is the City.

1.3 Technical Studies

Technical studies prepared for the proposed Project and referenced in this IS/MND are listed below. The technical studies are available at the Elk Grove Public Works Department upon request, please reach out to Travis Kuhn at tkuhn@elkgrovecity.org or (916) 627-3262.

- Aquatic Resources Delineation Report, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Biological Assessment, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Community Impact Assessment, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Construction Noise Memorandum, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Hazardous Waste Initial Site Assessment, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Geocon Consultants, Inc.
- Historic Property Survey Report/Archaeological Survey Report, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering - Please note that due to the inclusion of sensitive and confidential information, the cultural report is not available to the general public
- Location Hydraulic Study/Floodplain Evaluation Report Summary, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Natural Environment Study, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Paleontological Inventory Report, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Visual Impact Assessment Memorandum, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering
- Water Quality Assessment Report, Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project, Dokken Engineering

2.0 PROJECT DESCRIPTION

2.1 Project Location

The proposed Laguna Creek Inter-Regional Trail Crossing (LCIRT) at State Route (SR) 99 Project (Project) is located in the City of Elk Grove, in Sacramento County, California. (**Figure 1. Project Vicinity**). The Project consists of an approximately 29.7-acre area located between Sheldon Road/SR 99 interchange to the north and the Bond Road/SR 99 interchange to the south. Location of the proposed SR 99 overcrossing is at SR 99 Post Mile 14.3/14.4. The proposed segment of the LCIRT runs perpendicular to SR 99 and extends approximately 1,300 feet east of East Stockton Boulevard and approximately 550 feet west of West Stockton Boulevard (**Figure 2. Project Location**).

2.2 Project Purpose and Objectives

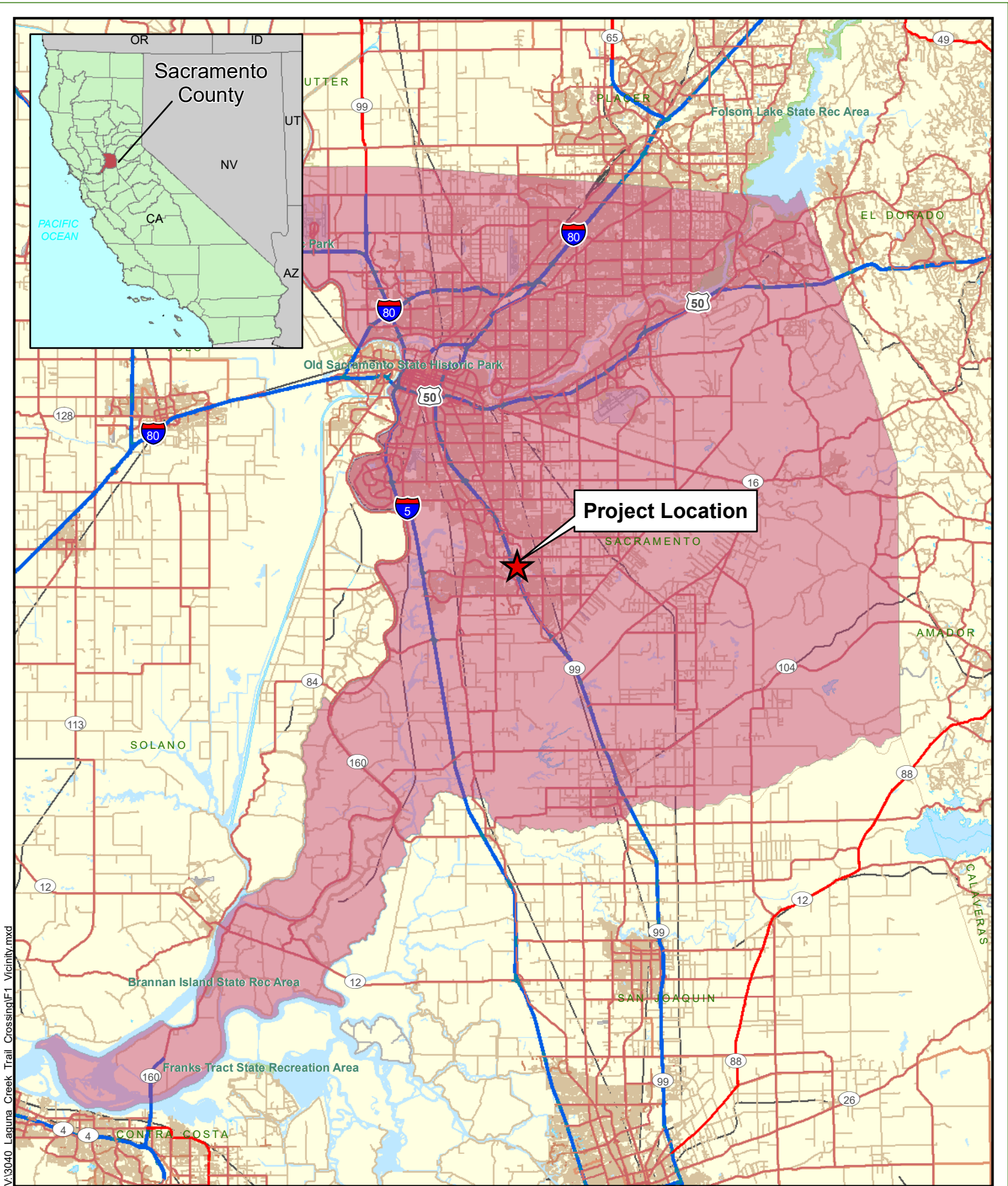
The City has a network of multi-use trails that are located throughout the City, including the LCIRT system. The LCIRT provides users access to schools, employment, commercial centers, recreational amenities, and community facilities; however, a significant gap in the system is created by the barrier of SR 99 where users are forced off the trail and onto local roads that lack adequate pedestrian and bicycle facilities. The purpose of the Project is to construct the final segment to complete the City's LCIRT. This Project is needed to provide additional opportunity to utilize active modes of transportation separated from roadways, which is considered safest for pedestrian transit, and reduce the number of trips in motorized vehicles.

2.3 Project Description

The City, in cooperation with the California Department of Transportation (Caltrans), proposes to construct a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek (**Figure 3. Project Features**).

The proposed segment of the LCIRT consists of a Class I bikeway that will connect to an existing segment of the LCIRT which currently terminates at West Stockton Boulevard and at the northern embankment of the Laguna Creek Bypass Channel. An approximately 760-foot-long concrete overcrossing will then extend east, carrying the LCIRT over West Stockton Boulevard, SR 99 and East Stockton Boulevard where it will parallel the northern bank of Laguna Creek for approximately 980 feet. A prefabricated truss bridge with a concrete deck will then carry the LCIRT over Whitehouse Creek where it will connect with a segment of the LCIRT currently under final design and environmental permitting (previously called the Laguna Creek and Whitehouse Creek Multi-Functional Corridor Project – WDR018). The trail would be approximately 10-foot wide and paved, with 2-foot-wide unpaved shoulders. The trail would also be elevated above the existing ground surface elevation by approximately 2 feet. Post-and-cable fencing would be installed at the edges of the unpaved shoulders, to prevent entry by pedestrians into the surrounding areas.

Right-of-way acquisitions and temporary construction easements are needed where the LCIRT passes through privately-owned parcels and will be obtained during final design of the Project. Below ground and aerial utility relocations are also anticipated and would be completed prior to construction. Additionally, a Caltrans Encroachment permit will be required to accommodate the proposed overcrossing structure that will carry the trail over SR 99, which is a Caltrans owned facility. Construction is anticipated to last approximately 18 months. This Project is funded through both local and federal funds and is subject to compliance with CEQA and the National Environmental Protection Act (NEPA). The lead agency for CEQA compliance is the City and the lead agency for NEPA is Caltrans, as delegated by the Federal Highway Administration (FHWA).

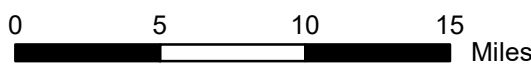


V:\3040_Laguna Creek Trail Crossing\F1_Vicinity.mxd

Source: ESRI 2008; Dokken Engineering/6/21/2023; Created By: ahale

FIGURE 1
Project Vicinity

CML-5479(072)
Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California



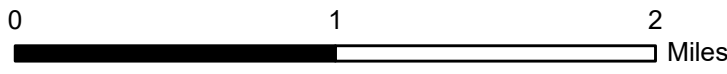
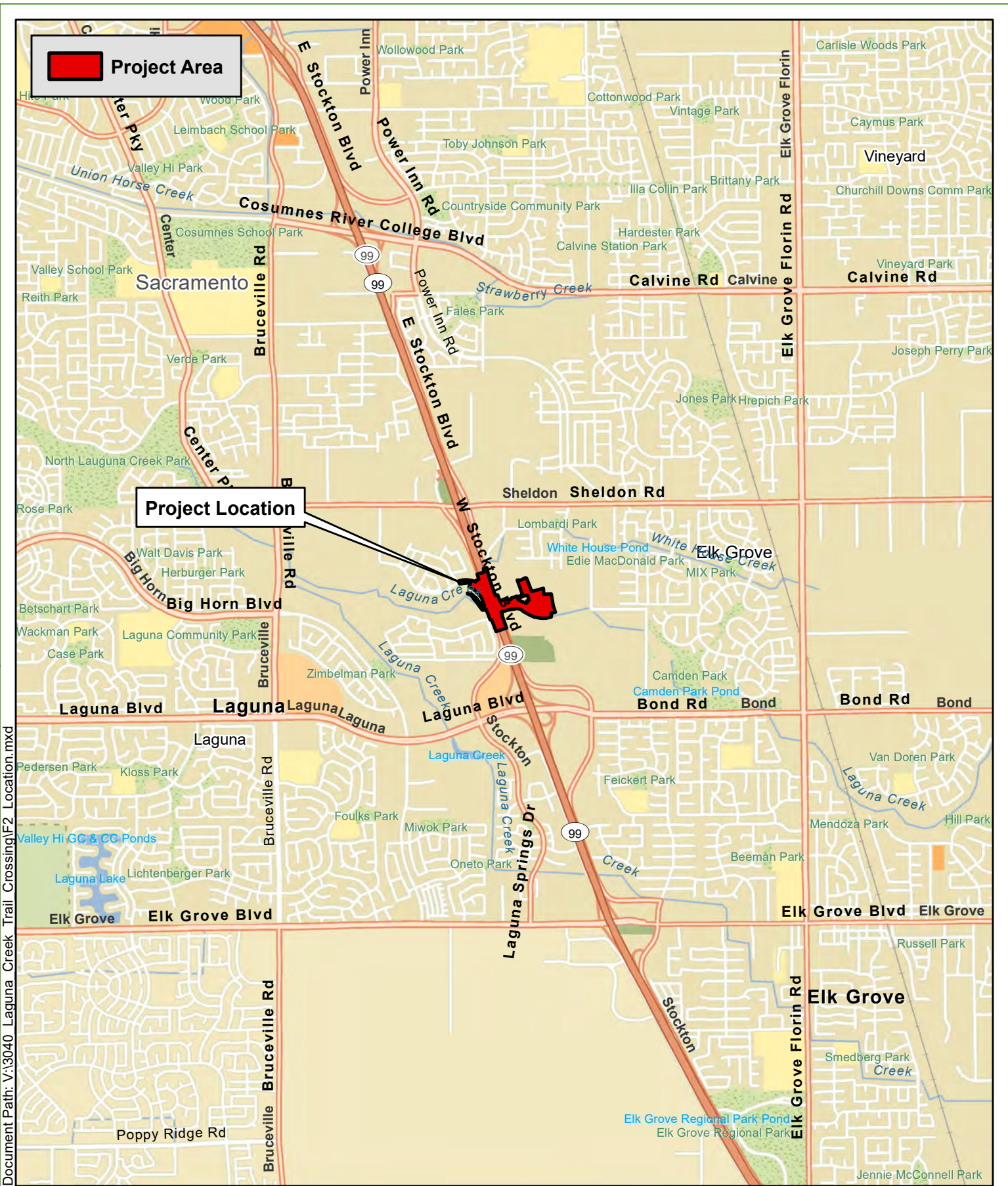
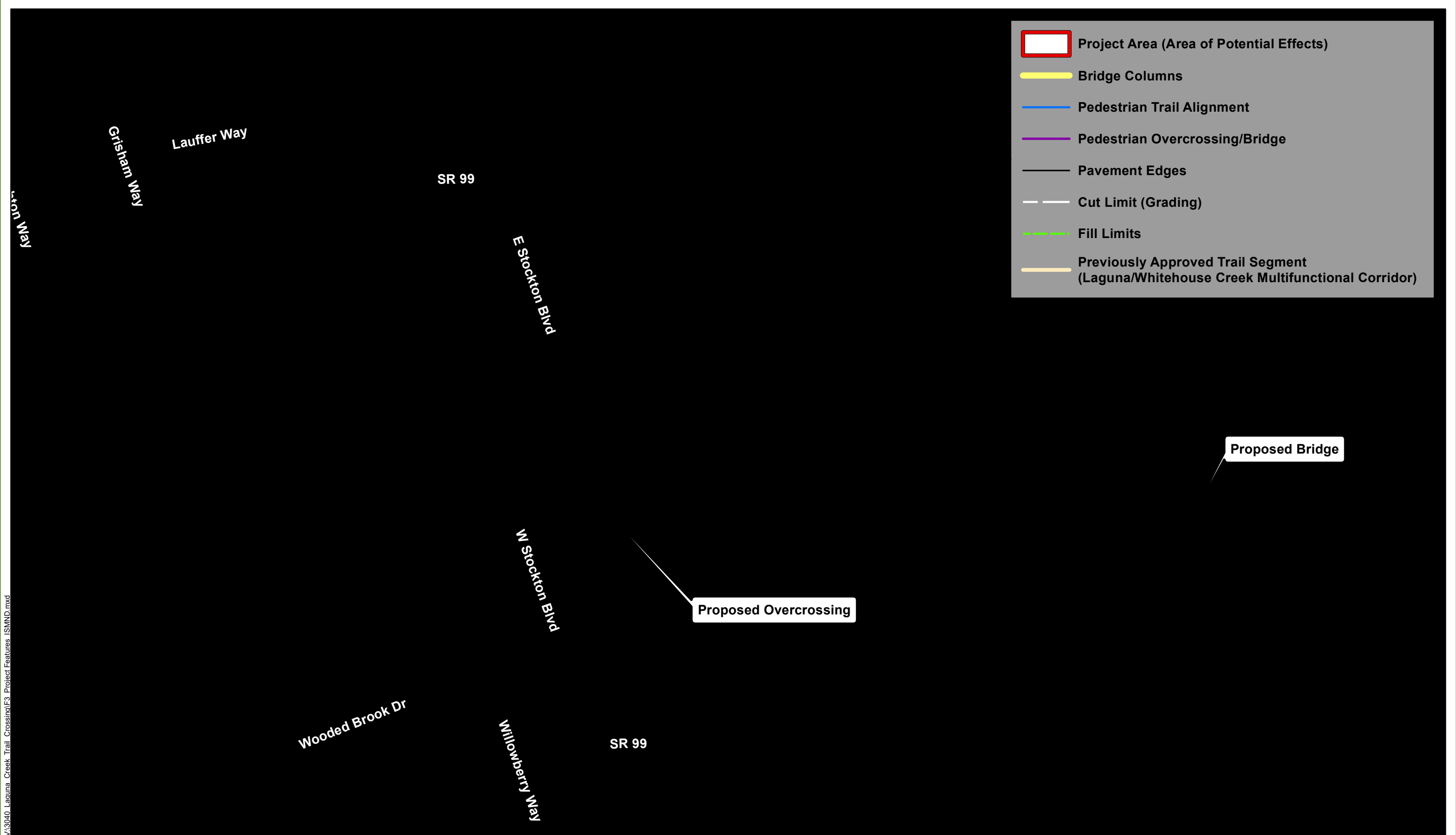


FIGURE 2
Project Location

CLM-5479(072)
Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California



V:\3040 Laguna Creek Trail Crossing\F3 Project Features ISMND.mxd

Source: ESRI Maps Online; Dokken Engineering 9/13/2024; Created By: amyd



0 200 400 600 800 1,000 Feet

FIGURE 3
Project Features

CML-5479(072)
Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California

2.4 Required Project Approvals

To implement the Project, a series of actions and approvals would be required from regulatory and other government agencies. Anticipated Project approvals would include, but are not limited to the following:

Table 1. Required Project Approvals

Agency	Permit/Approval	Status
Elk Grove City Council	Adoption of MND and MMRP	Anticipated 2025
State Water Resources Control Board	Section 401 Certification	Anticipated 2025
California Department of Fish and Wildlife	1602 Streambed Alteration Agreement	Anticipated 2025
U.S. Fish and Wildlife Service	Section 7 Letter of Concurrence	Anticipated 2025
U.S. Army USACE of Engineers	Section 404 Permit	Anticipated 2025
Regional Water Quality Control Board	National Pollutant Discharge Elimination System 402 General Permit for Storm Water Discharges Associated with Construction Activity	Will be Obtained Prior to Construction.
Caltrans	Encroachment Permit	Will be Obtained Prior to Construction.

3.0 INITIAL STUDY CHECKLIST

A. BACKGROUND

1. Project Title:

Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project (WTL016)

2. Lead Agency Name and Address:

City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

3. Contact Person Phone Number:

Travis Kuhn, P.E.
Project Manager
Senior Civil Engineer/Capital Program
8401 Laguna Palms Way
Elk Grove, CA 95758
(916) 627-3262

4. Project Location:

The proposed Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project is in the City of Elk Grove, in Sacramento County, California. The Project consists of an approximately 29.7-acre area located between Sheldon Road/SR 99 interchange to the north and the Bond Road/SR 99 interchange to the south. Location of the proposed SR 99 overcrossing is at SR 99 Post Mile 14.3/14.4. The Project area is perpendicular to SR 99 and extends approximately 1,300 feet east of East Stockton Boulevard and approximately 550 feet west of West Stockton Boulevard (**Figures 1-3**).

5. Project Applicant's Name and Address:

City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

6. General Plan Designation:

Regional Commercial (RC), Resource Management and Conservation (RMC), and Public Services (PS)

7. Zoning:

Open Space (O), Shopping Center (SC), and Public Services (PS).

8. Description of Project:

The City of Elk Grove (City), in cooperation with the California Department of Transportation (Caltrans), proposes to construct a segment of the Laguna Creek

Inter-Regional Trail system (LCIRT) which includes a pedestrian overcrossing spanning West Stockton Boulevard, State Route (SR 99), and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove (**Figures 1-3**).

The City of Elk Grove has a network of multi-use trails that are located throughout the City, including the LCIRT system. The LCIRT generally follows the Laguna Creek, which flows along a roughly west-east alignment between Franklin Boulevard and Grant Line Road. The LCIRT provides users access to schools, employment, commercial centers, recreational amenities, and community facilities; however, a significant gap in the system is created by the barrier of SR 99 where users are forced off the trail and onto local roads that lack adequate safe pedestrian and bicycle facilities. With the LCIRT at SR 99 Project (Project), the City will close that gap, providing a safe route across the barrier by constructing a pedestrian overcrossing over SR 99, East Stockton Boulevard, and West Stockton Boulevard. Additionally, as part of the gap closure, the Project will construct a multi-use trail east of the overcrossing and a pedestrian bridge over Whitehouse Creek, thereby completing the pedestrian/bicycle facilities. The purpose of the Project is to fill the final gap and complete the City's LCIRT. This Project is needed to provide additional opportunity to utilize active modes of transportation and reduce the number of trips in motorized vehicles.

The proposed segment of the LCIRT consists of a Class I bikeway that will connect to an existing segment of the LCIRT which currently terminates at West Stockton Boulevard and at the northern embankment of the Laguna Creek Bypass Channel. An approximately 760-foot-long concrete overcrossing will then extend east, carrying the LCIRT over West Stockton Boulevard, SR 99 and East Stockton Boulevard where it will then parallel the northern bank of Laguna Creek for approximately 980 feet. A prefabricated truss bridge with a concrete deck will then carry the LCIRT over Whitehouse Creek where it will connect with a segment of the LCIRT currently under final design and environmental permitting (previously called the Laguna Creek and Whitehouse Creek Multi-Functional Corridor Project – WDR018). The trail would be approximately 10-feet wide and paved, with 2-foot-wide unpaved shoulders. The trail would also be elevated above the existing ground surface elevation by approximately 2 feet. Post-and-cable fencing would be installed at the edges of the unpaved shoulders, to prevent entry by pedestrians into the surrounding areas.

Right-of-way acquisitions and temporary construction easements are needed where the LCIRT passes through privately-owned parcels and will be obtained during final design of the Project. Below ground and aerial utility relocations are also anticipated and would be completed prior to construction. Additionally, a Caltrans Encroachment permit will be required to accommodate the proposed overcrossing structure that will carry the trail over SR 99, which is a Caltrans owned facility. Construction is anticipated last approximately 18 months.

This Project is funded through both local and federal funds and is subject to compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The lead agency for CEQA compliance is the City and the NEPA lead agency is Caltrans, as delegated by the Federal Highway Administration.

9. Surrounding Land Uses and Setting:

The current land uses within the Project site include Regional Commercial (RC), Resource Management and Conservation (RMC), and Public Services (PS). The current zoning designations within the Project site include Open Space (O), Shopping Center (SC), and Public Services (PS). The proposed Project west of West Stockton Boulevard is zoned "O." East of East Stockton Boulevard, the trail on the north side of Laguna Creek is on a parcel zoned "SC." East of Whitehouse Creek, where the east bridge abutment will be constructed, the proposed trail is located on a parcel zoned "PS."

The Project site features steep terrain along the Laguna Creek Bypass Channel, transitioning to flatter terrain east of SR 99, with a gentle slope toward Laguna Creek and Whitehouse Creek. There are no existing buildings within the Project site. From west to east, the Project begins on a paved Class I trail along the northern embankment of the Laguna Creek Bypass Channel, crossing over West Stockton Boulevard, SR 99, and East Stockton Boulevard before touching down on the north bank of Laguna Creek and extending parallel to the creek through a fallow field until it crosses Whitehouse Creek. The Project site contains Laguna Creek, Whitehouse Creek, and associated emergent and seasonal wetland features.

The SR 99/Sheldon Road Interchange is located 0.48 miles north of the proposed Project and the SR 99/Laguna Boulevard/Bond Road Interchange is located 0.55 miles south of the proposed Project. Most parcels around the interchanges are zoned "SC." On the west side of SR 99, the parcel on which the Laguna Creek Bypass Channel is situated is zoned "O." Between the Laguna Creek Bypass Channel parcel and the SR 99 interchanges are parcels zoned Residential (RD-7 and RD-15), which are developed with single-family residential uses. On the east side of SR 99, the parcels abutting the interchanges and East Stockton Boulevard are zoned "SC" except for the East Lawn Elk Grove Memorial Park and Mortuary, which is zoned "PS." The Creekside Christian Church is on a parcel zoned "SC." North of the church, are parcels zoned "O" and residential parcels zoned "RD-5."

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below could result in potentially significant impacts if mitigation measures are not implemented. As discussed on the following pages, where potentially significant impacts are identified, feasible mitigation was identified to reduce the impacts to a less than significant level. Therefore, potentially significant impacts that are mitigated to “Less Than Significant” are shown here.

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

C. DETERMINATION

On the basis of this initial evaluation:

- 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 project proponent. 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 proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact 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 proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Travis Kuhn, P.E.
Senior Civil Engineer / Capital Program
Project Manager
City of Elk Grove

2/11/2025

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Each of the responses in the following environmental checklist considers the whole action involved, including project-level, cumulative, on-site, off-site, indirect, construction, and operational impacts. A brief explanation is provided for all answers and supported by the information sources cited.

1. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone).
2. A “Less Than Significant Impact” applies when the proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
3. A “Less Than Significant Impact With Mitigation Incorporated” applies when the proposed project would not result in a substantial and adverse change in the environment after additional mitigation measures are applied.
4. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

I. AESTHETICS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 a 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

CEQA establishes that it is the policy of the state to take all action necessary to provide the people of the state “with...enjoyment of aesthetic, natural, scenic and historic environmental qualities (CA Public Resources Code Section 21001[b]).”

State

State Scenic Highway

The State Scenic Highway Program was enacted in 1963 to protect and enhance California’s natural scenic beauty by identifying sections of the State highway system, in conjunction with adjacent scenic corridors, that require special conservation treatment. A scenic corridor is land that contains scenic and natural features visible from, adjacent to, and outside the highway right-of-way. The boundary of the corridor is determined by topography, vegetation, viewing distance, and/or jurisdictional lines. In addition to adding to the pleasure of residents, the program encourages the growth of recreation and tourism industries as an important sector of the State’s economy. Caltrans is responsible for managing the State Scenic Highway Program by providing guidance to local government agencies, community organizations, and citizens that are pursuing the official designation of a State Scenic Highway (Caltrans 2024).

Local

Local Scenic Resources

The Elk Grove General Plan Update Environmental Impact Report defines scenic resources as significant visual features that contribute to the overall visual character of the area. They can be landform elements, such as hillsides or valleys; land cover components, such as rivers, streams, and forests; or areas that are unique and valuable to the community, such as parks and preserve (City 2023).

The environmental setting and discussion below are derived from the *Visual Impact Assessment Memorandum* (Dokken 2024a), which is attached to this Initial Study as **Appendix A**.

ENVIRONMENTAL SETTING

As described in **Appendix A**, the Project is located in the Sacramento Valley within the Sacramento Valley Floristic Province of California. The landscape is mostly flat with no significant landforms. Land cover within the Project area consists of disturbed/urban, annual grassland, perennial creek, emergent wetland, seasonal wetland, and seasonal wetland swale habitats. Disturbed/urban areas include SR 99, the existing LCIRT west of SR 99; and commercial/residential development consisting of residential housing, Creekside Christian Church, fences, and ornamental plantings. Natural land cover is present in the undeveloped areas adjacent to Laguna and Whitehouse Creeks, located in the eastern and western portions of the Project area. Existing lighting in the area consists of streetlights along the adjacent frontage roads and residential streets, as well as lighting from residential houses and commercial developments.



Description of Landscape Visual Character

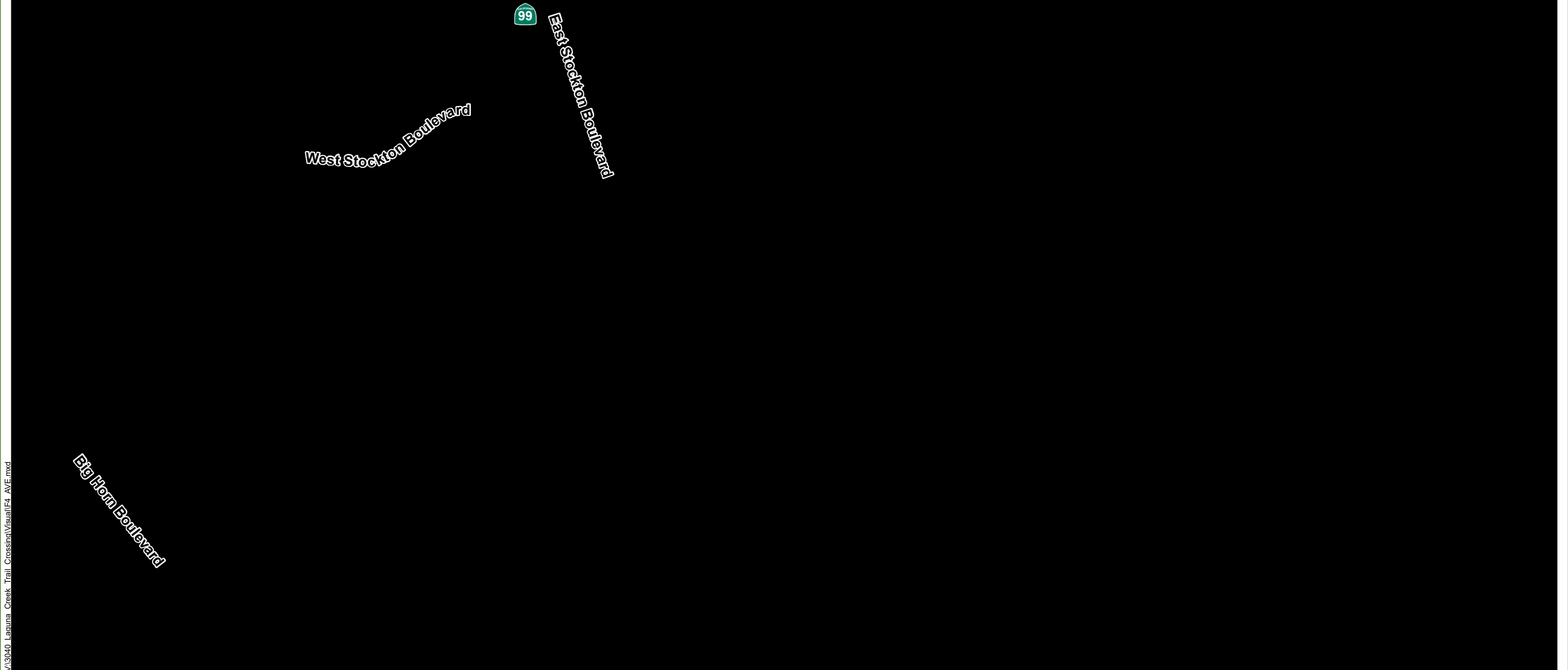
To determine the existing visual character that could be potentially impacted by the Project, an Area of Visual Effect (AVE) was developed based on perspective views of the road and from the road and the location of proposed Project features, as defined in **Figure 4. Area of Visual Effect**. The existing visual character of the AVE is dominated by the urban and developed environment; however, there is an undeveloped open area with natural vegetation east and west of SR 99, where Laguna Creek and Whitehouse Creeks are located.

The natural environment consists of annual grassland, Laguna and Whitehouse Creeks and associated emergent vegetation, and adjacent wetland features. The existing lines in the natural environment are irregular and the form is heterogeneous. The vegetation in this area varies from deep greens to browns depending on the season and the texture is rough. Within the AVE, the cultural environment consists of residential housing, Creekside Christian Church, fences, and ornamental plantings. Outside of the AVE, the cultural environment consists of other commercial development adjacent to SR 99. The residential houses and Creekside Christian Church contain horizontal and vertical lines and neutral coloring. The ornamental plantings, which are planted at Creekside Christian Church and residential houses, are green and spherical shaped.

Lastly, the Project environment consists of SR 99, the existing LCIRT west of SR 99, the frontage roads adjacent to SR 99, utility poles, street lighting, roadway signs, a portion of the undeveloped open land east and west of SR 99. SR 99 and the frontage roads have straight and sinuous lines, are colored gray with yellow and white lines to delineate the road as necessary and are made of smooth-textured concrete. The LCIRT west of SR 99 contains sinuous lines, is colored grey, and made with smooth textured concrete. Existing Sheldon Rd and Laguna Blvd/Bond Rd overpasses over SR 99, located north and south of the Project area, contain horizontal lines and are colored grey and made of smooth-textured concrete. The utility poles contain vertical lines and contain brown coloring as well as grey coloring. The utility lines which connect the utility poles are thin horizontal lines with grey and/or black coloring. The existing roadway signs vary in shape and are supported by thin gray cylindrical forms, and they are made of galvanized steel with smooth texture. The signs vary in color, either yellow, green, or red and are also made of galvanized steel with smooth texture. Lastly, the undeveloped land within the project environment contains the same visual character described for the natural environment.

Existing lighting in the area consists of streetlights along the adjacent frontage roads and residential streets and lighting from residential houses and commercial developments.

 Area of Visual Effect
 Project Area



V:\3040 Laguna Creek Trail Crossing\Visual\F4 AVE.mxd

Source: ESRI Maps Online; Dokken Engineering 9/20/2024; Created By: amyd

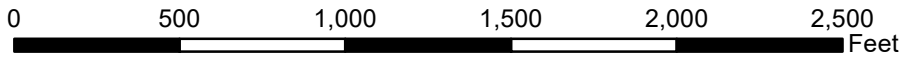


FIGURE 4
Area of Visual Effects

CML-5479(072)
Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California

The Project will be retaining dominant linear features in the area but will also introduce new linear features including the pedestrian overcrossing over SR 99, pedestrian bridge over Whitehouse Creek, and multi-use trail. The Project will positively influence the Project environment by introducing an aesthetically pleasing pedestrian overpass structure over SR 99 but will negatively influence the natural environment by introducing human made features into a mostly undeveloped natural area. The Project will connect to another segment of the LCIRT east of Whitehouse Creek which has previously undergone environmental analysis and preliminary design and is now in the final design, right-of-way acquisition, and environmental permitting phase.

Discussion of Landscape Visual Quality

Vividness of the overall landscape is moderately low as the dominant visual elements are plain and unmemorable. The natural environment, which consists of annual grassland, Laguna and Whitehouse Creeks and associated emergent vegetation, and adjacent wetland features, makes the landscape memorable. However, the cultural environment, which consists of the developed land surrounding the AVE, and Project environment, which consist of SR 99 and associated features, dominate the area. Intactness is low since SR 99 and the other urban development in the area disrupts the landscape character. Unity is also low since SR 99 and surrounding developed land and natural environment are not balanced or in scale with each other.

Viewers and Viewer Sensitivity

There are two major types of viewer groups for highway projects: neighbors and travelers. Neighbors are people who have views to the road. For this Project neighbors include:

- Residents
- Institutional viewers (workers and attendees of Creekside Christian Church)

Travelers are people who have views from the road. For this Project travelers include:

- Motorists
- Bicyclists
- Pedestrians

To determine viewer sensitivity, three attributes for viewer exposure (proximity, extent or number of viewers, and duration) and three for viewer awareness (attention, focus, and protection) were evaluated.

The neighbors viewer groups would have a moderately high viewer exposure since they are in proximity to the Project features, extent would be moderate as a moderate amount of individuals would have direct views of the Project features, and duration would be high due to their fixed position. For the neighbors viewers group, viewer awareness is moderate as individuals in this viewer group would be observant of the proposed changes and are likely to value the undeveloped open area to the east and west of SR 99; however, neighbors would have a broad and general view of the area. Broad and general views of the area would result in less sensitivity to visual changes. For the travelers viewer group, viewer exposure would be moderately high since they are in proximity to the Project features, extent would be moderately high as there are many travelers on SR 99 that would have views of the Project, and duration would be moderately low to low since they are only passing through the area. Viewer awareness would be moderately low since individuals in this viewer group would be preoccupied with other activities, have a broad and general view of the area, but are likely to value the natural setting of the LCIRT. Overall viewer

sensitivity for neighbors and travelers is considered to be moderate.

DISCUSSION OF IMPACTS

a) Have a substantial adverse effect on a scenic vista?

No Impact. No designated state scenic vistas or highways are within or near the Project site (Dokken 2024a); therefore, no impact would occur.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant with Mitigation. The Project location and setting provides the context for determining the type of changes to the existing visual environment and potential degradation of the existing visual character or quality of the site. As described above, the Project area and AVE consists of disturbed/urban, annual grassland, perennial creeks, emergent wetland, seasonal wetland, and seasonal wetland swale habitats. Disturbed/urban areas include SR 99 and the adjacent commercial/residential development. Natural land cover is present in the undeveloped areas, located in the eastern and western portions of the Project area. The designated zoning within the Project area is Open Space (O), Shopping Center (SC), and Public Services (PS).

The Elk Grove General Plan Update Subsequent Environmental Impact Report (SEIR) defines scenic resources as significant visual features that contribute to the overall visual character of the area. They can be landform elements, such as hillsides or valleys; land cover components, such as rivers, streams, and forests; or areas that are unique and valuable to the community, such as parks and preserve (City 2023).

Although there are no designated scenic vistas, highways, or historic buildings located within or adjacent the Project AVE (Dokken 2024a); the natural land cover present in the undeveloped areas adjacent to Laguna and Whitehouse Creeks, located east and west of SR 99, are considered scenic resources as defined by the Elk Grove General Plan Update SEIR described above. Therefore, with implementation of mitigation measures with implementation of **VIS-1** and **VIS-2**, impacts would be less than significant.

VIS-1: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans (same as Natural Environment Study BIO-2).

VIS-2: Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will be developed, one for upland habitats and one for wetland habitats. The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February. The final

slopes along the multi-use trail will be either treated with rock slope protection, based on hydraulic needs, or a combination of rock slope protection and native vegetation applied via hydroseed. These treatments are consistent with trail segments throughout the City of Elk Grove and will allow the trail to blend in with the natural area.

- 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 a 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?**

Less than Significant Impact with Mitigation. The proposed Project would construct the final segment of the LCIRT, which includes a pedestrian overcrossing spanning SR 99, East Stockton Boulevard, and West Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove. Due to the construction of the pedestrian bridge over Whitehouse Creek and multi-use trail, the Project would remove approximately 1.53 acres of vegetation; therefore, the undeveloped open land located in the eastern area of the Project will exhibit a decrease in vegetation colors and textures and an increase in grey color and human-made textures. The SR 99 pedestrian overcrossing would introduce a large vertical element above SR 99 and a permanent light source.

As described above, implementation of **VIS-1** and **VIS-2** would reduce impacts to scenic resources to a less than significant level; therefore, maintaining the visual character of the Project AVE. The proposed Project does not conflict with any applicable zoning or other regulations governing scenic quality.

Furthermore, the proposed Project will follow the City of Elk Grove Design Guidelines and implement the following mitigation measures **VIS-3** and **VIS-5** to comply with the City's Municipal Code Title 23. With incorporation of mitigation measures **VIS-1 through VIS-5**, impacts would be less than significant.

VIS-3: Lighting will be appropriately shielded. The Project's lighting design must be consistent with the City Elk Grove lighting guidelines and standards.

VIS-4: The new pedestrian overcrossing structure over SR 99, including slope paving, will follow aesthetic treatments developed by the Project Landscape Architect and the City of Elk Grove City Council, and should be compatible with adjacent overcrossing bridge structures.

VIS-5: Aesthetic treatments on the new multi-use trail and pedestrian bridge over Whitehouse Creek will be consistent with other trails and bridges along the LCIRT. Additionally, all temporarily impacted areas will be revegetated with a native seed mix, per VIS-2.

- d) **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Less than Significant with Mitigation. As described above, the proposed Project would construct the final segment of the LCIRT, which includes introduction of a large vertical element above SR 99 and a permanent light source. The proposed Project would install lighting on the SR 99 pedestrian overcrossing. Lighting would either be installed on light poles along the pedestrian overcrossing or incorporated along the pedestrian overcrossing railings/barriers. This lighting is not anticipated to result in substantial new light and glare impacts as the lights would be shielded, per mitigation measure **VIS-3**. Additionally, surrounding light from adjacent developed areas would still dominate the area. Lighting will not be installed on the multi-use trail or pedestrian bridge over Whitehouse Creek.

Construction of the proposed Project may require the use of construction lighting after daylight hours, which may create a new source of light or glare in the Project area. There are several residential homes that reside within 30 to 50 feet of the southwestern portion of the Project area. However, any new source of construction lighting would be temporary and limited to the time of construction. Therefore, impacts are considered less than significant with **VIS-3** incorporated.

II. AGRICULTURE AND FOREST RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" 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"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation (DOC) as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection (CAL FIRE) regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

REGULATORY SETTING

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP) was established in 1982 in response to the critical need for assessing the location, quality, and quantity of agricultural lands and conversion of these lands over time. Important Farmland Maps are prepared by the FMMP pursuant to Section 65570 of the California Government Code. To create maps, FMMP combines current land use information with U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS) soil survey data. According to the 2016 Important Farmland Series for Sacramento County, the majority of the Project site is identified as Grazing Land, whereas the eastern and western terminus of the Project site is listed as Urban and Built Up (DOC 2022).

California Land Conservation Act of 1965

The California Land Conservation Act of 1965 – commonly referred to as the Williamson Act – enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use (DOC 2024a). The program is voluntary, locally administered and offers preferential property taxes on lands which have enforceable restrictions on their use via the contracts between individual landowners and local governments. According to the Sacramento County Williamson Act FY 2015/2016 Map, the land within the Project site is listed as either Non-Enrolled Land or Urban and Built-Up Land, both of which are considered Non-Williamson Act lands (DOC 2024a).

DISCUSSION OF IMPACTS

- 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?**

No Impact. The Project site is designated by the FMMP as Farmland of Local Importance, Urban and Built-Up Land, and Grazing Land. Implementation of the proposed Project would not result in the conversion of any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use. Therefore, no impact to farmland resources would occur due to the proposed Project.

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. According to the Elk Grove Assessor Parcel Viewer (City of Elk Grove 2019), the majority of the Project area is zoned for Public Services (PS) with some areas zoned as Shopping Center (SC), and Open Space (O). Additionally, according to the Sacramento County Williamson Act FY 2015/2016 Map, the land within the Project site is listed as either Non-Enrolled Land or Urban and Built-Up Land, both of which are considered Non-Williamson Act lands. The proposed Project would not conflict with the existing zoning for agricultural use or Williamson Act contract lands; therefore, no impact would occur.

- 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))?**

No Impact. There is no forestland, timberland, or timberland zoned for Timberland Production within the Project vicinity or Project area. The Project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production; therefore, no impact would occur.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

No Impact. There is no forestland or forest resources located within the Project vicinity or Project area. The Project would not result in the loss of forest land or conversion of forest land to non-forest use; therefore, no impact would occur.

- 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?**

Less than Significant. The proposed Project would construct the final segment of the LCIRT, which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek. The proposed Project activities would remove approximately 0.43 acres of vegetation out of a roughly 10.7 acre area classified as grazing land. This is a minimal impact that would not result in the conversion of farmland to non-agricultural use, or conversion of forestland to non-forest use; therefore, the impact would be less than significant.

III. AIR QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

Federal and State

Clean Air Act

The United States Environmental Protection Agency (USEPA) is responsible for addressing national and interstate air pollution issues and setting policies. The EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans, provides research and guidance for air pollution programs, and sets National Ambient Air Quality Standards (NAAQS), also known as Federal standards. There are Federal standards for the following criteria air pollutants, which were identified from provisions of the Clean Air Act of 1970:

- Ozone;
- Particulate matter (PM10 and PM2.5);
- Nitrogen dioxide;
- Carbon monoxide (CO); and
- Lead; and
- Sulfur dioxide.

Federal standards were set to protect public health, including that of sensitive individuals; thus, the standards continue to change as more medical research is available regarding the health effects of the criteria pollutants. Primary Federal standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health, per 40 CFR 50.2.

State Implementation Plan

A State Implementation Plan is a document prepared by each state describing existing air quality conditions and measures that would be followed to attain and maintain Federal standards. The State Implementation Plan for the State of California is administered by the CARB, which has overall responsibility for Statewide air quality maintenance and air pollution prevention. California's State Implementation Plan incorporates individual Federal attainment plans for regional air districts—air districts prepare their Federal attainment plans, which are sent to the CARB to be approved and incorporated into the California State Implementation Plan. Federal attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms.

Federal and State Ambient Air Quality Standards

California and the federal government have established standards for several different pollutants. For some pollutants, separate standards have been set for different measurement periods. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions). The pollutants of greatest concern in the Project area are ozone, particulate matter-2.5 microns (PM_{2.5}) and particulate matter-10 microns (PM₁₀). **Table 2** shows the state and federal attainment status within Sacramento County for a variety of pollutants.

The Federal Clean Air Act requires the EPA to designate areas as attainment, nonattainment, or unclassified for the NAAQS. These designations are similar to their state-level counterparts. Areas that were nonattainment but have recently achieved attainment are referred to as maintenance areas. **Table 3** provides a summary of the NAAQS and California Ambient Air Quality Standards (CAAQS) attainment status in the vicinity of the Project.

Table 2. NAAQS and CAAQS Attainment Status for Sacramento County

Criteria Pollutants	State Designation	Federal Designation
Ozone	Nonattainment	Nonattainment
PM10	Nonattainment	Attainment
PM2.5	Attainment	Nonattainment
Carbon Monoxide	Attainment	Unclassified/Attainment
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified
Sulfates	Attainment	-
Lead	Attainment	Unclassified/Attainment
Hydrogen Sulfide	Unclassified	-
Visibility Reducing Particles	Unclassified	-

Source: California Air Resources Board, 2022
<https://www.arb.ca.gov/desig/adm/adm.htm>

Table 3. Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM ₁₀) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM _{2.5}) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	9.0 µg/m ³	15.0 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—	—	
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		53 ppb (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Parosalaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

See footnotes on next page ...

3.0 INITIAL STUDY CHECKLIST

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above $150 \mu\text{g}/\text{m}^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On February 7, 2024, the national annual PM2.5 primary standard was lowered from $12.0 \mu\text{g}/\text{m}^3$ to $9.0 \mu\text{g}/\text{m}^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at $35 \mu\text{g}/\text{m}^3$, as was the annual secondary standard of $15.0 \mu\text{g}/\text{m}^3$. The existing 24-hour PM10 standards (primary and secondary) of $150 \mu\text{g}/\text{m}^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ($1.5 \mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (7/16/24)

Source: CARB 2024c

Local

Sacramento Metropolitan Air Quality Management District

The Sacramento Metropolitan Air Quality Management District (SMAQMD) is the primary agency responsible for planning to meet Federal and State ambient air quality standards in Sacramento County and the larger Sacramento Ozone Nonattainment Area.

The SMAQMD operates monitoring stations in Sacramento County, develops rules, regulations, and CEQA thresholds for stationary sources and equipment, prepares emissions inventory and air quality management planning documents, and conducts source testing and inspections. **Table 4** depicts the SMAQMD Thresholds of Significance for Projects subject to CEQA (SMAQMD 2020). All projects are subject to the adopted SMAQMD rules and regulations.

The SMAQMD's air quality management plans include control measures and strategies to be implemented to attain State and Federal ambient air quality standards in Sacramento County. The SMAQMD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment. Applicable SMAQMD attainment plans include:

- An 8-Hour Ozone Attainment and Reasonable Further Progress Plan; and
- Revised 8-Hour Ozone Attainment and Reasonable Further Progress Plan.

The 8-Hour Ozone Attainment and Reasonable Further Program Plan (CARB 2023a) describes measures to be implemented by the air districts in the Sacramento Federal Nonattainment Area (SFNA). This plan includes the information and analyses to fulfill the Federal Clean Air Act (CAA) requirements for demonstrating reasonable further progress and attainment of the 8-hour ozone NAAQS for the Sacramento region. In addition, this plan establishes an updated emissions inventory projected for a 2032 attainment date, provides photochemical modeling results, proposes the implementation of reasonably available control measures, and sets new motor vehicle emission budgets for transportation conformity purposes for the reasonable further progress milestone years and the 2032 attainment year. The emission reduction strategy is based on reductions in both reactive organic gases (ROG) and nitrogen oxide (NOx) emissions.

Future Federal and State control measures include advanced clean fleets regulation, zero-emissions trucks, motorcycle new emissions standards, clean miles standard, cleaner off-road (including zero emissions), consumer products standards, zero-emissions for space and water heaters, locomotive regulations, aviation emission reductions, local mobile source control program, conversion of diesel-powered transport refrigeration units to zero-emission technologies, and other measures (SMAQMD 2024b).

Table 4. SMAQMD Thresholds of Significance

	Construction Phase	Operational Phase
Mass Emission Thresholds		
Nitrogen Oxide (NOx) (Ozone precursor)	85 pounds/day	65 pounds/day
Reactive Organic Gases (ROG) (VOC) (Ozone precursor)	None.	65 pounds/day
Particulate Matter (PM10)	Zero (0). If all feasible best available control technology (BACT) and BMPs are applied, then 80 pounds/day and 14.6 tons/year.	Zero (0). If all feasible BACT and BMPs are applied, then 80 pounds/day and 14.6 tons/year.
Particulate Matter (PM2.5)	Zero (0). If all feasible BACT and BMPs are applied, then 82 pounds/day and 15 tons/year.	Zero (0). If all feasible BACT and BMPs are applied, then 82 pounds/day and 15 tons/year.
Concentration Thresholds (Based on the California Ambient Air Quality Standard, identical threshold for both phases of development.		
Carbon Monoxide (CO)	20 ppm 1-hour standard (23 mg/m ³); 9 ppm 8-hour (10 mg/m ³)	
Nitrogen Dioxide (NO2)	0.18 ppm 1-hour standard (339 (339 µg/m ³); 0.03 ppm Annual Arithmetic Mean (57 µg/m ³)	
Sulphur Dioxide (SO2)	0.25 ppm 1-hour standard (665 µg/m ³); 0.04 ppm 24-hour standard (105 µg/m ³)	
Lead	1.5 µg/m ³ 30-day average	
Visibility Reducing Particles	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more due to particles when relative humidity is less than 70 percent	
Sulfates	25 µg/m ³ 24-hour standard	
Hydrogen Sulfide (H2S)	0.03 ppm (42 µg/m ³) 1-hour standard	
Vinyl Chloride	0.01 ppm (26 µg/m ³) 24-hour standard	

2nd 10-Year PM10 Implementation/Maintenance Plan for Sacramento County

On September 23, 2021, the SMAQMD Governing Board approved the PM10 maintenance plan (SMAQMD 2023b). This plan includes updated emission inventories, demonstrates maintenance of the PM10 standard, provides an updated control measure evaluation, and establishes new motor vehicle emissions budgets (MVEB). The plan was submitted to the USEPA for approval and the Final Rule was published on March 14, 2024, effective April 15, 2024.

2015 Triennial Report and Air Quality Plan Update

This plan is intended to comply with the requirements of the California Clean Air Act (CCAA) as related to bringing the region into compliance with the CAAQS for ozone. The SMAQMD has prepared several triennial progress reports that build upon the 1994 Sacramento Area Regional Ozone Attainment Plan. The 2015 Triennial Report and Air Quality Plan Update (SMAQMD 2015) is the most recent report. The triennial progress report includes a current emission inventory and projected future inventories of ROG and NOx emissions in Sacramento County. The future inventories reflect population growth rates, travel, employment, industrial/commercial activities, and energy use, as well as controls imposed through local, State, and Federal emission reduction

measures. The triennial report discusses rules that the SMAQMD has adopted during the previous three years, incentive programs that have been implemented, and other measures that would supplement those in the Ozone Attainment Plan to achieve the required five percent per year reduction required by the CCAA.

The SMAQMD also has several rules that relate to the proposed Project, which are summarized below.

Rule 201 – General Permit Requirements: Requires any Project that includes the use of certain equipment capable of releasing emissions to the atmosphere as part of Project operation to obtain a permit from the SMAQMD prior to operation of the equipment. The applicant, developer, or operator of a Project that includes an emergency generator, boiler, or heater should contact the SMAQMD to determine if a permit is required. Portable construction equipment with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a CARB portable equipment registration.

Rule 401 – Ringelmann Chart: Prohibits individuals from discharging into the atmosphere from any single source of emissions whatsoever any air contaminant whose opacity exceeds certain specified limits.

Rule 402 – Nuisance: To protect the public health, Rule 402 prohibits any person from discharging such quantities of air contaminants that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public.

Rule 403 – Fugitive Dust: Requires a person to take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation.

Rule 453 – Cutback and Emulsified Asphalt Paving Materials: Asphalt paving operations that may be associated with implementation of a Project would be subject to Rule 453. This rule applies to the manufacture and use of cutback asphalt and emulsified asphalt for paving and maintenance operations.

Rule 902 – Asbestos: To protect the public health and the environment, Rule 902 sets specific procedures to follow regarding handling, transport, and disposal of asbestos containing materials.

The Guide to Air Quality Assessment in Sacramento County also provides methods to analyze air quality impacts from plans and projects, including screening criteria, thresholds of significance, calculation methods, as well as mitigation measures that help assist lead agencies in complying with the CEQA. These guidelines require that basic construction emission control practices be implemented for emissions regardless of the significance determination.

Toxic Air Contaminants

A toxic air contaminant (TAC) is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. The California Almanac of Emissions and Air Quality (CARB 2013) presents the relevant concentration and cancer risk data for the ten TACs that pose the most substantial health risk in California based on available data. These TACs are as follows: acetaldehyde, benzene, 1,3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride,

perchloroethylene, and DPM.

Some studies indicate that DPM poses the greatest health risk among the TACs listed above. A 10-year research program (CARB 2024a) demonstrated that DPM from diesel-fueled engines is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk. In addition to increasing the risk of lung cancer, exposure to diesel exhaust can have other health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. Diesel exhaust is a major source of fine particulate pollution as well, and studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems.

DPM differs from other TACs in that it is not a single substance but a complex mixture of hundreds of substances. Although DPM is emitted by diesel-fueled, internal combustion engines, the composition of the emissions varies, depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present. Unlike the other TACs, however, no ambient monitoring data are available for DPM because no routine measurement method currently exists. The CARB has made preliminary concentration estimates based on a DPM exposure method. This method uses the CARB emissions inventory's PM10 database, ambient PM10 monitoring data, and the results from several studies to estimate concentrations of DPM.

Odors

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., emotional reaction) to physiological (e.g., nausea).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors is subjective and varies considerably among the population. Some individuals have the ability to smell very minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; an odor that is offensive to one person may be perfectly acceptable to another.

The Sacramento Valley Basinwide Air Pollution Control Council

The Sacramento Valley Basinwide Air Pollution Control Council (Control Council) is authorized pursuant to California Health and Safety Code Section (HSC) section 40900 to carry out the following activities relevant to the Proposed Project pursuant to State Law and the CCR (reference HSC Section 41865 and Section 41866; CCR Section 80100 et seq.):

- Assist Districts in the Sacramento Valley Air Basin in coordinating all air pollution control activities to ensure that the entire Sacramento Valley Air Basin is, or will be, in compliance with the requirements of State and Federal law.

City of Elk Grove General Plan (As Amended)

The Goals listed below are excerpted from the City of Elk Grove General Plan (as amended) – Natural Resources chapter (City 2023). These goals are designed to guide improving air quality, and promote clean, sustainable transportation options. Each of the main goals have detailed policies stating the City’s priorities and implementation strategies. For all policies related to air quality, the City’s General Plan Update 2023 can be found here: http://www.elkgrovecity.org/city_hall/departments_divisions/planning/a_brighter_future/documents

Goal NR-4: Improved Air Quality

Improving air quality is a key challenge for the Sacramento Valley region and is one of the City’s top policy priorities. Because vehicle emissions are the major source of air pollution in Elk Grove and the surrounding area, promoting clean, sustainable transportation options—including public transit, bicycling, and walking—as alternatives to motorized vehicles is an important strategy for reducing air pollution and improving air quality. Other strategies include measures to control dust and reduce construction emissions, and standards for locating sensitive land uses (such as hospitals, schools, day care facilities, and senior housing) away from sources of air pollution. Policies NR-4-1 through NR-4-13 are specific to air pollutant emissions requirements.

Goal NR-5: Reduced Greenhouse Gas Emissions That Align With Local, State, And Other Goals

In accordance with State law aimed at combatting climate change, the City will take steps to reduce local GHG emissions, as set forth in Elk Grove’s adopted Climate Action Plan (CAP). This includes working to achieve GHG reduction targets related to transportation and energy usage in buildings, as well as coordinating with regional and State agencies to reduce GHG emissions from other stationary sources. Policies NR-5-1 through NR-5-4 are specific to greenhouse gas emissions.

Goal NR-6: Reduced Energy Demand and Increased Renewable Sources

The City seeks to promote sustainable energy in Elk Grove through an integrated approach that addresses both the demand and supply sides of the energy equation. This includes steps to reduce energy consumption through energy conservation and efficiency and to encourage the use of energy derived from renewable sources, particularly solar energy. Elk Grove will need to continue increasing available renewable energy options to meet rising State standards and consumer demands. Investing in renewable energy technologies, incentivizing private clean energy projects, and ensuring ease of installation and use of renewable energy infrastructure will help the City meet or exceed these goals. Policies NR-6-1 through NR-6-5 are specific to energy conservation, whereas NR-6-6 and NR-6-7 are specific to renewable energy sources.

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. A project is considered to conflict with or obstruct implementation of regional air quality plans if it would be inconsistent with the emissions inventories contained in the regional air quality plans. Emission inventories are developed based on projected increases in population growth and vehicle miles traveled (VMT) within the region. The proposed Project would construct a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek. The Project would serve the existing and planned community and would not result in an increase in population or VMT. Implementation of the proposed

Project would increase the connectivity of the City's off-street trail network and encourage the use of alternative modes of transportation, potentially reducing the use of personal motor vehicles. Long-term operation of the proposed Project is anticipated to result in overall beneficial air quality impacts and would not conflict with existing or future air quality planning efforts. Therefore, no impact would occur.

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?

Less Than Significant Impact with Mitigation. Sacramento County is currently designated as in "attainment" for all State and federal ambient air quality standards, except ozone (non attainment status under State and Federal), PM10 (non attainment status under State), and PM2.5 (non attainment status under Federal). The current "non-attainment" status for ozone, PM10, and PM2.5 signifies that these pollutant concentrations have exceeded the established standards.

In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants, the SMAQMD developed the Guide to Air Quality Assessment in Sacramento County which has established significance thresholds for emissions of PM2.5 and PM10, and ozone precursors – reactive organic gases (ROG) and nitrous oxides (NOx). The significance thresholds, expressed in pounds per day (lbs./day), listed in **Table 5** below represent the SMAQMD's current established thresholds of significance for use in the evaluation of air quality impacts associated with proposed land development projects. Thus, if the proposed Project's emissions exceed the pollutant thresholds presented in **Table 5**, the Project would have the potential to result in significant effects to air quality, and affect the attainment of federal and State Ambient Air Quality Standards.

The proposed Project consists of constructing a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek. This trail would not affect local motorized vehicle traffic operations or patterns. The Project does not include the operation of any major stationary sources of emissions. Implementation of the proposed Project would increase the connectivity of the City's off-street trail network and encourage the use of alternative modes of transportation, potentially reducing the use of personal motor vehicles. Long-term operation of the proposed Project is anticipated to result in overall beneficial air quality impacts.

Table 5. Maximum Daily Construction Emissions and Local Thresholds of Significance

Thresholds of Significance		
Emissions	Caltrans Construction Emissions Tool Estimates	SMAQMD Construction Phase Mass Emissions Thresholds (pounds per day)
NO _x	3.16 lbs/day (daily average) 7.68 lbs/day (maximum daily average)	85 lbs/day
ROG (VOC)	0.57 lbs/day (daily average) 1.12 lbs/day (maximum daily average)	NONE
PM ₁₀	0.52 lbs/day (daily average) 5.25 lbs/day (maximum daily average)	Zero (0) . If all feasible BACT/BMPs are applied, then 80 pounds/day and 14.6 tons/year
PM _{2.5}	0.24 lbs/day (daily average) 0.69 lbs/day (maximum daily average)	Zero (0) . If all feasible BACT/BMPs are applied, then 82 pounds/day and 15 tons/year

Source: SMAQMD 2020

Short-term increases in emissions would occur during construction. The construction period would be limited and temporary. According to SMAQMD CEQA Guidelines, construction-generated NO_x and PM emissions shall be evaluated for significance under CEQA on a daily mass emission basis because they are pollutants of regional concern.

Short-term construction-related emissions resulting from the Project construction were estimated using the Caltrans Construction Emissions Tool, a spreadsheet-based model specifically designed to estimate emissions for various types of highway improvements projects (**Appendix B**). **Table 5** provides the results of the Caltrans Construction Emissions Tool for the Project construction phase compared to SMAQMD thresholds of significance.

The Project would be well below emissions levels for NO_x. The Project would generate minimal amounts of PM₁₀ and PM_{2.5} based on the construction emissions model; therefore, SMAQMD Basic Construction Emission Control Practices as described in mitigation measure **AQ-1** shall be implemented where feasible. With the implementation of measure **AQ-1**, any potentially significant impacts would be reduced to a less than significant level; therefore, impacts to air quality standards are considered less than significant with mitigation incorporated.

AQ-1: Implement SMAQMD Basic Construction Emission Control Practices, where feasible:

- 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 2 feet of freeboard 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 shall 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.

- All roadway, driveway, sidewalk, and parking lot paving 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 [required by California Code of Regulations, 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 CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2249 and 2449.1].

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. SMAQMD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants or may experience adverse effects from unhealthy concentrations of air pollutants. Hospitals, clinics, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors in the vicinity of the Project site is Shining Stars Kindergarten, located approximately 10 feet north of the Project site on the Creekside Christian Church's parking lot, off of East Stockton Boulevard.

Construction activities are anticipated to involve the operation of diesel-powered equipment. In 1998, the CARB identified diesel exhaust as a TAC. Cancer health risks associated with exposures to diesel exhaust typically are associated with chronic exposure, in which a 70-year exposure period often is assumed. Although elevated cancer rates can result from exposure periods of less than 70 years, acute exposure (i.e., exposure periods of 2 to 3 years) to diesel exhaust typically are not anticipated to result in an increased health risk because acute exposure typically does not result in exposure concentrations that would represent a health risk. Construction of the Project is anticipated to last approximately 18 months, with an estimated 396 working days assuming there will be 22 working days a month. Since construction activities are expected to occur well below the 70-year exposure period used in health risk assessments (i.e., 18 months/ 396 working days) health impacts associated with exposure to diesel exhaust from Project construction are anticipated to be less than significant. Additionally, emissions would be short-term and intermittent in nature, and therefore would not generate TAC emissions at high enough exposure concentrations to represent a health hazard. Therefore, construction of the proposed Project is not anticipated to result in an elevated cancer risk to exposed persons.

Overall exposure of sensitive receptors to substantial pollutant concentrations from the proposed Project would be less than significant and no mitigation is required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. While offensive odors rarely cause physical harm, they can be unpleasant, leading to annoyance and distress among the public and can generate citizen complaints to local governments and air districts. Project-related odor emissions would be limited to times when equipment would be utilized for construction and emission from equipment may be evident in the immediate surrounding area. Construction activities would be short-term and would not result in the creation of long-term objectionable odor because they would be quickly dispersed after equipment utilization. Therefore, due to the

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short-term nature of the construction activities, combined with limited exposure to sensitive receptors, impacts associated with development of the Project are considered less than significant and no mitigation is required.

IV. BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 Game 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, regulations or by the California Department of Fish and Game 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 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This section describes the natural resources present within and immediately surrounding the Project area and includes a discussion of the special status species and sensitive habitats potentially occurring in the Project area. Also included is an analysis of the impacts that could occur to biological resources due to implementation of the proposed Project and appropriate mitigation measures to reduce or avoid significant impacts. The analysis of biological resources presented in this section is based on a review of the current Project description, the Natural Environment Study (**Appendix C**) prepared for the Project, available literature, and surveys conducted by Dokken Engineering biologists in April 2018, June 2018; July 2023, and December 2023.

REGULATORY SETTING

This section describes the Federal, State, and local plans, policies, and laws that are relevant to biological resources within the Biological Study Area (BSA). Applicable Federal permits and approvals that will be required before construction of the Project are provided in Chapter 5.

Federal

National Environmental Policy Act

The NEPA provides an interdisciplinary framework for environmental planning by Federal agencies and contains action-forcing procedures to ensure that Federal agency decision makers take environmental factors into account. NEPA applies when a Federal agency proposes an action, grants a permit, or agrees to fund or otherwise authorize any other entity to undertake an

action that could possibly affect environmental resources. Caltrans is the designated NEPA lead agency for the proposed Project acting under delegation from the Federal Highways Administration (FHWA).

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 (16 U.S.C. section 1531 et seq.) provides for the conservation of endangered and threatened species listed pursuant to Section 4 of the Act (16 U.S.C. section 1533) and the ecosystems upon which they depend. These species and resources have been identified by the U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS).

Clean Water Act

The Clean Water Act (CWA) was enacted as an amendment to the Federal Water Pollutant Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to waters of the U.S. CWA serves as the primary Federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. CWA empowers the USEPA to set national water quality standards and effluent limitations, and includes programs addressing both point-source and non-point-source pollution. Point-source pollution originates or enters surface waters at a single, discrete location, such as an outfall structure or an excavation or construction site. Non-point-source pollution originates over a broader area and includes urban contaminants in storm water runoff and sediment loading from upstream areas. CWA operates on the principle that all discharges into the nation's waters are unlawful unless they are specifically authorized by a permit; permit review is CWA's primary regulatory tool. This Project will require a CWA Section 402 National Pollutant Discharge Elimination System (NPDES) Permit regulated by the EPA.

The United States Army USACE of Engineers (USACE) regulates discharges of dredged or fill material into waters of the U.S.. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. USACE regulatory jurisdiction pursuant to Section 404 of the CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in USACE regulations).

The Regional Water Quality Control Board (RWQCB) has jurisdiction under Section 401 of the CWA and regulates any activity which may result in a discharge to surface waters. Typically, the areas subject to jurisdiction of the RWQCB coincide with those of USACE (i.e., waters of the U.S. including any wetlands). The RWQCB also asserts authority over "waters of the State" under waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act.

Executive Order 13112: Prevention and Control of Invasive Species

Executive Order (EO) 13112 (signed February 3, 1999) directs all Federal agencies to prevent and control introductions of invasive species in a cost-effective and environmentally sound manner. As part of the proposed action, the USFWS and USACE would issue permits and therefore would be responsible for ensuring that the proposed action complies with Executive Order 13112 and does not contribute to the spread of invasive species.

Executive Order 13186: Migratory Bird Treaty Act

EO 13186 (signed January 10, 2001) directs each Federal agency taking actions that could adversely affect migratory bird populations to work with USFWS to develop a Memorandum of Understanding that will promote the conservation of migratory bird populations. Protocols developed under the Memorandum of Understanding will include the following agency responsibilities:

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- Avoid and minimize, to the maximum extent practicable, adverse impacts on migratory bird resources when conducting agency actions;
- Restore and enhance habitat of migratory birds, as practicable; and
- Prevent or abate the pollution or detrimental alteration of the environment for the benefit of migratory birds, as practicable.

The EO is designed to assist Federal agencies in their efforts to comply with the Migratory Bird Treaty Act (MBTA) (50 Code of Federal Regulations [CFR] 10 and 21) and does not constitute any legal authorization to take migratory birds. Take is defined under the MBTA as “the action of or attempt to pursue, hunt, shoot, capture, collect, or kill” (50 CFR 10.12) and includes intentional take (i.e., take that is the purpose of the activity in question) and unintentional take (i.e., take that results from, but is not the purpose of, the activity in question).

State

California Environmental Quality Act

California State law created to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities and to work to reduce these negative environmental impacts. The City of Elk Grove is the CEQA lead agency for this Project.

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game (CFG) Code Section 2050 et seq.) requires the CDFW to establish a list of endangered and threatened species (Section 2070) and to prohibit the incidental taking of any such listed species except as allowed by the Act (Sections 2080-2089). In addition, CESA prohibits take of candidate species (under consideration for listing). Candidacy designation temporarily applies CESA protections, including protection from “take” of the species without permit authorization, while CDFW determines the species should be listed as threatened or endangered.

CESA also requires the CDFW to comply with CEQA (Pub. Resources Code Section 21000 et seq.) when evaluating incidental take permit applications (CFG Code Section 2081(b) and California Code Regulations, Title 14, section 783.0 et seq.), and the potential impacts the project or activity for which the application was submitted may have on the environment. CDFW’s CEQA obligations include consultation with other public agencies which have jurisdiction over the project or activity [California Code Regulations, Title 14, Section 783.5(d)(3)]. CDFW cannot issue an incidental take permit if issuance would jeopardize the continued existence of the species [CFG Code Section 2081(c); California Code Regulations, Title 14, Section 783.4(b)].

Section 1602: Streambed Alteration Agreement

Under CFG Code 1602, public agencies are required to notify CDFW before undertaking any project that will divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Preliminary notification and project review generally occurs during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resources. These modifications are formalized in a Streambed Alteration Agreement that becomes part of the plans, specifications, and bid documents for the project.

Section 3503 and 3503.5: Bird and Raptors

CFG Code Section 3503 prohibits the destruction of bird nests and Section 3503.5 prohibits the killing of raptor species and destruction of raptor nests. Trees and shrubs are present in and adjacent to the study area and could contain nesting sites.

Section 3513: Migratory Birds

CFG Code Section 3513 prohibits the take or possession of any migratory non-game bird as designated in the MBTA or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Porter Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. Waters of the State include more than just waters of the U.S., like groundwater and surface waters not considered waters of the U.S. Additionally, it prohibits discharges of "waste" as defined and this definition is broader than the CWA definition of "pollutant". Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan. In California, Regional Boards designate beneficial uses for all water body segments in their jurisdictions, and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants, which are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-source point controls (NPDES permits or Waste Discharge Requirements), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

Regional Water Quality Control Boards

The SWRCB adjudicates water rights, sets water pollution control policy, and issues water board orders on matters of statewide application, and oversees water quality functions throughout the state by approving Basin Plans, TMDLs, and NPDES permits. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

Local

City of Elk Grove General Plan (As Amended)

The policies below are excerpted from the City of Elk Grove General Plan (as amended) (City 2023). These policies are designed to guide conservation of native and non-native habitats, plants, and animals within the City's jurisdiction.

- Policy LU-3-22: Identify a mitigation program for critical habitat for special status species known to occur within the Study Areas. A proposed project determined to have a significant impact to habitat for special status species shall implement all feasible mitigation measures established in the program, including but not limited to land dedication (which may be located either inside or outside the corresponding Study Area) or fee payment, or both.

3.0 INITIAL STUDY CHECKLIST

- Policy PT-1-11: In land uses adjacent to natural open space areas, provide on-site landscaping as a transition to natural habitats to the extent feasible.
- Policy NR-1-2: Preserve and enhance natural areas that serve, or may potentially serve, as habitat for special-status species. Where preservation is not possible, require that appropriate mitigation be included in the project.
- Policy NR-1-3: Support the establishment of multipurpose open space areas to address a variety of needs, including but not limited to maintenance of agricultural uses, wildlife habitat, recreational open space, aesthetic benefits, and flood control. To the extent possible, lands protected in accordance with this policy should be in proximity to Elk Grove to facilitate use of these areas by Elk Grove residents, assist in mitigation of habitat loss within the City, and provide an open space resource close to the urbanized areas of Elk Grove.
- Policy NR-1-4: Avoid impacts to wetlands, vernal pools, marshland, and riparian (streamside) areas unless shown to be technically infeasible. Ensure that no net loss of wetland areas occurs, which may be accomplished by avoidance, revegetation, restoration on-site or through creation of riparian habitat corridors, or purchase of credits from a qualified mitigation bank.
- Policy NR-1-5: Recognize the value of naturally vegetated stream corridors, commensurate with flood control and public desire for open space, to assist in removal of pollutants, provide native and endangered species habitat and provide community amenities.
- Policy NR-1-6: Encourage the retention of natural stream corridors, and the creation of natural stream channels where improvements to drainage capacity are required.
- Policy NR-1-7: Consider the adoption of Habitat Conservation Plans to protect rare, threatened, or endangered species.
- Policy NR-1-9: Encourage development clustering where it would facilitate on-site protection of woodlands, grasslands, wetlands, stream corridors, scenic areas, or other appropriate features such as active agricultural uses and historic or cultural resources under the following conditions and requirements. Clustering shall not be allowed in the Rural Area.
- Policy NR-2-1: Preserve large native oak and other native tree species as well as large nonnative tree species that are an important part of the City's historic and aesthetic character. When reviewing native or non-native trees for preservation, consider the following criteria:
 - health of tree, safety hazards posed by the tree, suitability for preservation in place, biological value, aesthetic value, shade benefits, water quality benefits, runoff reduction benefits, and air quality benefits (pollutant reduction).
- Policy NR-2-5: Ensure that trees that function as an important part of the City's or a neighborhood's aesthetic character or as natural habitat on public and private land are retained or replaced to the extent possible during the development of new structures, roadways (public and private, including roadway widening), parks, drainage channels, and other uses and structures.

City of Elk Grove Swainson's Hawk Program

In 2003, the City established and adopted Chapter 16.130 (Swainson's Hawk Impact Mitigation Fees) of the Elk Grove Municipal Code, 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 (City 2023). Elk Grove Municipal Code Chapter 16.130.040 requires mitigation for the loss of Swainson's hawk habitat at a 1:1 ratio. Mitigation can be achieved through the payment of a fee, which is used to fund the City's Swainson's hawk habitat restoration program, but this option may only be used, at this time, if the City has available credits. Other options for achieving mitigation through the code include the

direct transfer to the City of a Swainson's hawk habitat conservation easement along with an easement monitoring endowment or the purchase of credits at a CDFW-approved conservation bank. Elk Grove Municipal Code Chapter 16.130.040 requires that a site must be surveyed to determine whether it is suitable Swainson's hawk foraging habitat.

Lower Laguna Flood Control Project

The USACE issued authorization under Section 404 of the Federal CWA (Regulatory ID Number 199500313) June 5, 1998 for the Lower Laguna Flood Control Project. The Lower Laguna Flood Control Project proposed to provide flood protection to neighboring upland areas by constructing a bypass channel, installing twin 72-inch pipes with outfalls, and an extension of a 60-inch pipeline across Laguna Creek, as well as the installation of a 60-inch pipe with outfall from the water quality ponds on the Park Meadows South site across Laguna Creek and discharging into the bypass channel (Permit). The Permit authorized the fill of 12.39 acres of waters of the U.S. Proposed mitigation included the creation of 23.75 acres of waters onsite plus offsite vernal pool mitigation as required by the October 29, 1996 Biological Opinion (USFWS File 1-1-96-F-51) issued by the USFWS.

The 1996 Biological Opinion (BO) included conservation measures addressing giant garter snake, as well as vernal pool tadpole shrimp and vernal pool fairy shrimp. Measures relevant to giant garter snake, in part, included preservation of onsite perennial marsh and creation of additional marsh acreage within the greater Project area. Conservation measures addressing vernal pool tadpole shrimp and vernal pool fairy shrimp included the payment of in-lieu fees to purchase 1.46 vernal pool preservation credits for effects to 0.73 acre of vernal pools and the corresponding loss of habitat for vernal pool invertebrates.

The USACE reinitiated Section 7 Consultation with the USFWS on May 15, 1998 in order to meet four objectives: a) to allow for restoring vernal pools concurrently with the phasing of the project; (b) to extend the deadlines for placing preservation areas under conservation easements; (c) to address the reduction in project-related wetland impacts; and (d) to remove the requirement of placing rock refugia along Laguna Creek for giant garter snakes (HELIX Environmental Planning Inc. 2023).

According to the BO for the deed restricted parcel, recreational trails are permitted within the parcel if they are located outside of the northern project boundary, which is considered the north slope of the Laguna Creek Bypass Channel. Since the proposed trail will be north of the bypass channel, the Project would be in compliance with the BO. Also, the Project does not propose to fill or alter wetland habitat that may be suitable for giant garter snake, within the deed restricted parcel. Work within the deed restricted parcel will be limited to the area north of the Laguna Bypass Channel within a barren, developed area that provides little to no habitat suitability for giant garter snake.

ENVIRONMENTAL SETTING

The Project area, defined as the area of direct impact, is approximately 29.72 acres. Prior to field surveys, the BSA was defined as the area required for Project activities, plus an approximate 25-foot buffer to account for adjacent biological resources and potential changes in Project design. From north to south, the BSA measures approximately 1,600 feet and from east to west measures approximately 2,400 feet at its widest point. The total area of the BSA is approximately 35.87 acres.

Online databases from USFWS, CDFW California Natural Diversity Database (CNDDDB), California Native Plant Society (CNPS), and NMFS were queried for presence of potential

threatened, endangered, rare or special status species within USGS 7.5-minute quadrangles. These searches identified 57 regional species of special concern with potential to occur in the vicinity of the Project area. After biological surveys were conducted, each species' specific habitat requirements were compared to actual site conditions and the potential for occurrence was then determined. Raw data returned from the database queries is provided in **Appendix C**.

General biological surveys and habitat assessments were conducted by Dokken Engineering biologists, Andrew Dellas and Scott Salembier on April 4, 2018, and Hanna Sheldon and Vincent Chevreuil on July 27, 2023, and December 1, 2023. Additionally, jurisdictional delineations were conducted by Dokken Engineering biologists, Andrew Dellas and Courtney Owens on April 24 – April 26, 2018, to identify jurisdictional resources present within the BSA. Lastly, focused rare plant surveys were conducted by Dokken Engineering biologists, Andrew Dellas and Courtney Owens on April 24 – April 26, 2018, as well as Andrew Dellas and Scott Salembier on June 21, 2018, during the appropriate blooming season for species determined to have potential to occur within the BSA. During the July and December 2023 biological surveys, surveying biologists also confirmed the results of the 2018 jurisdictional delineations.

Dominant Land Cover and Vegetative Communities

Dominant land cover and vegetative communities within the BSA consist of disturbed/urban, annual grassland, perennial creeks, emergent wetlands, seasonal wetlands, and seasonal wetland swales (**Figure 5. Vegetation Communities within the BSA**).

Disturbed/Urban


The disturbed/urban land cover type is defined as areas that have been subject to previous or ongoing disturbances such as along roadsides, trails, and parking lots. SR 99 and Stockton Boulevard East/West are also included in this land cover type. Mowed, scraped or graded land, and gravel areas would be included in this land cover type. Disturbed land cover type is vegetated with diverse weedy flora. The BSA contains approximately 17.37 acres (~48%) of disturbed/urban land.


Annual Grassland

The Project area consists of primarily disturbed/urban habitat but is otherwise dominated by annual grasslands. The annual grasslands throughout the rural landscape consist of varying non-native species including wild oat (*Avena sp.*), Italian rye grass (*Festuca perennis*), medusahead (*Elymus caput-medusae*), curly dock (*Rumex crispus*), and others. Annual grasslands within the BSA are primarily located northwest of the intersection of Laguna Creek and Whitehouse Creek and east of SR 99. The BSA contains approximately 10.17 acres (~28%) of annual grasslands.

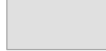
Hydrological Resources


Hydrological resources within the BSA include Laguna Creek, Whitehouse Creek, and associated wetland features: perennial creeks, emergent wetlands, seasonal wetlands, and seasonal wetland swales. Laguna Creek and Whitehouse Creek are part of the Morrison Creek watershed, and Laguna Creek subwatershed, within the Lower Sacramento River Hydrologic Unit (HUC 6) (Dokken 2024b). Whitehouse Creek flows from east to west and has been redirected around residential developments north of the BSA. Within the BSA, Whitehouse Creek flows north to south.

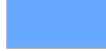
 Biological Study Area (35.87 acres)


 Deed Restricted Parcel


Vegetation Communities


 Disturbed/Urban (17.37 acres)

 Annual Grassland (10.17 acres)

 Perennial Creek (5.78 acres)

 Emergent Wetland (2.36 acres)

 Seasonal Wetland (0.05 acre)

 Seasonal Wetland Swale (0.14 acres)

V:\3040 Laguna Creek Trail Crossing\Biology\F4_VegComm.mxd

Source: ESRI Maps Online; Dokken Engineering 8/13/2024; Created By: amyd



FIGURE 5
Vegetation Communities

CML-5479(072)

Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California

Perennial Creeks

As noted, a portion of the BSA includes Whitehouse Creek and Laguna Creek, which are part of the Morrison Creek watershed, and Laguna Creek subwatershed, within the Lower Sacramento River Hydrologic Unit (HUC 6). The perennial creek habitat type is defined as the average wetted area within the perennial linear water features such as rivers, streams, and creeks. Habitat types typically found immediately adjacent to the stream and creek habitat within the BSA include seasonal wetland, seasonal wetland swales, emergent wetlands, and annual grassland habitats. Vegetation cover within perennial creeks in the BSA is dominated by swamp smartweed (*Persicaria hydropiperoides*). Emergent vegetation cover along the creek banks within the BSA is dominated by soft rush (*Juncus effusus*), tall flatsedge (*Cyperus eragrostis*), tule (*Schoenoplectus acutus* var. *occidentalis*) and spike rush (*Eleocharis palustris*). The BSA contains approximately 5.78 acres (~16%) of perennial creeks.

Emergent Wetland

Freshwater emergent wetlands are characterized by erect, rooted herbaceous hydrophytes such as common cattail. Emergent wetlands are flooded frequently enough so that the roots of the vegetation are in an anaerobic environment. On the upper margins of this habitat, saturated or periodically flooded soils support several moist soil plant species including soft rush, tall flatsedge, and saltgrass (*Distichlis spicata*). Lower, wetter portions of freshwater emergent wetlands in the Project area are composed of swamp smartweed, and tule.

Freshwater emergent wetlands are among the most productive wildlife habitats in California. Many species rely on freshwater emergent wetlands for their entire life cycle. The giant garter snake uses these wetlands as its primary habitat and has a potential to occur within the BSA. Slow-moving waters provide important resting and foraging habitats for migratory water birds such as the song sparrow "Modesto population", and black phoebe, both of which were observed during the biological surveys conducted on December 1, 2023. The BSA contains approximately 2.36 acres (~7%) of emergent wetlands.

Seasonal Wetland

Seasonal wetlands are defined as ephemeral wetlands that pond during the rainy season and dry during the summer dry season. This habitat type is dominated by hydrophytic vegetation types of grasses, herbs, and forbs. Vegetation cover in seasonal wetlands within the BSA is composed primarily of curly dock, cutleaf geranium (*Geranium dissectum*), field mustard (*Brassica rapa*), English plantain (*Plantago lanceolata*), and Himalayan blackberry (*Rubus armeniacus*). The seasonal wetland habitat type occurs west of Whitehouse Creek and north of Laguna Creek in the eastern portion of the BSA. Seasonal wetlands can provide habitat for vernal pool associates, and habitat for a wide variety of wildlife including songbirds, waterfowl, reptiles, and other wildlife species. The BSA contains approximately 0.05 acres (~0.1%) of seasonal wetlands.

Seasonal Wetland Swale

The seasonal wetland swale land cover type is defined as low meandering channels that tend to be saturated long enough to support vegetative associations. Swale features often represent the headwaters of streams, connect seasonal wetlands, and/or drain small watersheds into defined creeks. Swales can be supported by minor groundwater seepage. Swales within the BSA contain curly dock, yellow starthistle (*Centaurea solstitialis*), Italian ryegrass, ripgut brome (*Bromus diandrus*), and other nonnative grasses. The seasonal wetland swale habitat type occurs east of Whitehouse Creek in the eastern portion of the BSA. The BSA contains approximately 0.14 acres (~0.4%) of seasonal wetland swales.

Wildlife

Wildlife observed within the BSA included local bird species such as the killdeer (*Charadrius vociferus*), white-tailed kite (*Elanus leucurus*), northern flicker (*Colaptes auratus*), barn swallow (*Hirundo rustica*), savannah sparrow (*Passerculus sandwichensis*), song sparrow (*Melospiza melodia*), American crow (*Corvus brachyrhynchos*), California scrubjays (*Aphelocoma californica*), mourning dove (*Zenaidura macroura*), western meadowlark (*Sturnella neglecta*), black phoebe (*Sayornis nigricans*), barn swallow (*Hirundo rustica*), turkey vulture (*Cathartes aura*), western bluebird (*Sialia mexicana*), white-crowned sparrow (*Zonotrichia leucophrys*), and Swainson's hawk (*Buteo swainsoni*). Most bird observations were recorded within the emergent wetland habitat and adjacent annual grassland habitat; however, species were observed throughout the BSA.

Habitat Connectivity

The CDFW Biogeographic Information & Observation System was reviewed to determine if the BSA is located within an Essential Connectivity Area. The BSA is not within an Essential Connectivity Area. Additionally, Terrestrial Connectivity within the Project area was identified as a Rank 1– Limited Connectivity Opportunity. These are areas where land use may limit options for providing connectivity (e.g., agriculture, urban) or no connectivity importance has been identified in models. Implementation of this Project will not permanently fragment any existing natural habitats in such a way that would prohibit wildlife movement, and therefore will not impact any existing habitat connectivity networks.

Regional Species and Habitats and Natural Communities of Concern

Plant and animal species have special status if they have been listed as such by Federal or state agencies or by one or more special interest groups, such as CNPS. Prior to the field survey, literature searches were conducted using USFWS IPaC, CDFW CNDDDB, CNPS, and NMFS databases to identify regionally sensitive species with potential to occur within the BSA. **Table 2. Special Status Species with Potential to Occur in the Project Vicinity of Appendix C** provides the list of regional special status species returned by the database searches, describes the habitat requirements for each species, and states if the species was determined to have potential to occur within the BSA. There were 23 plant species and 34 wildlife species with the potential to occur in the Project vicinity returned by the database searches. A total of fourteen special status species have potential to occur within the Project area: burrowing owl (*Athene cunicularia*), song sparrow "Modesto population" (*Melospiza melodia* pop. 1), Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), white-tailed kite (*Elanus leucurus*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), GGS, northwestern pond turtle (NWPT) (*Actinemys marmorata*), alkali-sink goldfields (*Lasthenia chrysantha*), Boggs Lake hedge-hyssop (*Gratiola heterosepala*), dwarf downingia (*Downingia pusilla*), legenere (*Legenere limosa*), Sanford's arrowhead (*Sagittaria sanfordii*), and woolly rose-mallow (*Hibiscus lasiocarpus* var. *occidentalis*).

Special Status Plants

Preliminary literature research of online databases concluded that 23 special status plant species have the potential to occur within the Project vicinity. Analysis of specific habitat requirements and current and historical occurrences determined that six special status plants have a low to high potential to occur within the BSA: alkali-sink goldfields, Boggs Lake hedge-hyssop, dwarf downingia, legenere, Sanford's arrowhead, and woolly rose-mallow (**Appendix C - Table 2**). Habitat requirements and special status ranking for these six plant species are described below.

Alkali Sink Goldfields

Alkali sink goldfields is not a state or federally listed species but is a CNPS rare plant rank 1B.1. This species is an annual herb found in alkali sinks, valley grassland, vernal pools, saline flats, and wetland-riparian areas. The species blooms February-June at elevations at and lower than 300 feet.

Boggs Lake Hedge-Hyssop

Boggs Lake hedge-hyssop is not federal listed but is endangered under CESA and has a CNPS rare plant rank of 1B.2. Boggs Lake hedge-hyssop is an annual herb inhabiting clay soils and shallow waters of marshes and swamps, lake margins, and vernal pools. The species flowers from April-August at elevations ranging from 33-7,792 feet.

Dwarf Downingia

Dwarf downingia is not a state or federal listed species but is a CNPS rare plant rank 2B.2. Dwarf downingia is an annual herb inhabiting vernal pools and mesic valley and foothill grassland communities. The species flowers from March-May at elevations ranging from 3-1,460 feet.

Legenere

Legenere is not a state or federal listed species but is a CNPS rare plant rank 1B.1. Legenere is an annual herb inhabiting wet areas, vernal pools, and ponds. The species flowers from May-June at elevations ranging from 0-2,887 feet.

Sanford's Arrowhead

Sanford's arrowhead is not a state or federal listed species but is a CNPS rare plant rank 1B.2. Sanford's arrowhead is a perennial rhizomatous herb inhabiting freshwater marshes, swamps, ponds and ditches. The species flowers from May-October at elevations ranging from 0-2,132 feet.

Wooly Rose-Mallow

Wooly rose-mallow is not a state or federal listed species but is a CNPS rare plant rank 1B.2. Wooly rose-mallow is a perennial rhizomatous herb inhabiting freshwater wetlands, wet banks, and marsh communities, and is often found in-between riprap on levees. The species flowers from June-September at elevations ranging from 0-394 feet.

Rare plant surveys were conducted April 24, 25 and 26, 2018, by Dokken biologists Andrew Dellas and Courtney Owens, as well as June 21, 2018, by Dokken Engineering biologist Andrew Dellas and Scott Salembier. Rare plant surveys included habitat assessments, and focused surveys for special status plant species. No special status plant species were identified during the survey efforts. No Project-related impacts to special status plant species are anticipated.

Special Status Wildlife

Preliminary literature research of online databases concluded that 34 special status wildlife species have the potential to occur within the Project vicinity. Analysis of specific habitat requirements and current and historical occurrences determined that eight special status wildlife species have a low to high potential to occur within the BSA: Swainson's hawk, white-tailed kite, burrowing owl, song sparrow "Modesto population", tricolored blackbird, yellow-headed blackbird, giant garter snake, and northwestern pond turtle (**Appendix C - Table 2**). Habitat requirements and special status ranking for these eight wildlife species are described below.

Swainson's hawk

Swainson's hawk is state-listed as threatened. Swainson's hawk migrates annually from wintering areas in South America to breeding locations in northwestern Canada, the western U.S., and

3.0 INITIAL STUDY CHECKLIST

Mexico. In California, Swainson's hawks nest throughout the Sacramento Valley in large trees in riparian habitats and in isolated trees in or adjacent to agricultural fields. The breeding season extends from late March through late August, with peak activity from late May through July. In the Sacramento Valley, Swainson's hawks forage in large, open agricultural habitats, including alfalfa and hay fields. The breeding population in California has declined by an estimated 91% since 1900; this decline is attributed to the loss of riparian nesting habitats and the conversion of native grassland and woodland habitats to agriculture and urban development.

White-tailed kite

White-tailed kite is a fully protected species under CFG Code Section 3511. The species has a restricted distribution in the U.S., occurring only in California and western Oregon and along the Texas coast. The species is fairly common in California's Central Valley margins with scattered oaks and river bottomlands. White-tailed kites nest in riparian and oak woodlands and forage in nearby grasslands, pastures, agricultural fields, and wetlands. They use nearby treetops for perching and nesting sites. Voles and mice are common prey species.

Burrowing owl

The burrowing owl is not a state or federally listed species but as of October 10, 2024, was designated as a "candidate species" under the CESA by CDFW. The candidacy designation temporarily applies CESA protections, including protection from "take" of the species without permit authorization, while CDFW determines the species should be listed as threatened or endangered.

The burrowing owl inhabits arid, open areas with sparse vegetation cover such as deserts, abandoned agricultural areas, grasslands, and disturbed open habitats. The species requires friable soils for burrow construction and prefers areas on bare, well drained, level to sloping sites. Typically, the species occupies small old mammal burrows, but has been known to utilize pipes, culverts and nest boxes when preferred burrows are absent. Burrowing owls may use a site for breeding, wintering, foraging, and/or migration stopovers. Breeding season takes place from February 1 to August 31 with peak breeding from March to August.

Song sparrow ("Modesto" population)

The song sparrow is not a state or federally listed species but is a CDFW Species of Special Concern. The ecological requirements of the species are largely undescribed, but the species is known to have an affinity for emergent freshwater marshes dominated by tules and cattails described as being moderately dense vegetation to supply cover for nest sites, a source of standing or running water, semi-open canopies to allow light, and exposed ground or leaf litter for foraging. Habitat loss, fragmentation, and degradation are the primary threats to the species. Nesting season for the species usually begins in April, and most nesters in California are nonmigratory, with other migrants coming from the north.

Tricolored blackbird

The tricolored blackbird is state listed as threatened under CESA. This species typically nests in freshwater marsh or other areas with dense, emergent vegetation such as dense cattails or tules, thickets of blackberry and willow. However, when preferred nesting is not available the species has been known to nest in grain (triticale), fiddleneck, thistles etc. (University of California Davis 2015, Meese 2008). Most tricolored blackbirds forage within 3 miles of their colony sites and require some source of water in proximity to their colony location. Preferred foraging habitats include crops such as rice, alfalfa, irrigated pastures, and ripening or cut grain fields, as well as annual grasslands, cattle feedlots, and dairies. The species may also forage in remnant native habitats, including wet and dry vernal pools and other seasonal wetlands, riparian scrub habitats, and open marsh borders.

Yellow-headed blackbird

The yellow-headed blackbird is not a federal or state listed species but is a CDFW Species of Special Concern. Yellow-headed blackbirds tend to nest and roost in dense emergent vegetation, feeding primarily on seeds and cultivated grains, while eating insects through the breeding season. Nesting occurs in dense wetlands of cattails and tules and is timed to coincide with maximum emergence of aquatic insects. Breeding season typically lasts from mid-April to late July. The species occurs throughout the Central Valley during breeding season and migrates south during the winter months.

Giant Garter Snake (GGS)

GGS is a state and federally listed species. GGS is one of the largest garter snakes and is endemic to the wetlands within the Sacramento and San Joaquin valleys. GGS inhabit marshes, sloughs, ponds, small lakes, low gradient streams, and other waterways and agricultural wetlands, such as irrigation and drainage canals and rice fields, and the adjacent uplands (USFWS 2017). GGS feed on small aquatic animals such as fish, tadpoles, and frogs. Essential habitat components for GGS consist of: wetlands with adequate water during the snake's active season (early-spring through mid-fall) to provide food and cover; emergent herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and foraging habitat during the active season; upland habitat with grassy banks and openings in waterside vegetation for basking; and higher elevation uplands for escape cover (vegetation, burrows) and underground refugia (crevices and small mammal burrows) (Hansen 1980). The GGS breeding season extends through March and April, and females give birth to live young from late July through early September. At birth, young disperse into dense cover and typically double in size by one year of age, while sexual maturity averages three years in males and five years for females. According to studies of marked snakes in the Natomas Basin, snakes moved about 0.25-0.5 miles per day (Hansen and Brode 1993). GGS typically inhabit small mammal burrows for winter dormancy, escape and cover, and also as refuge from extreme heat during their active period. Burrows are typically close to wetland or water sources; however, GGS have been documented using burrows as far as 820 feet from the edge of marsh habitat.

Northwestern pond turtle (NWPT)

The NWPT is a CDFW Species of Special Concern and is proposed to be listed under the FESA as a threatened species. NWPTs are native to the west coast and are found from Baja California, Mexico north through Klickitat County, Washington. The NWPT is a fully aquatic turtle, inhabiting ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. The species requires suitable basking sites such as logs, rocks and exposed banks and associated upland habitat consisting of sandy banks or grassy open fields for reproduction. The species is omnivorous, consuming aquatic wildlife and vegetation. The NWPT may overwinter in aquatic or muddy substrates or on land as far as 1640 feet from aquatic habitat. NWPT that overwinter in upland habitat can begin movements as early as 25 August (peaking between September and October) through 30 November. NWPT will begin moving back to aquatic habitat between 1 February and 1 May. Nests are generally found on south facing slopes in flat areas with low vegetation and dry, hard soil.

All biological field surveys included a habitat assessment, and focused surveys for special status wildlife species. Swainson's hawk, white-tailed kite, NWPT, and Song sparrow ("Modesto" population) were observed during the biological surveys. No other special status species were observed during the field surveys, but they are still considered to have potential of occurring within the BSA based on presence of potentially suitable habitat and recently documented regional occurrences.

DISCUSSION OF IMPACTS

- 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 Game or U.S. Fish and Wildlife Service?**

Less Than Significant Impact with Mitigation. As described above in the *Environmental Setting*, the USFWS, CDFW CNDDDB, CNPS, and NMFS database queries identified 57 species of special-status plant and wildlife species with potential to occur within the Project vicinity, two of which were identified as present within the Project area: song sparrow “Modesto population” and NWPT. Burrowing owl, Swainson’s hawk, and white-tailed kite were determined to have a high potential to occur with the BSA; while alkali-sink goldfields, Boggs Lake hedge-hyssop, dwarf downingia, legenera, Sanford’s arrowhead, woolly rose-mallow, tricolored blackbird, yellow-headed blackbird, and GGS determine to have a low to moderate potential of occurring within the BSA (**Appendix C - Table 2**).

The following is a discussion on special status plant and wildlife species that were determined to have the potential of occurring within the Project area, potential impacts, and avoidance, minimization, and mitigation measures that when incorporated will reduce impacts to a less than significant impact.

Project Impacts to Special Status Plants

The Project will result in temporary and permanent impacts to annual grassland habitat, as well as shallow wetland habitat, including seasonal wetland, emergent wetland and seasonal wetland swale (**Appendix C - Table 3**). Although some of these species were not detected during the 2018 focused rare plant surveys, pursuant to the recommendations in the *Protocols for Surveying and Evaluating Impacts to Species Status Native Plant Populations and Natural Communities* (CDFW 2018), a single season of negative surveys is not sufficient to determine absence of a species. Therefore, a second round of rare plant surveys will be conducted during the bloom period prior to construction as described in measure **BIO-9**. With the inclusion of measure **BIO-9** below, no direct impacts to the special status plant species are anticipated.

BIO-9: A focused rare plant survey will be conducted within the Project area prior to the start of construction. Surveys will be conducted during the appropriate blooming period for the following species: alkali-sink goldfields, Boggs Lake hedge-hyssop, dwarf downingia, legenera, Sanford’s arrowhead, and woolly rose-mallow. If rare plants are discovered during pre-construction surveys but can be reasonably avoided, ESA fence will be installed to protect the specimens in place.

If a special-status plant specimen is present within the Project area and cannot be fully avoided, the Project biologist will relocate individual(s) and/or collect seeds to ensure the continued existence of the local population. Area of relocation or re-seeding will be at the discretion of the Project biologist but will be located within suitable habitat and within the same watershed of the Project, preferably at a location that is protected in perpetuity. If relocation or seed collection of Boggs Lake hedge-hyssop is required a CDFW 2081 Incidental Take Permit must first be obtained.

In addition, the following protective measures will be included in the Project plans to ensure that invasive species are not introduced or spread:

BIO-25: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

Project Impacts to Special Status Wildlife

Project Impacts to Swainson's Hawk

The Project will permanently remove approximately 0.43 acres of potentially suitable Swainson's hawk foraging habitat due to the proposed trail alignment. Additionally, the Project will result in approximately 1.31 acres of temporary impacts to suitable foraging habitat, which may include construction access for personnel and equipment, clearing and grubbing, as well as grading and compaction. However, the BSA lacks suitable nesting habitat for Swainson's hawk, and therefore, take of the species is not anticipated. With avoidance of take, a CDFW Section 2081 Incidental Take Permit for Swainson's hawk is not warranted for the Project.

The following protective measure has been incorporated to minimize and avoid impacts to Swainson's hawk.

BIO-10: No Project activity will be completed from March 1 through August 31 unless the Project biologist conducts Swainson's hawk nesting surveys within the work area and a ½ mile buffer, following survey methodology developed by the Swainson's Hawk Technical Advisory Committee prior to commencing Project activities. Should a nesting Swainson's hawk pair be found within ½ mile of the Project, the Project biologist will provide a no-work buffer recommendation to CDFW, as well as a plan to avoid take of the species. Project activities will not proceed until the appropriate no-work buffer is established, and the appropriate take avoidance strategies are implemented, as determined by the Project biologist.

Implementation of **BIO-11** would compensate for the permanent loss of potentially suitable Swainson's hawk foraging habitat.

BIO-11: Annual grassland habitat within the Project area is considered Swainson's hawk foraging habitat and is protected under Chapter 16.130 of the City Municipal Code, Swainson's Hawk Impact Mitigation Fees. The City will mitigate for the permanent loss of Swainson's hawk foraging habitat at a 1:1 ratio. Mitigation can be accomplished through participation in the City of Elk Grove Swainson's Hawk Impact Mitigation Fees Ordinance, other method acceptable to the California Department of Fish and Wildlife, or other method acceptable to the Elk Grove City Council pursuant to Section 16.130.110.

Cumulative Impacts to Swainson's Hawk

The permanent fill from the proposed trail is anticipated to be negligible as it relates to potentially suitable foraging habitat for the species given that the surrounding annual grassland will likely continue to support a prey base (small mammals) for Swainson's hawks after construction of the Project. With the implementation of avoidance, minimization, and mitigation measures **BIO-10** and **BIO-11**, the Project will avoid take of

Swainson's hawk, and will offset the loss of suitable foraging habitat. Therefore, the Project is not anticipated to result in a cumulative impact to the local Swainson's hawk population.

Project Impacts to White-Tailed Kite

The Project will permanently remove approximately 0.43 acres of potentially suitable white-tailed kite foraging habitat to accommodate the proposed trail alignment. Additionally, the Project will result in approximately 1.31 acres of temporary impacts to suitable foraging habitat, which may include construction access for personnel and equipment, clearing and grubbing, as well as grading and compaction.

The following measures will compensate for the permanent loss of potentially suitable white-tailed foraging habitat.

Implementation of the following avoidance, minimization, and mitigation measures **BIO-1**, **BIO-2**, and **BIO-4**, the Project will avoid direct impacts to white-tailed kite. Furthermore, implementation of measure **BIO-8** will ensure areas of temporary impact are decompacted and restabilized with application of California native seeds.

BIO-1: Every individual working on the Project must attend a biological awareness training session delivered by the USFWS and/or CDFW approved Project biologist. This training program will include information regarding the sensitive habitats and special-status species that may occur within the Project area, and the importance of avoiding impacts to these species and their habitat.

BIO-2: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans.

BIO-4: Vegetation removal will not exceed what is shown on the plans without prior approval from the Project biologist. If trees will be trimmed rather than removed, trimming must comply with ANSI A300 pruning standards and must not:

- leave branch stubs
- make unnecessary heading cuts
- cut off the branch collar (do not make a flush cut)
- top or lion's tail trees (stripping a branch from the inside leaving foliage just at the ends)
- remove more than 25 percent of the foliage of a single branch
- remove more than 25 percent of the total tree foliage in a single year
- damage other parts of the tree during pruning
- use wound paint
- climb the tree with climbing spikes

BIO-8: Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will

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be developed, one for upland habitats and one for wetland habitats. The upland seed mix will contain narrowleaf milkweed (*Asclepias fascicularis*). The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February.

Compensatory Mitigation for White-Tailed Kite

White-tailed kite and Swainson's hawk share foraging habitats and it is anticipated that mitigation for Swainson's hawk grassland foraging habitat, as stated in measure **BIO-11**, will mitigate for the loss of white-tailed kite foraging habitat. Therefore, compensatory mitigation specific to this species is not required or proposed at this time.

Cumulative Impacts to White-Tailed Kite

With the implementation of compensatory mitigation measure **BIO-11**, the Project is not anticipated to result in a permanent loss of white-tailed kite foraging habitat that would result in a cumulative impact to the local population.

Project Impacts to Burrowing Owl

The Project will permanently remove approximately 0.43 acres of potentially suitable burrowing owl foraging and nesting habitat. Additionally, the Project will result in approximately 1.31 acres of temporary impacts to suitable foraging habitat, which may include construction access for personnel and equipment, clearing and grubbing, as well as grading and compaction.

Although no burrowing owls or signs of burrowing were observed during survey efforts, the species has a high potential to occupy grassland habitat within the Project area prior to construction. Therefore, pre-construction burrowing owl surveys are recommended prior to the start of Project activities to avoid direct impacts to the species.

Implementation of the following measure will avoid impacts to burrowing owl:

BIO-12: Prior to the start of Project-related activities the Project biologist will conduct pre-construction surveys for burrowing owl within the Project area plus a 500-foot buffer. Surveys will follow CDFW's Staff Report on Burrowing Owl Mitigation, which includes four surveys at least 3 weeks apart prior to the start of Project activities. The final survey must not be conducted within 14 days prior to the start of Project activities. If burrowing owls are identified within the survey area the Project biologist will consult with CDFW to determine appropriate no-work buffer distances, avoidance strategies and/or mitigation for impacted nest sites.

Compensatory Mitigation for Burrowing Owl

With the implementation of species-specific avoidance and minimization measure **BIO-12**, direct impacts to burrowing owls are not anticipated. Burrowing owl and Swainson's hawk share similar foraging habitat requirements and it is anticipated that mitigation for Swainson's hawk foraging habitat, as stated in mitigation measures **BIO-11**, will mitigate for the loss of burrowing owl foraging/nesting habitat. Compensatory mitigation specific to this species is not required or proposed at this time.

Cumulative Impacts to Burrowing Owl

With implementation of species-specific avoidance and minimization measure **BIO-12**, the Project will avoid direct effects to burrowing owl. Additionally, with the inclusion of compensatory mitigation for grassland foraging habitat (**BIO-11**) the Project is not anticipated to result in a permanent loss of burrowing owl foraging/nesting habitat that would result in a cumulative impact to the local population.

Project Impacts to Emergent Wetland Nesting Songbirds

To accommodate the proposed alignment of the trail the Project is anticipated to temporarily and permanently impact potentially suitable nesting and foraging habitat for these species, including emergent wetland, seasonal wetland and annual grassland (**Appendix C - Table 3**). With the implementation of **BIO-13** below, as well as the use of Standard BMPs, and proposed compensatory mitigation for impacts to jurisdictional waters and annual grassland habitat, the Project will not result in direct impacts to song sparrow ("Modesto" population) or yellow-headed blackbird. Additionally, the Project will not result in take of tricolored blackbird, and consultation with CDFW under Section 2081 Incidental Take Permit is not warranted.

Implementation of measure **BIO-13** would avoid impacts to song sparrow ("Modesto" population), tricolored blackbird, yellow-headed blackbird, and other nesting migratory birds that have potential to occur within the Project area.

BIO-13: If vegetation removal or ground disturbance is planned to occur during the nesting season (February 1st – August 31st), the Project biologist will conduct a pre-construction nesting bird survey within 7 days prior to vegetation removal or ground disturbance. Within 2 weeks of the nesting bird survey, all vegetation cleared by the Project biologist will be removed from the Project site.

A minimum 100-foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 300-foot no-disturbance buffer will be established around any nesting raptor species. Upon receiving notification of an active nest, the contractor will immediately stop work until the appropriate buffer is established. Work within the buffer zone will only proceed once the Project biologists has determined that the young have fledged. A reduced buffer may be considered at the discretion of the Project biologist and wildlife agencies.

If tricolored blackbird is discovered nesting within the Project area during the pre-construction nesting bird survey, the Project biologists will notify CDFW, and no Project related activities will proceed until CDFW has issued an Incidental Take Permit for tricolored blackbird or has provided written approval to start work.

Compensatory Mitigation for Emergent Wetland Nesting Songbirds

With the implementation of site-specific compensatory measures **BIO-7** and **BIO-11** impacts to jurisdictional waters, including emergent wetland and seasonal wetland, as well as grassland habitat will be appropriately mitigated. Therefore, long-term indirect impacts to song sparrow ("Modesto" population), tricolored blackbird, and yellow-headed blackbird, through habitat loss, are not anticipated. Compensatory mitigation specific to these species is not proposed at this time.

BIO-7: The City of Elk Grove will fulfill all compensatory mitigation required by permitting agencies (CDFW, USACE, RWQCB) as outlined in the final

environmental permits acquired for the Project. Compensatory mitigation will be developed during the permitting phase and is anticipated to be required for all aquatic resources impacted by the Project including, Laguna Creek, Whitehouse Creek, seasonal wetland, seasonal wetland swale and emergent wetland. The mitigation may consist of credit purchases, in lieu fee payments, or on/offsite habitat enhancement or restoration. All temporary impacts will be mitigated at a minimum 1:1 ratio and all permanent impacts will be mitigated at a minimum of 2:1 ratio.

Cumulative Impacts to Emergent Wetland Nesting Songbirds

With implementation of site-specific avoidance and minimization measures, as well as compensatory mitigation for habitats that have the potential to support special status species, the Project will not result in cumulative impacts to song sparrow ("Modesto" population), tricolored blackbird, or yellow-headed blackbird.

Project Impacts to NWPT

The Project is anticipated to permanently impact a total of approximately 0.93 acres of aquatic habitat (emergent wetland, seasonal wetland, seasonal wetland swale, and Laguna Creek) and approximately 0.43 acres of suitable upland habitat (annual grassland). Additionally, the Project is anticipated to temporarily impact a total of approximately 0.27 acres of aquatic habitat (emergent wetland, seasonal wetland, seasonal wetland swale, Laguna Creek and Whitehouse Creek), and approximately 1.31 acres of suitable upland habitat (annual grassland). Temporary impacts within perennial creek habitat would include installation of a temporary water diversion or de-watering system, clearing/grubbing of aquatic vegetation to allow access for construction personnel and equipment. Temporary impacts within grassland and wetland habitat may include construction access for personnel and equipment, clearing and grubbing, as well as grading and compaction. However, temporarily disturbed soils within grassland and wetland habitats would be de-compacted and re-vegetated with California native seeds after completion of the Project.

Given that NWPT is proposed to be listed under the FESA, Section 7 consultation will be required with USFWS upon official listing of the species. Since the species has been observed within the BSA there is a high likelihood of encountering the species during implementation of the Project. Though no determination will be made for purposes of Section 7 consultation at this time, once officially listed under FESA, the determination for NWPT is proposed to be *May Affect, Likely to Adversely Affect*.

BIO-14: To avoid impacts to NWPT, the Project biologist will conduct a pre-construction survey of the Laguna Creek, Whitehouse Creek, and adjacent banks and wetlands, and upland habitats within the Project area. Surveys will be conducted no more than 24 hours prior to onset of construction. In addition, the Project biologists will monitor initial in-water work and de-watering activities, including clearing/grubbing of aquatic vegetation.

If a turtle is located within the construction area, the Project biologist will temporarily halt work in the vicinity of the discovery and capture the turtle(s) and relocate the species to appropriate aquatic habitat a safe distance from the construction site. The relocation site must be within the same water body found at the Project site (Laguna Creek or Whitehouse Creek).

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- BIO-15:** If water pumps are used to dewater the Project area, pump intakes will be screened and equipped with an energy dissipater to protect aquatic species. Intake pumps will include a mesh screen with openings that do not exceed 3.96 millimeters (5/32 inches) measured diagonally.
- BIO-16:** Prior to ground disturbing activities or in-water work, animal exclusion fencing will be installed on the edge of the Project boundary within natural habitat communities. The fencing will consist of silt fencing, or a similar material such that turtles, snakes, or other wildlife cannot get through or become entangled in it and will be buried a minimum of 6 inches below ground and will extend 12-18 inches above the ground. At any access opening in the fence, the fence will be installed to turn 180 degrees away from the access point for a length of approximately 10 feet and at a minimum width of one foot from the original fence. The on-site personnel, provided the environmental awareness training by the Project biologist, will inspect the exclusion fencing daily to ensure the fence is kept in good working order. The fence will be maintained and repaired as necessary throughout construction.
- BIO-17:** No plastic or synthetic monofilament netting shall be used as erosion control or other BMP measures within the project area. All material will be comprised of natural fibers.
- BIO-18:** To prevent the inadvertent entrapment of NWPT, all excavated, steep-walled holes or trenches more than 3 inches wide and 1 foot deep will be inspected for NWPT then covered at the close of each working day by plywood or similar materials. If it is not feasible to cover an excavation, one or more escape ramps constructed of earthen fill or wood \geq 6 inches wide shall be installed. Before such holes or trenches are filled, they must be thoroughly inspected by the biologist for trapped NWPT. If at any time a trapped NWPT is detected, the biologist or monitor will relocate the NWPT to nearby suitable habitat well outside the work area.
- BIO-19:** Any heavy equipment to be operated in or near water or suitable upland habitat will use non-toxic (e.g., vegetable oil-based) hydraulic fluids only. A spill management plan will be developed to ensure that all equipment will be free of oil and fuel leaks. Equipment refueling and maintenance will only occur at staging areas to avoid fuel, hydraulic fluids, and lubricants from entering the waterway or suitable upland habitat. Further, absorptive pads or impermeable pans should be placed under the vehicles to contain spills and leaks.
- BIO-20:** The NWPT may overwinter in aquatic or muddy substrates or on land as far as 1640 feet from aquatic habitat. NWPT that overwinter in upland habitat can begin movements as early as 25 August (peaking between September and October) through 30 November. NWPT will begin moving back to aquatic habitat between 1 February and 1 May. Monitoring of ground-disturbing activities in suitable upland habitat, within 1640 feet from presumed occupied aquatic habitat, shall occur from 25 August to 1 December and from 31 January to 1 May. If an overwintering NWPT is excavated and unharmed, construction activities will cease within 50 feet of the turtle until the biologist or monitor can relocate the NWPT to a location specified in the relocation plan. If a NWPT is excavated and injured, the biologist will take the NWPT to a Service-approved rehabilitation center. If it is killed, the NWPT will be taken to a designated

repository. If the biologist or monitor exercises this authority, the Service will be notified within 48 hours.

Compensatory Mitigation for NWTP

With the implementation of site-specific avoidance and minimization measure **BIO-14** through **BIO-20**, direct impacts to NWTPs will be minimized. Given the current pending listing status of the species under FESA, species-specific compensatory mitigation is not proposed at this time.

Cumulative Impacts to NWTP

With the implementation of site-specific avoidance and minimization measures, potential Project impacts to NWTP will be minimized. Furthermore, although some margins of Laguna Creek and Whitehouse Creek will be permanently impacted, the Project will not result in long-term effects to these aquatic resources in such a way that would make it inhabitable to NWTP. Compensatory mitigation for impacts to aquatic resources will occur in accordance with measure **BIO-7**. Therefore, no cumulative impacts to suitable NWTP habitat or the local NWTP population are anticipated.

Project Impacts to GGS

The Project will result in temporary and permanent impacts to potentially suitable GGS habitat (**Appendix C - Table 4**). Temporary impacts to GGS habitat include disturbance of approximately 1.31 acres of upland habitat, and 0.27 acres of aquatic habitat. Temporary impacts will include but are not limited to, clearing and grubbing, equipment access, grading, compaction, de-watering, temporary water diversion and staging. However, temporarily disturbed soils within grassland and wetland habitats would be de-compacted and re-vegetated with California native seeds after completion of the Project (**BIO-7**).

Permanent impacts to potentially suitable GGS habitat include a loss of approximately, 0.43 acres of upland habitat, and a total of approximately 0.93 acres of aquatic habitat (**Figure 6. GGS Habitat Impacts**). Permanent impacts will occur due to the placement of fill required to construct the new trail and associated overcrossing. Consultation with USFWS for the species under Section 7 will be required. Though GGS is unlikely to be present, given the habitat is suitable for supporting a permanent population of GGS and permanent impacts totaling to 1.36 acres would occur, the Project is *Likely to Adversely Effect* GGS. With incorporation of avoidance and minimization measures, the Project is not anticipated to have take of GGS under CESA, and therefore consultation with CDFW under Section 2081 is not warranted.

The Project will result in temporary and permanent impacts to potentially suitable GGS aquatic and upland habitat. With implementation of **BIO-1**, **BIO-2**, **BIO-15** through **BIO-20**, and measures **BIO-21** through **BIO-24** described below, impacts to GGS and GGS habitat will be avoided and minimized.

BIO-21: Ground disturbing activities within suitable GGS habitat (includes all aquatic habitat and upland habitat within 200 ft of aquatic habitat) will be conducted between May 1st and October 1st. This is the active period for giant garter snakes and the risk of direct mortality is lessened because snakes are expected to actively react and avoid danger. Ground disturbing activities may occur outside of this period if written approval is received by the U.S. Fish and Wildlife Service Sacramento Office prior to starting any work.

- BIO-22:** A USFWS and CDFW approved biologist will conduct a clearance survey for giant garter snake within 24-hours prior to commencing any Project related activity within 200 feet GGS aquatic habitat. A clearance survey will be repeated if a lapse in construction activity of two weeks or greater has occurred. If individuals of the species are discovered during construction, work will stop in the area of discovery and coordination with the appropriate resource agencies will occur. The USFWS and Project biological monitor will be immediately notified if a snake is found during construction activities. The snake will be monitored by the biological monitor and allowed to leave the area on its own. Project activities will not be reinitiated until documentation for compliance with FESA and CESA is obtained.
- BIO-23:** On site monitoring during all ground disturbance activities of the Project will be conducted using a USFWS and CDFW approved biologist.
- BIO-24:** Any dewatered habitat shall remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.

Compensatory Mitigation for GGS

Compensatory mitigation for impacts to potentially suitable GGS habitat may be required and will be finalized during Section 7 consultation with USFWS.

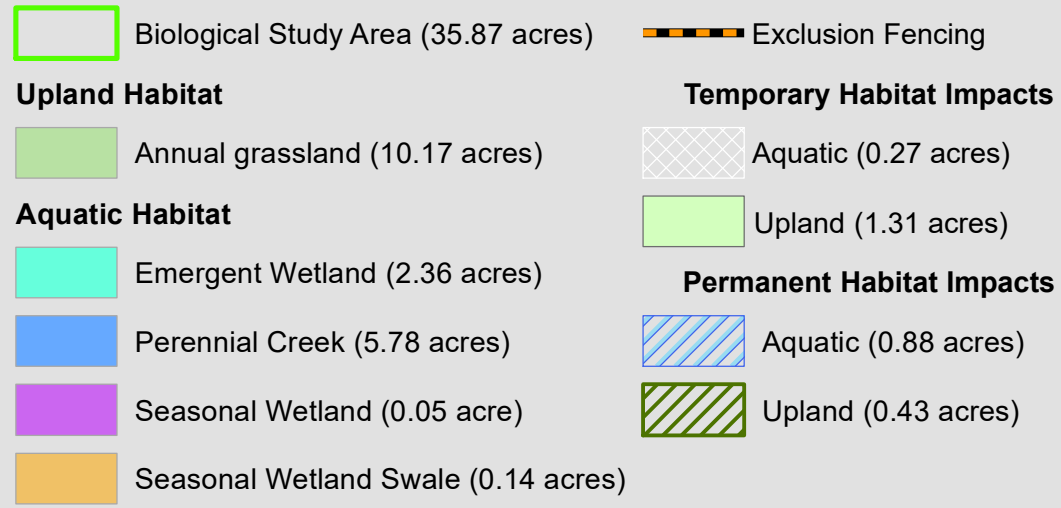
In addition, to prevent harm to local wildlife, the Project will implement the following measures:

- BIO-26:** All food-related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.
- BIO-27:** The contractor must not apply rodenticide or herbicide within the Project area.
- BIO-28:** If any wildlife is encountered during the course of construction, said wildlife will be allowed to leave the construction area unharmed.

It should also be noted that narrowleaf milkweed was noted in the Project area, which may provide suitable habitat for a variety of insects, including the Monarch butterfly, which is proposed for listing under the FESA. While no evidence that there are Monarch butterflies present or utilizing the milkweed plant were noted during any of the biological surveys, to ensure that there are no project impacts to this ESA candidate species, the Project will implement **BIO-8** and **BIO-29**.

- BIO-8:** Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will be developed, one for upland habitats and one for wetland habitats. The upland seed mix will contain narrowleaf milkweed (*Asclepias fascicularis*). The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February.

BIO-29: The Project area contains narrowleaf milkweed, which may provide suitable habitat for native insects (e.g., Monarch butterfly [*Danaus plexippus*]). Prior to construction the Project biologist will inspect milkweed plants for signs of any life stage of Monarch butterfly. If eggs/larvae of Monarch butterfly are discovered on any plants within the Project area they will be flagged and protected in place until fully hatched/emerged. The appropriate avoidance buffer will be determined by the Project biologist.



Laguna Creek Bypass Channel

V:\3040 Laguna Creek Trail Crossing\Biology\F5_GGS Impacts.mxd

Source: ESRI Maps Online; Dokken Engineering 8/9/2024; Created By: kjacobson



FIGURE 6
GGs and NWPT Habitat Impacts
 CML-5479(072)
 Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
 City of Elk Grove, Sacramento County, California

Cumulative Impacts to GGS

With the implementation of species-specific avoidance and minimization measures and incorporation of any USFWS required compensatory mitigation, the Project is not anticipated to contribute to regional-scale cumulative impacts to GGS and associated habitat. Overall, there is a low likelihood for GGS to occur onsite, but the species cannot be entirely ruled out, and therefore informal Section 7 consultation will be required with USFWS. All measures that result from Section 7 consultation will be incorporated into the Project.

The Project would create a temporal and permanent loss to potentially suitable GGS upland and aquatic habitat. However, the Project would not result in fragmentation of the remaining potentially suitable GGS upland or aquatic habitat onsite and would not alter the surrounding habitat in such a way that would create uninhabitable conditions post-construction.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

Less Than Significant with Mitigation. Field surveys and habitat assessments within the BSA determined no riparian habitat exists along the banks of Laguna and Whitehouse Creeks. However, Laguna and Whitehouse Creeks would be considered non-wetland sensitive natural habitats, as perennial creeks and are discussed below.

BIO-29: The Project area contains narrowleaf milkweed, which may provide suitable habitat for native insects (e.g., Monarch butterfly [*Danaus plexippus*]). Prior to construction the Project biologist will inspect milkweed plants for signs of any life stage of Monarch butterfly. If eggs/larvae of Monarch butterfly are discovered on any plants within the Project area they will be flagged and protected in place until fully hatched/emerged. The appropriate avoidance buffer will be determined by the Project biologist.

Project Impacts to Laguna Creek

The Project would have temporary and permanent impacts to Laguna Creek. The construction of the multi-use trail will permanently impact approximately 0.004 acres (157 square feet) of Laguna Creek, as this section of the creek is within the cut and fill limits. Additionally, approximately 0.15 acres of Laguna Creek would be temporarily impacted during construction to allow for temporary construction access and easements, and construction of the multi-use trail. Temporary impacts may include but are not limited to, de-watering, installation of a temporary water diversion, grading, and compaction. All temporary impacts to Laguna Creek will be restored to previous existing conditions upon completion of construction (**Appendix C; Figure 5**).

The Project will minimize impacts to sensitive natural creek habitats with the use of avoidance and minimization measures **BIO-1** through **BIO-6** described below. Impacts would be less than significant with mitigation incorporated.

BIO-1: Every individual working on the Project must attend a biological awareness training session delivered by the USFWS and/or CDFW approved Project

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biologist. This training program will include information regarding the sensitive habitats and special-status species that may occur within the Project area, and the importance of avoiding impacts to these species and their habitat.

BIO-2: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans.

BIO-3: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

BIO-4: Vegetation removal will not exceed what is shown on the plans without prior approval from the Project biologist. If trees will be trimmed rather than removed, trimming must comply with ANSI A300 pruning standards and must not:

- leave branch stubs
- make unnecessary heading cuts
- cut off the branch collar (not make a flush cut)
- top or lion's tail trees (stripping a branch from the inside leaving foliage just at the ends)
- remove more than 25 percent of the foliage of a single branch
- remove more than 25 percent of the total tree foliage in a single year
- damage other parts of the tree during pruning
- use wound paint
- climb the tree with climbing spikes

BIO-5: Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies.

BIO-6: A chemical spill kit must be kept onsite and available for use in the event of a spill.

Compensatory Mitigation for Laguna Creek

The Project would result in approximately 0.004 permanent impacts to Laguna Creek and temporary impacts will consist of approximately 0.15 acres. In addition to avoidance and minimization measures **BIO-1** through **BIO-7** will fulfill all compensatory mitigation required by permitting agencies.

BIO-7: The City of Elk Grove will fulfill all compensatory mitigation required by permitting agencies (CDFW, USACE, RWQCB) as outlined in the final environmental permits acquired for the Project. Compensatory mitigation will be developed during the permitting phase and is anticipated to be required for all aquatic resources impacted by the Project including, Laguna Creek, Whitehouse Creek, seasonal wetland, seasonal wetland swale and emergent wetland. The mitigation may consist of credit purchases, in lieu fee payments, or on/offsite habitat enhancement or restoration. All temporary impacts will be mitigated at a minimum 1:1 ratio and all permanent impacts will be mitigated at a minimum of 2:1 ratio.

Cumulative Impacts to Laguna Creek

There are existing segments of the LCIRT parallel to and crossing Laguna Creek, which spans over ten miles in length and crosses through Sacramento County, Elk Grove, and South Sacramento. The City also plans on constructing additional segments of the LCIRT to close the gaps within the trail system, including the segment proposed as part of this Project. The existing and proposed crossings of Laguna Creek involve minor impacts to the creek itself due to construction of bridge abutments and piers. The abutments and piers are designed with the most minimal in-water footprint that also meets current safety standards. The existing and proposed crossings would not degrade water quality, result in erosion, or impact the overall health of the aquatic habitat due to adherence to best management practices and the minimal impact footprint. Additionally, the implementation of these projects and any other projects occurring in or adjacent to Laguna Creek would undergo independent environmental analyses; thus, the Project is not anticipated to contribute to cumulative impacts to Laguna Creek.

- c) **Have 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?**

Less Than Significant with Mitigation. Jurisdictional delineations were conducted by Dokken Engineering biologists, Andrew Dellas and Courtney Owens on April 24 – April 26, 2018, to identify jurisdictional resources present within the BSA. Wetland delineations were conducted in accordance with technical methods outlined in the USACE of Engineers Wetlands Delineation Manual (USACE 1987), *Regional Supplement to the USACE of Engineers Wetland Delineation Manual: Arid West Region* (USACE 2008), and *A Field Guide to the Identification of the OHWM in the Arid West Region of the Western United States* (Lichvar 2008). During these survey efforts two emergent wetlands were identified within the BSA.

The Project area contains approximately 2.36 acres of emergent wetland habitat. Within the BSA the largest patch of emergent wetland habitat is located along the northern banks of Laguna Creek adjacent to both sides of SR 99. On the upper margins of this habitat, saturated or periodically flooded soils support several moist soil plant species including soft rush, tall flatsedge, and saltgrass. Lower, wetter portions of freshwater emergent wetlands in the Project area are composed of swamp smartweed and tule.

Project Impacts to Emergent Wetlands

The Project would have impacts to one emergent wetland located east of SR 99. Approximately 0.88 acres of emergent wetland will be permanently filled as a result of the trail. Ultimately, the locations and types of impacts to the emergent wetland would permanently alter the hydrology, soils and vegetation that support a wetland community. High visibility fencing will be erected around the limits of the temporary and permanent impacts to prevent encroachment of personnel or equipment into sensitive habitat. No vegetation removal will be permitted outside of the exclusion fencing. Furthermore, since the emergent wetland is hydrologically connected to Laguna Creek, it is expected to retain its wetland hydrology and characteristics throughout and after Project implementation. Therefore, the emergent wetland habitat beyond the exclusion fencing is not anticipated to be impacted by Project activities (**Appendix C - Table 3**) (**Figure 7. Wetland Impacts**). No direct or indirect impacts to the emergent wetland habitat west of SR 99 are anticipated.

With the incorporation of the avoidance and minimization measures **BIO-1** through **BIO-6**, impacts to emergent wetlands would be less than significant.

BIO-1: Every individual working on the Project must attend a biological awareness training session delivered by the USFWS and/or CDFW approved Project biologist. This training program will include information regarding the sensitive habitats and special-status species that may occur within the Project area, and the importance of avoiding impacts to these species and their habitat.

BIO-2: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans.

BIO-3: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

BIO-4: Vegetation removal will not exceed what is shown on the plans without prior approval from the Project biologist. If trees will be trimmed rather than removed, trimming must comply with ANSI A300 pruning standards and must not:

- leave branch stubs
- make unnecessary heading cuts
- cut off the branch collar (not make a flush cut)
- top or lion's tail trees (stripping a branch from the inside leaving foliage just at the ends)
- remove more than 25 percent of the foliage of a single branch
- remove more than 25 percent of the total tree foliage in a single year
- damage other parts of the tree during pruning
- use wound paint
- climb the tree with climbing spikes

3.0 INITIAL STUDY CHECKLIST

- BIO-5:** Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies.
- BIO-6:** A chemical spill kit must be kept onsite and available for use in the event of a spill.

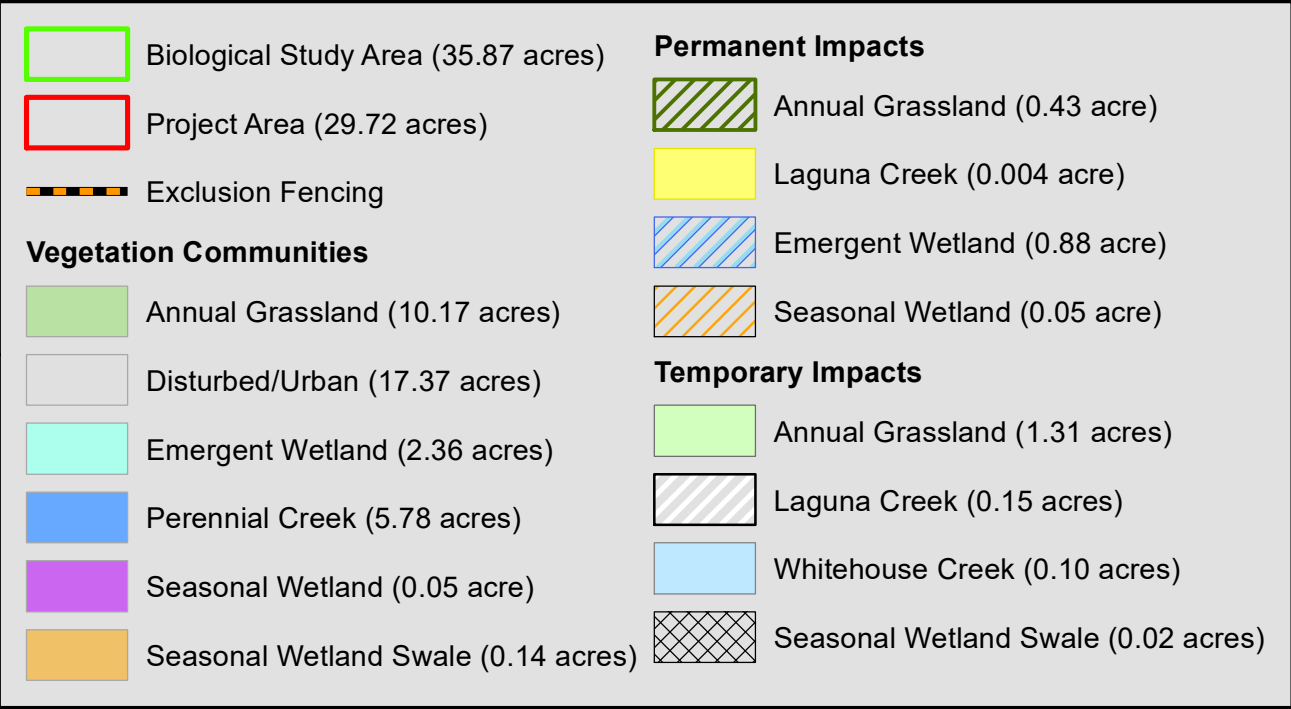
Compensatory Mitigation for Emergent Wetlands

Compensatory mitigation will be required for impacts to emergent wetlands. Measure **BIO-7** will ensure the appropriate compensatory mitigation is fulfilled in accordance with permitting agencies. Permanent impacts to emergent wetlands will be compensated at a minimum of 2:1 ratio.

- BIO-7:** The City of Elk Grove will fulfill all compensatory mitigation required by permitting agencies (CDFW, USACE, RWQCB) as outlined in the final environmental permits acquired for the Project. Compensatory mitigation will be developed during the permitting phase and is anticipated to be required for all aquatic resources impacted by the Project including, Laguna Creek, Whitehouse Creek, seasonal wetland, seasonal wetland swale and emergent wetland. The mitigation may consist of credit purchases, in lieu fee payments, or on/offsite habitat enhancement or restoration. All temporary impacts will be mitigated at a minimum 1:1 ratio and all permanent impacts will be mitigated at a minimum of 2:1 ratio.

Cumulative Impacts to Emergent Wetlands

Cumulative impacts to emergent wetland habitat include altered hydrology due to placement of fill within the boundaries of the wetland. This process will result in a permanent net loss of approximately 0.88 acres of emergent wetland habitat. Since a portion of the emergent wetland will be paved over to create the multi-use trail, loss of habitat will also occur for species that may use the wetland for survival or reproduction. Furthermore, wetland loss can add stress to the remaining wetlands, decrease local landscape diversity and decrease connectivity among aquatic resources (U.S. EPA, 2024). However, emergent wetland impacts associated with the Project will be appropriately mitigated per measure **BIO-7**, and therefore are not anticipated to result in a cumulative impact.



Laguna Creek Bypass Channel

V:\3040 Laguna Creek Trail Crossing\Biology\F5_Protect Impacts.mxd

Source: ESRI Maps Online; Dokken Engineering 8/13/2024; Created By: amyd

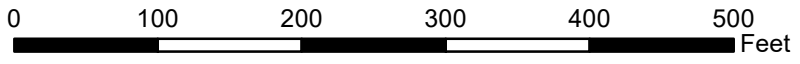


FIGURE 7
Project Impacts

CML-5479(072)
Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project
City of Elk Grove, Sacramento County, California

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less than Significant with Mitigation. Laguna Creek and Whitehouse Creek corridors serves as an east-west movement corridor for aquatic and terrestrial wildlife through an otherwise developed portion of the City of Elk Grove and Sacramento County. Under existing conditions, Laguna Creek has been altered to the east and west of the Project area, and Whitehouse Creek has been redirected around residential developments north of the BSA. However, these waterways still provide access and movement along these linear features. The proposed Project would not restrict or inhibit any aquatic or terrestrial wildlife from using this wildlife corridor. The proposed Project would have temporary and permanent impacts to Laguna and Whitehouse Creeks, but as described above, impacts to both creeks would be avoided and minimized to the greatest extent practicable.

It should be noted that narrowleaf milkweed was noted in the Project area, which may provide suitable habitat for a variety of insects, including the USFWS candidate species, Monarch butterfly. While no evidence that there are Monarch butterflies present or utilizing the milkweed plant were noted during any of the biological surveys, to ensure that there are no project impacts to this ESA candidate species, the Project will implement **BIO-8** and **BIO-29**.

With implementation of the identified measures, the Project is anticipated to have a less than significant effect to the habitat connectivity for birds, fish, insects, or small and medium terrestrial wildlife.

BIO-8: Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will be developed, one for upland habitats and one for wetland habitats. The upland seed mix will contain narrowleaf milkweed (*Asclepias fascicularis*). The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February.

BIO-29: The Project area contains narrowleaf milkweed, which may provide suitable habitat for native insects (e.g., Monarch butterfly [*Danaus plexippus*]). Prior to construction the Project biologist will inspect milkweed plants for signs of any life stage of Monarch butterfly. If eggs/larvae of Monarch butterfly are discovered on any plants within the Project area they will be flagged and protected in place until fully hatched/emerged. The appropriate avoidance buffer will be determined by the Project biologist.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Less than Significant with Mitigation. In 2003, the City established and adopted Chapter 16.130 (Swainson's Hawk Impact Mitigation Fees) of the Elk Grove Municipal Code, 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 (City 2023). Chapter 16.130, often referred as the "Swainson's Hawk 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.

The Project will permanently remove approximately 0.43 acres of potentially suitable Swainson's hawk foraging habitat (annual grassland) due to the proposed trail alignment. Additionally, the Project will result in approximately 1.31 acres of temporary impacts to suitable foraging habitat, which may include construction access for personnel and equipment, clearing and grubbing, as well as grading and compaction. However, the BSA lacks suitable nesting habitat for Swainson's hawk, and therefore, take of the species is not anticipated. With avoidance of take, a CDFW Section 2081 Incidental Take Permit for Swainson's hawk is not warranted for the Project. Mitigation measure **BIO-11** shall be implemented to compensate for permanent impacts to Swainson's hawk foraging habitat pursuant the City's "Swainson's Hawk Code." With the implementation of mitigation measure **BIO-11**, Project impacts regarding local policies or codes protecting biological resources would be less than significant with mitigation.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact. There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans within the Project area; therefore, the Project will have no impact or conflict with any habitat conservation plan.

V. CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §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 an archaeological resource pursuant to §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"/>

REGULATORY SETTING

CEQA provides statutory requirements for establishing the significance of historical resources in Public Resources Code (PRC) Section 21084.1. The CEQA Guidelines (Section 10564.5[c]) also require consideration of potential Project impacts to "unique" archaeological sites that do not qualify as historical resources. The statutory requirements for unique archaeological sites that do not qualify as historical resources are established in PRC Section 21083.2. These two PRC sections operate independently to ensure that significant potential effects on historical and archaeological resources are considered as part of a Project's environmental analysis. Historical resources, as defined in Section 15064.5 as defined in the CEQA regulations, include 1) cultural resources listed in or eligible for listing in the California Register of Historical Resources (California Register); 2) cultural resources included in a local register of historical resources; 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in one of several historic themes important to California history and development.

Under CEQA, a Project may have a significant effect on the environment if the Project could result in a substantial adverse change in the significance of a historical resource, meaning the physical demolition, destruction, relocation, or alteration of the resource would be materially impaired. This would include any action that would demolish or adversely alter the physical characteristics of an historical resource that convey its historic significance and qualify it for inclusion in the California Register or in a local register or survey that meets the requirements of PRC Section 5020.1(l) and 5024.1(g). PRC Section 5024 also requires state agencies to identify and protect state-owned resources that meet National Register of Historic Place (National Register) listing criteria. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer (SHPO) before altering, transferring, relocation, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the National Register or are registered or eligible for registration as California Historical Landmarks.

CEQA and the CEQA Guidelines also recommend provisions be made for the accidental discovery of archaeological sites, historical resources, or Native American human remains during construction (PRC Section 21083.2(i) CCR Section 15064.5[d and f]).

ENVIRONMENTAL SETTING

APE

The Area of Potential Effects (APE) was established as the area of direct and indirect impacts and consists of an approximately 29.7-acre area (**Figure 3. Project Features**). This includes all grading activities required for vegetation/tree removal, trail segment construction, SR 99 overcrossing construction, Whitehouse Creek bridge construction, staging areas, temporary construction access, and utility relocations. The APE also includes right-of-way acquisitions and temporary construction easements. The APE extends approximately 1,500 feet north/south along East Stockton Boulevard/West Stockton Boulevard/SR 99 and approximately 2,300 feet east/west. The vertical APE varies depending on the type of ground disturbing activities. Vertical depths of disturbance for the SR 99 pedestrian overcrossing extend 10 feet below existing ground surface for the abutments and 70 feet for the overcrossing's CIDH columns and the driven column support piles. The Whitehouse Creek bridge extends between 5 and 10 feet below ground surface for construction of the abutments. The trail segment will consist of grading between 0 and 3 feet below existing ground surface.

Records Search

In order to determine whether any previously recorded cultural resources were located within the APE, a record search (NCIC File No.: SAC-23-136) for the APE and a $\frac{3}{4}$ -mile search radius surrounding the APE was obtained from the North Central Information Center (NCIC), California State University, Sacramento, on July 13, 2023. The record search was conducted by Paul Rendes, Coordinator from the Information Center. The search examined the Office of Historic Preservation (OHP) Historic Properties Directory, OHP Determinations of Eligibility, and the California Inventory of Historical Resources.

The record search identified one previously recorded resource, a historic homestead, whose recorded boundary is located partially within the northwestern edge of the APE, north of West Stockton Boulevard. This resource, and any associate buried components, is no longer extant as it was obliterated through construction of the residential development, West Stockton Boulevard and other roadways, sound walls with deep footings, sidewalks, extensive network of buried utilities (water, sewer, electrical, and communication/media), and the Laguna Creek Bypass Flood Control Channel. Further, no ground disturbance is proposed within the recorded boundary of the resource.

Native American Consultation

As part of the identification efforts to determine whether the APE has Native American resources, the City contacted the Native American Heritage Commission (NAHC) in July 2023 and requested a search of the NAHC Sacred Lands File (SLF). The NAHC responded in July 2023 that no resources were identified during the SLF search.

The City then sent Project notification consultation letters in August 2023 to the following Native American Tribal Governments, which have previously requested to be contacted regarding City projects:

- Buena Vista Rancheria of Me-Wuk Indians
- Chicken Ranch Rancheria of Me-Wuk Indians
- Colfax-Todds Valley Consolidated Tribe
- Lone Band of Miwok Indians

- Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- Shingle Springs Band of Miwok Indians
- Tsi Akim Maidu
- United Auburn Indian Community of the Auburn Rancheria
- Wilton Rancheria
- Yocha Dehe Wintu Nation

In response to the Project notification consultation letters, a representative of Wilton Rancheria replied on August 15, 2023 confirming that the Project is located within Wilton Rancheria's ancestral and culturally affiliated territory and that Wilton Rancheria would like to consult on the Project. The email further requested that a compensated tribal monitor be present for all ground disturbing activities and be allowed to give a Cultural Awareness Talk to all construction staff and crew. The email also included the Wilton Rancheria's Inadvertent Discovery Treatment Plan and requested that it be added to the construction guidelines. On September 6, 2023, a virtual meeting was held with a representative of Wilton Rancheria, City staff, and the City's consulting archaeologist to discuss the Project details and relay the negative findings of the cultural survey and records search.

The Wilton Rancheria representative requested that Wilton Rancheria be included in future site visits and concluded that there were no known indigenous sites located within the APE. The Wilton Rancheria representative also requested that a Wilton Rancheria monitor be present during all ground disturbing activities, especially east of SR 99. Coordination with Wilton Rancheria regarding construction monitoring is included in **CR-2**. The Wilton Rancheria representative further requested the depth of ground disturbing activities. The City's consulting archaeologist, Ms. Dunay, relayed this information in June 2024.

The Inadvertent Discovery Plan was also discussed. Ms. Dunay relayed that the City will utilize the plan to draft project specific measures to be included in the CEQA environmental document. A copy of the Tribal Cultural Resources chapter of this environmental document, including measures **CR-1** through **CR-3** which utilized components of the Inadvertent Discovery Plan, was provided to Wilton Rancheria in December 2024 for review/comment prior to public circulation. Wilton Rancheria did not provide any comments or questions regarding the Tribal Cultural Resources section or measures **CR-1** through **CR-3**.

No other response or requests have been received from other Native American Tribal Governments except the United Auburn Indian Community of the Auburn Rancheria who stated that they defer to Wilton Rancheria for tribal consultation.

Cultural Survey

On July 26, 2023, the entire APE was subjected to an intensive pedestrian survey by consultant archaeologist, Amy Dunay. The pedestrian survey was conducted at roughly 10-meter transect intervals where conditions allowed. All APE field conditions were fully recorded in the field notes.

During the survey, exposed subsurface cuts, such as those within Laguna Creek, Whitehouse Creek, and the Laguna Creek Bypass Flood Control Channel were examined for indications of surface or subsurface cultural resources, soil color change, and/or staining that could indicate past human activity or buried deposits.

The pedestrian survey did not identify any archaeological resources within the APE. Inspection of open surfaces, and visible cut slopes during the field survey revealed no evidence of subsurface artifacts, features, or other indicators of past human use (such as soil change). No components

of the partially recorded historic homestead were observed as the portion of the resource that extends into the APE has been removed due to the development of West Stockton Boulevard, other modern roadways, residential homes, sidewalks, landscaping, sound walls, many buried utilities (water, sewer, irrigation, electrical, and communication/media), and the Laguna Creek Bypass Channel.

Buried Cultural Resource Potential

While no cultural resources were identified during the field survey of the APE or after Native American consultation, the City analyzed the potential for the APE to contain buried cultural resources. The subsurface sensitivity was assessed through landform analysis, observances of past ground disturbance, and visual inspections of exposed subsurface soils within the APE during the pedestrian survey. Although Holocene aged soils are present which typically do contain the potential to bury older human-occupation, the APE has been extensively altered from agricultural practices; excavation and then subsequent filling of a detention basin; development; installation of buried utilities (sewer, water, irrigation, power, and communication); and construction of sidewalks, roadway, maintenance paths, four existing bridges (West Stockton Boulevard, East Stockton Boulevard, Northbound SR 99, and Southbound SR 99), the Laguna Creek Bypass Flood Control Channel, and Whitehouse Creek (human created channel within the APE). These significant landform alterations and ground disturbances (both vertical and horizontal), combined with the negative pedestrian survey results and a lack of previously recorded resources within the APE indicate that the potential for buried cultural resources to be present in the APE is low.

At this time, no further archaeological study is required unless Project plans change to include areas not previously included in the surveyed area or if additional information is received from other sources or special interest groups.

DISCUSSION OF IMPACTS

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less than Significant with Mitigation. The records search, consultation with Native American organizations and governments, and the field survey did not identify any historical resources, as defined in §15064.5; however, with any project, there is always the possibility that unknown cultural resources may be encountered during construction. With the implementation of Mitigation Measures **CR-1** and **CR-2** potential impacts from the Project would be less than significant with mitigation incorporated.

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the discovery. An archaeologist will assess the discovery to determine its significance. The archaeologist will develop a plan for documentation, treatment, and removal of resources, if necessary. Should the discovery involve Indigenous cultural resources, a Native American Representative from the federally recognized Wilton Rancheria shall be contacted to join the assessment of the discovery, and CR-2 shall be implemented. Work in the area(s) of the discovery may only proceed after authorization from the City and the archaeologist. Additional archaeological survey will be needed if Project limits are extended beyond the present survey limits.

CR-2: The City will coordinate with Wilton Rancheria regarding the anticipated construction schedule to ensure Wilton Rancheria has the opportunity to provide cultural awareness training to on-site construction personnel and to monitor ground disturbing activities. If Indigenous cultural resources are discovered, work shall be halted within 100 feet of the discovery, and a Native American Representative (Representative) from the federally recognized Wilton Rancheria shall be contacted to assess the significance of the discovery. The Representative will assess the significance of the find and make recommendations for further evaluation and treatment if necessary.

Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the Project area where they will not be subject to future impacts. Wilton Rancheria does not consider curation of a Tribal Cultural Resource to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by Wilton Rancheria.

The City and land owner or land owner representative, shall consult with Wilton Rancheria regarding the discovery and recommended measures to determine the final treatment of the discovery, including any required mitigation. Mitigation shall follow the recommendations detailed in Public Resources Code sections 21084.3(a) and (b), 5097.98 (as stated in **CR-3**), and CEQA Guidelines section 15370. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant with Mitigation. The records search, consultation with Native American organizations and governments, and the field survey did not identify any cultural resources within or immediately adjacent the APE. The buried cultural resource analysis concluded that given the extensive ground disturbances which have occurred throughout the APE, the potential for the APE to have buried cultural resources is considered low; however, with any project, there is always the possibility that unknown cultural resources may be encountered during construction. With the implementation of Mitigation Measure **CR-1** and **CR-2** potential impacts from the Project would be less than significant with mitigation incorporated.

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the discovery. An archaeologist will assess the discovery to determine its significance. The archaeologist will develop a plan for documentation, treatment, and removal of resources, if necessary. Should the discovery involve Indigenous cultural resources, a Native American Representative from the federally recognized Wilton Rancheria shall be contacted to join the assessment of the discovery, and CR-2 shall be implemented. Work in the area(s) of the discovery may only proceed after authorization from the City and the archaeologist. Additional archaeological survey will be needed if Project limits are extended beyond the present survey limits.

CR-2: The City will coordinate with Wilton Rancheria regarding the anticipated construction schedule to ensure Wilton Rancheria has the opportunity to provide cultural awareness training to on-site construction personnel and to monitor ground disturbing activities. If Indigenous cultural resources are discovered, work shall be halted within 100 feet of the discovery, and a Native American Representative (Representative) from the federally recognized Wilton Rancheria shall be contacted to assess the significance of the discovery. The Representative will assess the significance of the find and make recommendations for further evaluation and treatment if necessary.

Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the project area where they will not be subject to future impacts. Wilton Rancheria does not consider curation of a Tribal Cultural Resource to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by Wilton Rancheria.

The City and land owner or land owner representative shall consult with Wilton Rancheria regarding the discovery and recommended measures to determine the final treatment of the discovery, including any required mitigation. Mitigation shall follow the recommendations detailed in Public Resources Code sections 21084.3(a) and (b), 5097.98 (as stated in **CR-3**), and CEQA Guidelines section 15370. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant with Mitigation. The records search, consultation with Native American organizations and governments, and the field survey did not identify any cultural resources within or immediately adjacent the APE. The buried cultural resource analysis concluded that given the extensive ground disturbances which have occurred throughout the APE, the potential for the APE to have buried cultural resources is considered low. Further, no indications of buried cultural resources were noted during the field survey or during review of historic maps; however, with any Project requiring ground disturbance, there is always the possibility that unmarked burials may be unearthed during construction. This impact is considered potentially significant. Implementation of Mitigation Measure **CR-3** would reduce this impact to a less-than significant level.

CR-3: Sections 5097.98 through 5097.993 of the Public Resources Code (PRC) and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work shall halt within 100 feet of the discovery and the county coroner should be notified immediately. At the same time, an archaeologist shall be contacted to assist in the evaluation of the situation. If the human remains are of Native American origin, the coroner must

3.0 INITIAL STUDY CHECKLIST

notify the Native American Heritage Commission within twenty-four hours of such identification.

Should the Native American Heritage Commission designate Wilton Rancheria or one of its representatives as the Most Likely Descendant (MLD), the MLD will assess the discovery and provide recommended treatments to the City, and if the discovery is located on private property, the property owner, within forty-eight hours of being notified. All treatment recommendations made by Wilton Rancheria and archaeologists will be documented in the confidential portion of the project record. All parties will consult on the recommended treatments. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

VI. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" 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"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

The SEIR for the City’s 2023 General Plan evaluated energy use within the City and surrounding region. The EIR noted that a substantial amount of the energy expended in California was related to transportation uses. The SEIR found that on-road vehicles use about 90 percent of the petroleum consumed in California. Caltrans (2008) projected that 782 million gallons of gasoline and diesel were consumed in Sacramento County in 2015, which represents an increase of approximately 88 million gallons of fuel from 2010 levels. Numerous General Plan polices were developed with the specific intent of reducing per-capita energy use within the City.

DISCUSSION OF IMPACTS

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less than Significant. The proposed Project would construct the final segment of the LCIRT, which includes an overcrossing of West Stockton Boulevard, SR 99, and East Stockton Boulevard. The overcrossing will include a permanent light source though installation of lighting either on light poles or incorporated within the railings/barriers. These fixtures will utilize Light Emitting Diode (LED) bulbs for energy efficiency. LED bulbs are energy efficient, consuming less than 20 watts or .000020 gigawatt-hours per day, and have a long use-life. This is consistent with the City’s General Plan and would have no noticeable effect on baseline demands which include consumption of over 300,000 gigawatt-hours annually throughout the state (CEC 2022).

Proposed Project construction would primarily consume diesel and gasoline through operation of heavy-duty construction equipment, material deliveries, and debris hauling. Fuel consumption was calculated by inputting emissions results from the Caltrans Construction Emissions Tool (Cal-CET) model. Fuel consumption was then converted into British thermal units (BTU) to express energy consumption using BTU conversion rates provided by the US Energy Information Administration (US EIA, May 2021). The estimated annual fuel/energy consumption needed to construct the proposed Project is displayed in the below table.

Table 6. Annual Construction Fuel and Energy Consumption

Construction Year	Annual Fuel Consumption			
	Diesel		Gasoline	
	Gallons	BTUs	Gallons	BTUs
2026	5,664	778,125,984	1,980	238,023,720

As indicated in the table, construction of the Project would result in the short-term consumption of 5,664 gallons from diesel-powered equipment and 1,980 gallons from gasoline-powered equipment. This represents a small demand on local and regional fuel supplies that would be easily accommodated, and this demand would cease once construction is complete. Moreover, construction-related energy consumption would be temporary and not a permanent new source of energy demand. Demand for fuel would have no noticeable effect on peak or baseline demands for fuel consumption, which is in the billions of gallons annually for the State (CEC 2025a, 2025b).

Consumption of those oil-based energy products necessary for the Project would be used efficiently and in accordance with the City's General Plan and all applicable local, state, and federal laws. Appropriate construction equipment would be used to minimize wasteful or inefficient actions, and construction energy consumption would not cause a significant reduction in available supplies. Therefore, the impact would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The Project would implement numerous General Plan transportation-related goals and policies relevant to increasing opportunities for multi-modal transportation, creating bicycle accessibility, and closing gaps in the current bicycle network. Therefore, the proposed Project would provide for more energy-efficient transportation options within the City, and the overall effect to energy efficiency would be beneficial. Therefore, the Project would not conflict with or obstruct a State or local plan for renewable energy, and no impact would occur.

VII. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 or 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 waste water?	<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"/>

REGULATORY SETTING

For geologic and topographic features, the key federal law is the Historic Sites Act of 1935, which establishes a national registry of natural landmarks and protects “outstanding examples of major geological features.” Topographic and geologic features are also protected under the CEQA.

This section also discusses geology, soils, and seismic concerns as they relate to public safety and Project design. Earthquakes are prime considerations in the design and retrofit of structures.

DISCUSSION OF IMPACTS

- 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 or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?**
 - ii) **Strong seismic ground shaking?**
 - iii) **Seismic-related ground failure, including liquefaction?**
 - iv) **Landslides?**

Less Than Significant Impact. The Project is not located within an Alquist Priolo Earthquake Fault Zone. The nearest seismic sources are the Midland Fault approximately 23 miles southwest of the Project site, and the Lone Fault approximately 27 miles southeast of the Project site. Because no known faults occur within the City, the risk of surface rupture and strong seismic ground shaking is considered low. The Project would also have no impact related to seismic-related failure, including liquefaction, because the potential is believed to be slight at this predominantly flat, low-seismicity site.

Additionally, both the overcrossing and the bridge will be designed and constructed per State and Federal seismic design standards. These standards require the design to meet collapse prevention and public safety criteria during the maximum credible earthquake event (as determined by the current standards). As there are no nearby active faults and as the overcrossing and bridge will be designed to meet collapse prevention, the Project has limited potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic activity.

Landslides usually occur in locations with steep slopes and unstable soils. According to the California Department of Conservation (CDC) California Geological Survey Seismic Hazards Zonation Program (CDC 2015) the Project area is not within a known area of landslide concern. The majority of the Project area is situated on gently sloping topography where the potential for slope failure is minimal to low. New slopes for the trail will be graded to a stable 4:1 ratio, which means for every 4 feet of horizontal distance there is 1 foot of vertical change. Final design of the slopes will also incorporate a slope stability analysis that includes both the permanent condition and earthquake loads to ensure that new slopes are designed to ensure stability. This includes any additional surcharge load (additional weight or pressure) anticipated on existing slopes.

As there is limited potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; as the Project will meet State and Federal seismic design standards to prevent collapse; and as all new slope design will incorporate stability analysis data to ensure they are designed to ensure stability, the Project will have a less than significant impact.

- b) **Result in substantial soil erosion or the loss of topsoil?**

Less than Significant with Mitigation. The NRCS Web Soil Survey was used to identify soils within the BSA (NRCS 2023). Specific soil units within the BSA include: Bruella sandy loam, 0 to 2 percent slopes; Dierssen sandy clay loam, drained, 0 to 2 percent slopes; Madera loam, 0 to 2 percent slopes, San Joaquin silt loam, leveled, 0 to 2 percent slopes,

and; San Joaquin silt loam, 0 to 3 percent slopes. The proposed Project would consist of the construction of the multi-functional trail and bridges along Laguna and Whitehouse Creek, which is anticipated to require bank disturbance and vegetation removal

The construction of the bridges, and additional ground disturbance along the trail would cause potential impacts of soil erosion or loss of topsoil. Potential impacts to soils would be minimized through soil stabilization measures covered within the required General Construction MS4 Permit and implementation of the SWPPP as discussed in Section 2.4 and Section X. Erosion control practices outlined in a SWPPP, would reduce any potential impacts of the Project to a less than significant level, and no mitigation is required. In addition, measures **WQ-1** through **WQ-4** in **Section X** of this document would further reduce impacts to erosion of soil to less than significant with mitigation.

- 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?**

Less Than Significant Impact. Refer to discussion topic “a)”. There are no nearby seismic faults that would create strong seismic ground shaking. The nearest seismic sources are the Midland Fault approximately 23 miles southwest of the Project site, and the Lone Fault approximately 27 miles southeast of the Project site. There is also no geologic unit or soil present within the Project area that is unstable or would become unstable as a result of the Project. The Project is also not located within a known area of landslide concern as the Project area is situated on gently sloping topography where the potential for slope failure is minimal to low. Because no known faults occur within the City, there is limited potential for the risk of surface rupture and strong seismic ground shaking that would cause landslides, lateral spreading, subsidence, liquefaction, or collapse; thus, the Project will have a less than significant impact.

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Less Than Significant Impact. Refer to discussion topics “a)” and “b)”. The Project will not be located on expansive soils. There are no nearby seismic faults that would create strong seismic ground shaking. The nearest seismic sources are the Midland Fault approximately 23 miles southwest of the Project site, and the Lone Fault approximately 27 miles southeast of the Project site. As there are no nearby active faults and no expansive soils present, there is limited potential for the Project to create substantial risks to life or property; thus, the Project would have a less than significant impact.

- 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 waste water?**

No Impact. The Project will not utilize septic tanks or an alternative wastewater disposal system on the site. Therefore, the Project would have no impact due to soils incapable of adequately supporting septic systems.

f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Less than Significant with Mitigation. A literature review was performed to determine whether paleontological resources have been previously identified in the Project area and to identify the overall paleontological sensitivity of the Project area.

According to the Sacramento County General Plan, a search of the University of California Museum of Paleontology (UCMP) collections database identified five localities in Sacramento County where paleontological resources have been identified. These fossil remains were encountered during excavation activities in Sacramento County within Pleistocene aged formations, and all were within the Riverbank formation.

A review of the Geologic Map of the Sacramento Quadrangle prepared by the California Geological Survey shows the Project area is within the Riverbank Formation. While a locality search did not identify any occurrences of paleontological resources within the Project area, literature research revealed that a fossilized mammoth was found in the City, within the Rancho Verde residential housing development, in 2006 approximately 4.5 miles southwest of the Project area. This fossil finding was at approximately 4 feet below ground surface. The vertical ground disturbance depth for the Project area is primarily 1 foot for the corridor but can extend 10 feet in depth for construction of the bridge abutments, and deeper for the overcrossing columns. Extensive ground disturbance has occurred throughout the Project area as result of previous field discing, grading, channelization of Whitehouse Creek, landscaping, irrigation systems, and the Laguna Bypass Channel.

When the proximity of the Project to the known paleontological occurrence, the presence of the Riverbank Formation within the Project area, the extent of ground disturbance, and the primarily shallow vertical ground disturbance depth required to construct the Project are viewed collectively, the potential for intact paleontological resources to be present within the Project area is considered low; however, with any project requiring ground disturbance within a potentially sensitive area, there is always the possibility that unknown paleontological resources may be unearthed during construction. With the implementation of mitigation measures **PAL-1** and **PAL-2**, Project impacts regarding direct or indirect impacts to paleontological resources would be less than significant with mitigation.

PAL-1: Prior to the start of construction, all construction personnel shall receive a paleontological sensitivity training, detailing the types of paleontological resources that may be encountered and procedures to follow if a find should occur.

PAL-2: If paleontological resources (i.e., fossils) are discovered during ground-disturbing activities, the implementing agency will immediately be notified, and will ensure that their contractors shall stop work in that area and within 50 feet of the find until a qualified paleontologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures will be made in consultation with the implementing agency.

VIII. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization’s Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. These efforts are primarily concerned with the emissions of GHG related to human activity that include CO₂, CH₄, NOX, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (s, s, s, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with greenhouse gas emissions and climate change at the state level. AB 1493 requires the CARB to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year; however, in order to enact the standards California needed a waiver from the EPA. The waiver was denied by the EPA in December 2007 and efforts to overturn the decision had been unsuccessful. See *California v. Environmental Protection Agency*, 9th Cir. Jul. 25, 2008, No. 08-70011. On January 26, 2009, it was announced that EPA would reconsider their decision regarding the denial of California’s waiver. On May 18, 2009, President Obama announced the enactment of a 35.5 mpg fuel economy standard for automobiles and light duty trucks which will take effect in 2012. On June 30, 2009 EPA granted California the waiver. U.S. EPA’s authority to regulate GHG emissions stems from the U.S. Supreme Court decision in the 2007 case *Massachusetts v. EPA*. The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court’s ruling, U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs constitute a threat to public health and welfare. Thus, it is the Supreme Court’s interpretation of the existing Act and EPA’s assessment of the scientific evidence that form the basis for EPA’s regulatory actions.

U.S. EPA in conjunction with the National Highway Traffic Safety Administration (NHTSA) issued the first of a series of GHG emission standards for new cars and light-duty vehicles in April 2010¹ and significantly increased the fuel economy of all new passenger cars and light trucks sold in the United States. The standards required these vehicles to meet an average fuel economy of 34.1 miles per gallon by 2016. In August 2012, the federal government adopted the second rule that increases fuel economy for the fleet of passenger cars, light-duty trucks, and medium-duty passenger vehicles for model years 2017 and beyond to average fuel economy of 54.5 miles per gallon by 2025. Because NHTSA cannot set standards beyond model year 2021 due to statutory obligations and the rules’ long timeframe, a mid-term evaluation is included in the rule. The Mid-

¹ <http://www.c2es.org/federal/executive/epa/greenhouse-gas-regulation-faq>

3.0 INITIAL STUDY CHECKLIST

Term Evaluation is the overarching process by which NHTSA, EPA, and ARB will decide on CAFE and GHG emissions standard stringency for model years 2022–2025. NHTSA has not formally adopted standards for model years 2022 through 2025. However, the EPA finalized its mid-term review in January 2017, affirming that the target fleet average of at least 54.5 miles per gallon by 2025 was appropriate. In March 2017, President Trump ordered EPA to reopen the review and reconsider the mileage target.²

NHTSA and EPA issued a Final Rule for “Phase 2” for medium- and heavy-duty vehicles to improve fuel efficiency and cut carbon pollution in October 2016. The agencies estimate that the standards will save up to 2 billion barrels of oil and reduce CO₂ emissions by up to 1.1 billion metric tons over the lifetimes of model year 2018–2027 vehicles.

Presidential Executive Order 13783, *Promoting Energy Independence and Economic Growth*, of March 28, 2017, orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of carbon, nitrous oxide, and methane.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California’s GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state’s Climate Action Team.

Senate Bill 32 (SB-32) is a California Senate bill expanding upon AB-32 to reduce GHG emissions. SB-32 requires that there be a reduction in GHG emissions to 40% below the 1990 levels by 2030. SB-32 was contingent on the passing of Assembly Bill 197, which increased legislative oversight of CARB and is intended to ensure CARB must report to the legislature. AB-197 was signed into law on September 8, 2016.

With Executive Order S-01-07, Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this executive order, the carbon intensity of California’s transportation fuels is to be reduced by at least 10 percent by 2020.

According to Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents, an individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG. In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable.” See CEQA Guidelines sections 15064(i)(1) and 15130. To make this determination the incremental impacts of the Project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects in order to make this determination is a difficult if not impossible task.

² <http://www.nbcnews.com/business/autos/trump-rolls-back-obama-era-fuel-economy-standards-n734256> and <https://www.federalregister.gov/documents/2017/03/22/2017-05316/notice-of-intention-to-reconsider-the-final-determination-of-the-mid-term-evaluation-of-greenhouse>

CARB 2022 Climate Change Scoping Plan

As part of its supporting documentation for the 2022 Scoping Plan for Achieving Carbon Neutrality, CARB released an updated version of the GHG inventory for California (December 14, 2023). **Figure 8** is a graph from that update that shows the total GHG emissions for California for 2021.

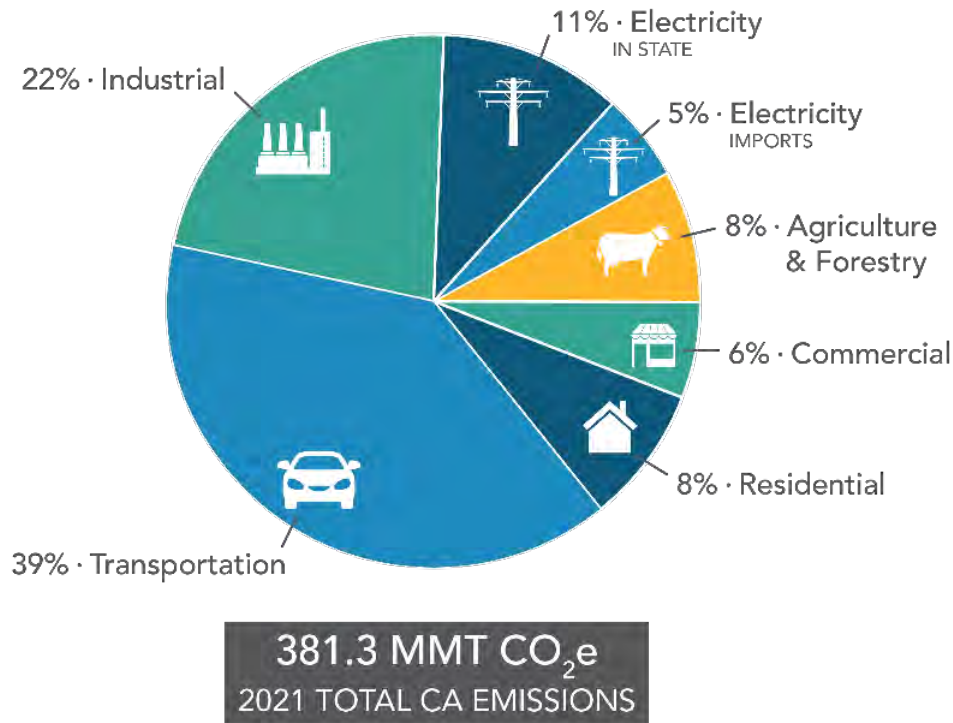


Figure 8. California Greenhouse Gas Inventory
(Taken from: <https://ww2.arb.ca.gov/ghg-inventory-data>)

DISCUSSION OF IMPACTS

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less Than Significant. GHG emissions for transportation projects can be divided into those produced during construction and those produced during operations. For the Project, construction GHG emissions would include emissions produced by onsite construction equipment. As discussed in Section 2.3, “Air Quality”, construction emission would be reduced through implementation of mitigation measure AQ-1.

GHG emissions produced during operations are those that result from potentially increased traffic volumes or changes in automobile speeds. By design, the Project is intended to increase pedestrian and bicycle accessibility to existing communities, schools and other existing trails and further encourage non-motorized travel within the Project area. The Project would not increase the number of automobiles in the traffic system; conversely, by completion of a gap within the City’s trail system, the Project may reduce

overall automobile use. No impact to greenhouse gas emissions or climate change would result from operations.

Construction in Sacramento County contributes approximately 68,857 metric tons of GHG every year (Sacramento Countywide Regional Community Greenhouse Gas Inventory 2013). The on-site construction equipment for Project is anticipated to emit 373.97 metric tons of GHG during construction, approximately <0.001% of the annual GHG emissions during construction within Sacramento County. Therefore, the proposed Project contribution to global climate change through GHG emissions are considered less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. Implementation of the proposed Project would not conflict with or obstruct implementation of any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. By design, proposed improvements include consistency with the goals identified by the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan. The proposed Project would also be consistent with circulation policies outlined in the City of Elk Grove and Sacramento County General Plans. The Proposed Project aligns with Policy CI-1 of the City of Elk Grove General Plan which promotes all modes of travel including bicycle and pedestrian to coordinate with efforts to reduce air pollution (City 2023). The Proposed Project also aligns with Policy AQ-1 of the Sacramento County General Plan Air Quality Element, which promotes the development of pedestrian/bicycle access and circulation to encourage residents to use alternative modes of transportation to conserve air quality and minimize direct and indirect emission of air contaminants (County of Sacramento 2024). Construction and operation of the proposed Project would be implemented consistent with applicable regulatory standards and requirements, including consistency with all applicable SMAQMD rules and thresholds. Therefore, no impact would result from development of the Proposed Project.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

Hazardous materials and hazardous wastes are regulated by many state and federal laws. These include not only specific statutes governing hazardous waste, but also a variety of laws regulating air and water quality, human health and land use.

Hazardous waste in California is regulated primarily under the authority of the federal Resource Conservation and Recovery Act of 1976, and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during Project construction.

The environmental setting and discussion below are derived from the *Initial Site Assessment Report* (Geocon 2024), which is attached to this Initial Study as **Appendix D**.

ENVIRONMENTAL SETTING

A record search from Environmental Data Resources (EDR) was conducted in June 2024 which searched federal, state, and local environmental databases for potential Recognized Environmental Conditions (RECs) within the Project Study Area and properties/facilities within one mile of the Project Study Area. Information available on the California State Water Resources Control Board's GeoTracker (<http://geotracker.waterboards.ca.gov>) and the California Department of Toxic Substances Control's (DTSC) EnviroStor (<http://www.envirostor.dtsc.ca.gov/public/>) online data management systems was also reviewed for information regarding documented environmental assessment and cleanup at the Project Study Area and/or properties/facilities within ¼ mile of the Project Study Area. Further, a pedestrian survey was completed on April 1, 2024 by Christian Virrueta, Senior Staff Geologist with Geocon. Approximately 31 RECs are recorded within 1 mile of the Project area; however, no RECs are located within the direct impact area for the trail. The closest RECs are one inactive cleanup site, "Obie's Dump" located approximately 1,500 feet north of the Project area and north of Sheldon Road and Laguna Village Dry Cleaner, located approximately 0.25 mile of the Project site. No right of way would be required from either parcel for construction of the trail.

The ISA identified no evidence of RECs in connection with the proposed LCIRT Crossing Project at State Route 99 alignment and planned property acquisitions and TCEs.

DISCUSSION OF IMPACTS

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less than Significant with Mitigation. The Project would involve the use of heavy equipment for grading, hauling, and materials handling. Use of this equipment may require the use of fuels and other common materials that have hazardous properties (e.g., fuels are flammable). These materials would be used and stored in accordance with all federal, state, and local applicable laws and regulations, and, if used properly, would not pose a hazard to people, animals, or plants. All refueling of construction vehicles and equipment would occur within the designated staging area for the Project, and away from any aquatic features. The use of hazardous materials would be temporary, and the Project would not include a permanent use or source of hazardous materials. Mitigation Measure **HAZ-1** would reduce any potential impacts to a less than significant level from temporary construction equipment and activities.

HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less than Significant with Mitigation. With any project conducting ground disturbance, there is a potential for unknown contaminants or accident conditions involving the release of hazardous materials into the environment, as well as upset or accident relating to machinery. The Sacramento County Environmental Management Division (SCEMD) is the Certified Unified Program Agency (CUPA) for the incorporated and unincorporated areas within Sacramento County. As the CUPA, the SCEMD regulates the use, storage, and disposal of hazardous materials and is available to respond to hazardous materials complaints or emergencies, if any, during construction. The handling, use, and storage of hazardous materials during construction would be required to be compliant with SCEMD standards, and with the implementation of **HAZ-1** impacts are considered less than significant with mitigation incorporated.

HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less than Significant with Mitigation. The construction phase of the proposed Project has the potential to result in emissions of toxic air contaminants/HAPs in the form of diesel particulate matter emissions from the operation of diesel-fueled internal combustion engines. Creekside Christian Church is adjacent to a segment of the proposed Project. Within Creekside Christian Church, the Shining Stars Preschool/Kindergarten provide childcare services. Under Measures AQ-1 discussed in Section III above, the City would apply SMAQMD Basic Construction Emission Control Practices, to reduce any potential emissions to a less than significant level. Implementation of BMPs and specific instructions for handling of construction equipment such as limiting idle times to a maximum of five minutes along with frequent maintenance of the equipment which ultimately keeps the equipment running and operating like it should and therefore limit the amount of emissions. Additionally, the construction activities would be temporary and intermittent which would further reduce any potential impact.

Hazardous materials used during construction would be typical of common construction activities and would be handled by the contractor in accordance with applicable federal, state, and local regulation for hazardous substances. Additionally, the amount of these materials needed for on-site equipment maintenance would not be enough to cause a significant hazard to the public, or any nearby schools, if released since the quantity of these hazardous materials on-site at any one given time would only amount to a refueling truck and the construction equipment. Measure **HAZ-1** would be implemented to require the contractor to prepare an accidental-spill prevention and response plan which would include BMPs to control for the accidental release of hazardous materials into the environment ensuring spills are appropriately cleaned up and would not result in a release of hazardous materials into the environment.

Therefore, with the implementation of **AQ-1** and **HAZ-1** the Project would have a less than significant with mitigation incorporated related to emitting or handling of hazardous waste within one-quarter mile of an existing school.

AQ-1: Implement SMAQMD Basic Construction Emission Control Practices, where feasible:

- 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 2 feet of freeboard 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 shall 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.
- All roadway, driveway, sidewalk, and parking lot paving 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 [required by California Code of Regulations, 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 CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2249 and 2449.1].

HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.

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?

No Impact. A review of EDR, GeoTracker (SWRCB 2015) and EnviroStor (DTSC 2024) databases indicated that there are no hazardous waste cleanup sites, facilities, or other sites located within the Project area; however, there is one inactive cleanup site, "Obie's Dump" located approximately 1,500 feet north of the Project area and north of Sheldon Road. Laguna Village Dry Cleaner is also located approximately 0.25 mile of the project site. No Project activities are proposed at either location and no impacts related to these sites are anticipated to occur. Therefore, the Project would not create a significant hazard to the public or environment and no impact would result from Project implementation.

- 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?**

No Impact. The Project would not result in a safety hazard for people residing or working in the Project area as the Project is not within the vicinity of an airport land use plan or within two miles of a public airport or public use airport. Therefore, there would be no impact related to safety of the public in the Project area.

- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact. The trail would be constructed within an open space area where it would not impair or alter any existing emergency response plan or emergency evacuation plan; therefore, no impact would occur.

- g) **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

No Impact. The proposed trail would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and no wildlands are adjacent to or within the Project area; therefore, no impact would occur.

X. HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

Section 401 of the Clean Water Act (CWA) requires water quality certification from the State Water Resources Control Board (SWRCB) or from a Regional Water Quality Control Board (RWQCB) when the project requires a CWA Section 404 permit. Section 404 of the CWA requires a permit from the U.S. Army USACE of Engineers (USACE) to discharge dredged or fill material into waters of the United States.

Along with CWA Section 401, CWA Section 402 establishes the National Pollutant Discharge Elimination System (NPDES) permit for the discharge of any pollutant into waters of the United States. The federal Environmental Protection Agency has delegated administration of the NPDES program to the SWRCB and nine RWQCBs. The SWRCB and RWQCB also regulate other waste discharges to land within California through the issuance of waste discharge requirements under authority of the Porter-Cologne Water Quality Act.

The City of Elk Grove along with the Cities of Citrus Heights, Folsom, Galt, Rancho Cordova, and Sacramento, and the County of Sacramento operate under a Municipal Separate Storm Sewer Systems (MS4) permit to discharge urban runoff from in their municipal jurisdictions (Order No. R5-2016-0040 with the Elk Grove-specific General Order No. as R5-2016-0040-005 and NPDES Permit No. CAS0085324). The permit covers requirements for management of hydromodification and also requires that the City prepare a Storm Water Management Plan (also known as Stormwater Quality Improvement Plans) and impose water quality and watershed protection

measures for all development projects. The intent of the waste discharge requirements in the NPDES Permit is to attain water quality standards and protection of beneficial uses consistent with the Basin Plan. The NPDES permit prohibits discharges from causing violations of applicable water quality standards or resulting in conditions that create a nuisance or water quality impairment in receiving waters. The NPDES also requires every new construction project to secure a permit that implements the following measures:

- Eliminate or reduce non-stormwater discharges to stormwater systems and other waters of the nation.
- Develop and implement a SWPPP.
- Perform inspections of stormwater control structures and pollution prevention measures.

Stormwater quality control measures within Elk Grove are guided by the Sacramento Region Stormwater Quality Design Manual (July 2018). The manual outlines planning tools and requirements to reduce urban runoff pollution to the maximum extent practicable from new development and redevelopment projects, including the use of porous surfaces on roadways.

The environmental setting and discussion below are derived from the *Water Quality Assessment Report* (Dokken 2024c), which is attached to this Initial Study as **Appendix E**.

ENVIRONMENTAL SETTING

Hydrology

The Project is centrally located in the City of Elk Grove, within Section 26, Township 7 North, Range 5 East. It is within the United States Geological Survey Florin 7.5-minute topographic quadrangle. The Project area is perpendicular to SR 99 and extends approximately 1,300 feet east of East Stockton Blvd and approximately 550 feet west of West Stockton Blvd. The Project area includes Laguna Creek and Whitehouse Creek. Laguna Creek is a natural riverine tributary of the Sacramento River that runs east to west through central Sacramento County. Whitehouse Creek is a man-made excavated creek that flows from east to west through central Sacramento County and has been redirected around residential developments north of the Project area.

The Project is located within Sacramento County. Sacramento County is part of the Sacramento River watershed, which covers approximately 27,000 square miles, with 400 miles of riverbed from Lake Shasta to the convergence of the Sacramento-San Joaquin Delta. Laguna Creek, the Cosumnes River, and the Sacramento River are the main surface hydrological features in and near the City of Elk Grove (City 2023).

Groundwater

Seasonal groundwater level data was reviewed through the Groundwater Information Center Interactive Map Web Application (<https://gis.water.ca.gov/app/gicima/>) provided by the California Department of Water Resources. In the Project area, ground water depth ranges from 55 to 70 feet. General groundwater depth may be influenced by local pumping, rainfall, and irrigation patterns. The proposed Project is within the Sacramento Valley Groundwater Basin, and more specifically, the South American Subbasin. The South American Subbasin is defined by the American River to the north, the Cosumnes River and Mokelumne River to the south, the Sierra Nevada to the east, and the Sacramento River to the west.

Flooding

The Federal Emergency Management Agency Flood Insurance Rate Map designates the Project area within three zones: Zone X, Zone AE, and Zone AH. Zone X signifies a minimal flood hazard area with a 0.2% annual chance of flooding. Zone AE and AH designates areas that are within the 100 year base flood zone and have a 1% annual chance of flooding (**Appendix E, FEMA FIRMette Map**).

Additional Impervious Surfaces

Construction of the Project would add approximately 0.68 acres of new impervious surfaces. This would result in an incremental reduction in the amount of natural soil surfaces available for infiltration of rainfall and runoff, potentially generating additional sediment runoff during storm events which could degrade the quality of receiving waters. During storm events, sediment is transported via runoff to stormwater drainage systems. Absent controls, contaminated runoff waters could flow into the stormwater drainage systems that discharge into rivers, agricultural ditches, sloughs, and channels and ultimately could degrade the water quality of any of these water bodies.

DISCUSSION OF IMPACTS

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? Less than Significant with Mitigation.**

Operational Water Quality Impacts

The Project would permanently impact approximately 0.004 acres of Laguna Creek, 0.88 acres of emergent wetland habitat, and 0.05 acres of seasonal wetland habitat. Permanent impacts to Whitehouse Creek and seasonal wetland swale habitat are not anticipated. Additionally, the Project would temporarily impact approximately 0.15 acres of Laguna Creek, 0.10 acres of Whitehouse Creek, and 0.02 acres of seasonal wetland swale habitat. Temporary impacts to emergent wetland habitat and seasonal wetland habitat are not anticipated. See **Figure 5. Project Impacts** and **Table 6. Impacts to Aquatic Habitat within the BSA** below for more information. The Project’s compliance with City and State water quality and stormwater BMP’s will ensure the Project avoids and/or minimizes potential water quality impacts to the greatest extent practicable, such as measures **WQ-1** through **WQ-6**.

Table 7. Impacts to Aquatic Habitat within the BSA

Impact Type (acres)	Aquatic Habitat within the BSA				
	Laguna Creek	Whitehouse Creek	Emergent Wetland	Seasonal Wetland	Seasonal Wetland Swale
Temporary	0.15	0.10	0	0	0.02
Permanent	0.004	0	0.88	0.05	0
Total	0.154	0.10	0.88	0.05	0.02

Construction Water Quality Impacts

The Project will disturb greater than one acre of soil, therefore a Construction Storm Water General Permit is required, issued by the State Water Resources Control Board to address storm water runoff. The permit will address clearing, grading, grubbing, and disturbances to the ground, such as stockpiling, or excavation. This permit will also require the Project's contractor to prepare and implement a SWPPP with the intent of keeping all products of erosion from moving off site into receiving waters. The SWPPP includes BMPs to prevent construction pollutants from entering storm water runoff. Mitigation Measure **WQ-3**, **WQ-4** and **WQ-6** through **WQ-11** are required to ensure the Project grading will conform to State Water Resources Control Board standards and in doing so will ensure the Project impacts will be less than significant with mitigation.

- WQ-1:** The Project shall comply with the provisions of NPDES Permit and WDRs for the State of California, Department of Transportation, Order No. 2022-0033-DWQ, NPDES No. CAS000003 and any subsequent permits in effect at the time of construction.
- WQ-2:** The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as NPDES Permit pursuant to Section 402 of the CWA. The City is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small MS4s. Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the Water Quality Control Plan for the Sacramento and San Joaquin Basin.
- WQ-3:** The Project shall comply with the provisions of the NPDES Construction General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, NPDES No. CAS000002 and any subsequent permits in effect at the time of construction.
- WQ-4:** The Project shall comply with the Construction General Permit by preparing and implementing a SWPPP or WPCP to address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or WPCP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Stormwater Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.
- WQ-5:** Design Pollution Prevention BMPs will be implemented such as preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes, and swales, over side drains, flared end sections, and outlet protection/velocity dissipation devices.

- WQ-6:** BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):
- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
 - Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
 - All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
 - All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
 - Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
 - Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
 - All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
 - All construction materials would be hauled off-site after completion of construction;
 - Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.
- WQ-7:** Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. (same as BIO-2)
- WQ-8:** Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies. (same as BIO-5)
- WQ-9:** A chemical spill kit must be kept onsite and available for use in the event of a spill. (same as BIO-6)
- WQ-10:** Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds. (same as BIO-25)
- WQ-11:** The contractor must not apply rodenticide or herbicide within the Project area. (same as BIO-27).

- b) **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?**

Less than Significant. The Project would not directly or indirectly result in the construction of uses that would utilize groundwater supplies. However, the Project is currently designed with an impervious surface for the trail (totaling approximately 1 acre of impervious surface), which will alter the rate of infiltration at the Project site. However, the Project could consider using pervious pavement during final design. Proposed impervious surface impacts to groundwater resources would be minimal, as the proposed Project does not contain elements that would add to or draw from groundwater supplies. Additionally, the proposed Project would not be constructed immediately above a preexisting well, nor would areas known to contain wells be disturbed by construction of the proposed Project. Therefore, impacts to groundwater supplies would be less than significant.

- 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?**

Less than Significant with Mitigation. Minor loss of vegetation and general disturbance to the soil for construction of the proposed Project would occur within the Project footprint. Removal of vegetation and soil can accelerate erosion processes within the Project area and increase the potential for sediment to enter into Laguna Creek and/or Whitehouse Creek. The Project would also be subject to Chapter 16.44 of the Elk Grove Municipal Code, which establishes administrative procedures, minimum standards for review, and implementation and enforcement procedures for controlling erosion, sedimentation, disruption of existing drainage and related environmental damage caused by land clearing activities, grading, filling, and land excavation. Compliance with Chapter 16.44 of the Municipal Code would reduce impacts associated with erosion and siltation. Implementation of **WQ-1** through **WQ-11** will ensure the Project will conform with current regulations and therefore ensure the Project impacts will be less than significant with mitigation.

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: (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite or (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?

Less than Significant with Mitigation. The proposed Project is currently designed to add a net impervious surface of approximately 0.68 acre to the area due to the addition of pavement for the trail. The Project is located in the proximity of Laguna Creek and Whitehouse Creek, but would not alter the course of either creek or any other stream or river. Any additional stormwater runoff due to a localized increase in impervious surfaces will flow onto adjacent natural or landscaped areas for absorption by vegetation and/or percolation into the ground and will not result in flooding on- or off-site. The existing drainage patterns of the area would not be altered. Compliance with Chapter 16.44 of the Municipal Code would reduce impacts associated with erosion and siltation.

Implementation of **WQ-1** through **WQ-4** will ensure the Project will conform with current regulations and in doing so will ensure the Project impacts will be less than significant with mitigation.

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: (iv) impede or redirect flood flows?

Less than Significant with Mitigation. The Project would add a net impervious surface of approximately 0.68 acre to the area due to the addition of pavement for the construction of the trail segment, which will result in an increase in the quantity of runoff generated in a storm event. The use of pervious pavement was considered, but was infeasible for a multi-use path as it would not support the variety of uses (vehicle, emergency response, and pedestrian). Regardless, of use of pervious material the quantity of additional runoff generated from the proposed Project would not be substantial and is not expected to contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems in the Project vicinity. Compliance with Chapter 16.44 of the Municipal Code would reduce impacts associated with erosion and siltation. Implementation of **WQ-1** through **WQ-11** will ensure the Project shall conform with current regulations and in doing so shall ensure the Project impacts will be less than significant with mitigation.

WQ-1: The Project shall comply with the provisions of NPDES Permit and WDRs for the State of California, Department of Transportation, Order No. 2022-0033-DWQ, NPDES No. CAS000003 and any subsequent permits in effect at the time of construction.

WQ-2: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as NPDES Permit pursuant to Section 402 of the CWA. The City is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small MS4s. Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the Water Quality Control Plan for the Sacramento and San Joaquin Basin.

WQ-3: The Project shall comply with the provisions of the NPDES Construction General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, NPDES No. CAS000002 and any subsequent permits in effect at the time of construction.

WQ-4: The Project shall comply with the Construction General Permit by preparing and implementing a SWPPP or WPCP to address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or WPCP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Stormwater Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control,

temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.

- WQ-5:** Design Pollution Prevention BMPs will be implemented such as preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes, and swales, over side drains, flared end sections, and outlet protection/velocity dissipation devices.
- WQ-6:** BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):
- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
 - Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
 - All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
 - All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
 - Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
 - Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
 - All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
 - All construction materials would be hauled off-site after completion of construction;
 - Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.
- WQ-7:** Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. (same as BIO-2).
- WQ-8:** Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies. (same as BIO-5).
- WQ-9:** A chemical spill kit must be kept onsite and available for use in the event of a spill. (same as BIO-6).

WQ-10: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds. (same as BIO-25).

WQ-11: The contractor must not apply rodenticide or herbicide within the Project area. (same as BIO-27).

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant with Mitigation. The Federal Emergency Management Agency Flood Insurance Rate Map designates the Project area within three zones: Zone X, Zone AE, and Zone AH. Zone X signifies a minimal flood hazard area with a 0.2% annual chance of flooding. Zone AE and AH designates areas that are within the 100 year base flood zone and have a 1% annual chance of flooding. The proposed Project would construct the final segment of the LCIRT, which includes introduction of a large vertical element above SR 99. The Project may have short-term impacts associated with potential sediment and/or pollutant runoff during grading and construction. As noted above, the Project is subject to NPDES regulations since these improvements will exceed one acre. The Project is located in the proximity of Laguna Creek and Whitehouse Creek, but is not anticipated to substantially degrade water quality within the creeks, and is not anticipated to substantially degrade water quality of groundwater beneath the site. Compliance with Chapter 16.44 of the Municipal Code would reduce impacts associated with erosion and siltation. Implementation of **WQ-1** through **WQ-11** will ensure the Project will conform with current regulations and in doing so will ensure the Project impacts will be less than significant with mitigation.

WQ-1: The Project shall comply with the provisions of NPDES Permit and WDRs for the State of California, Department of Transportation, Order No. 2022-0033-DWQ, NPDES No. CAS000003 and any subsequent permits in effect at the time of construction.

WQ-2: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as NPDES Permit pursuant to Section 402 of the CWA. The City is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small MS4s. Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the Water Quality Control Plan for the Sacramento and San Joaquin Basin.

WQ-3: The Project shall comply with the provisions of the NPDES Construction General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, NPDES No. CAS000002 and any subsequent permits in effect at the time of construction.

WQ-4: The Project shall comply with the Construction General Permit by preparing and implementing a SWPPP or WPCP to address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or WPCP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection,

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construction materials management and non-stormwater BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Stormwater Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.

WQ-5: Design Pollution Prevention BMPs will be implemented such as preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes, and swales, over side drains, flared end sections, and outlet protection/velocity dissipation devices.

WQ-6: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

WQ-7: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. (same as BIO-2).

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- WQ-8:** Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies. (same as BIO-5).
- WQ-9:** A chemical spill kit must be kept onsite and available for use in the event of a spill. (same as BIO-6).
- WQ-10:** Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds. (same as BIO-25).
- WQ-11:** The contractor must not apply rodenticide or herbicide within the Project area. (same as BIO-27).

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact with Mitigation. The Project must adhere to the MS4 and NPDES permit which includes water quality and watershed protection measures necessary for proper storm water management. The Project would not obstruct implementation of the MS4 or any groundwater management plan. Further, implementation of **WQ-1** through **WQ-11** will ensure the Project will conform with current regulations and therefore ensure the Project impacts will be less than significant with mitigation.

- WQ-1:** The Project shall comply with the provisions of NPDES Permit and WDRs for the State of California, Department of Transportation, Order No. 2022-0033-DWQ, NPDES No. CAS000003 and any subsequent permits in effect at the time of construction.
- WQ-2:** The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as NPDES Permit pursuant to Section 402 of the CWA. The City is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small MS4s. Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the Water Quality Control Plan for the Sacramento and San Joaquin Basin.
- WQ-3:** The Project shall comply with the provisions of the NPDES Construction General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, NPDES No. CAS000002 and any subsequent permits in effect at the time of construction.
- WQ-4:** The Project shall comply with the Construction General Permit by preparing and implementing a SWPPP or WPCP to address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or WPCP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition

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of the Stormwater Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.

WQ-5: Design Pollution Prevention BMPs will be implemented such as preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes, and swales, over side drains, flared end sections, and outlet protection/velocity dissipation devices.

WQ-6: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

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- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
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- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

WQ-7: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. (same as BIO-2).

WQ-8: Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of

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jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies. (same as BIO-5).

- WQ-9:** A chemical spill kit must be kept onsite and available for use in the event of a spill. (same as BIO-6).
- WQ-10:** Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds. (same as BIO-25).
- WQ-11:** The contractor must not apply rodenticide or herbicide within the Project area. (same as BIO-27).

XI. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The current land uses within the Project site include Regional Commercial (RC), Resource Management and Conservation (RMC), and Public Services (PS). The current zoning designations within the Project site include Open Space (O), Shopping Center (SC), and Public Services (PS).

PS

Public Services uses include lands owned by the City of Elk Grove, the Elk Grove Unified School District or other public-school districts, the Cosumnes Community Services District (with the exception of public parks), and other public agencies. This designation also includes other institutional uses such as higher education, private schools, cemeteries, or post offices. This designation does not include hospitals or churches, which are accommodated in the Employment Center and Residential designations, respectively (City 2023).

RMC

Resource Management and Conservation uses consist of both public and private lands, including but not limited to lands used for habitat mitigation, wetland protection, and floodways. Lands designated as Resource Management and Conservation are oriented toward passive open space uses, rather than active uses, which are include in the Parks and Open Space designation (City 2023).

The part of the Project east of West Stockton Boulevard does not contain any land that was set aside or established as conservation or mitigation lands; however, west of West Stockton Boulevard, the Project is situated with a parcel designated as RMC and zoned for open space. This area has a deed restriction due to the Lower Laguna Flood Control Project, discussed below.

Lower Laguna Flood Control Project

The USACE issued authorization under Section 404 of the Federal CWA (Regulatory ID Number 199500313) June 5, 1998 for the Lower Laguna Flood Control Project. The Lower Laguna Flood Control Project proposed to provide flood protection to neighboring upland areas by constructing a bypass channel, installing twin 72-inch pipes with outfalls, and an extension of a 60-inch pipeline across Laguna Creek, as well as the installation of a 60-inch pipe with outfall from the water quality ponds on the Park Meadows South site across Laguna Creek and discharging into the bypass channel (Permit). The Permit authorized the fill of 12.39 acres of waters of the U.S. Proposed mitigation included the creation of 23.75 acres of waters onsite plus offsite vernal pool mitigation as required by the October 29, 1996 Biological Opinion (USFWS File 1-1-96-F-51) issued by the USFWS.

The 1996 Biological Opinion (BO) included conservation measures addressing giant garter snake, as well as vernal pool tadpole shrimp and vernal pool fairy shrimp. Measures relevant to giant

garter snake, in part, included preservation of onsite perennial marsh and creation of additional marsh acreage within the greater Project area. Conservation measures addressing vernal pool tadpole shrimp and vernal pool fairy shrimp included the payment of in-lieu fees to purchase 1.46 vernal pool preservation credits for effects to 0.73 acre of vernal pools and the corresponding loss of habitat for vernal pool invertebrates.

The USACE reinitiated Section 7 Consultation with the USFWS on May 15, 1998 in order to meet four objectives: a) to allow for restoring vernal pools concurrently with the phasing of the project; (b) to extend the deadlines for placing preservation areas under conservation easements; (c) to address the reduction in project-related wetland impacts; and (d) to remove the requirement of placing rock refugia along Laguna Creek for giant garter snakes (HELIX Environmental Planning Inc. 2023).

According to the BO for the deed restricted parcel, recreational trails are permitted within the parcel if they are located outside of the northern project boundary, which is considered the north slope of the Laguna Creek Bypass Channel. A trail exists in this area currently, in compliance with the BO. The proposed Project would connect the overcrossing to the terminus of the existing trail.

DISCUSSION OF IMPACTS

a) Physically divide an established community?

No Impact. The Project would not divide an established community. The proposed Project would construct a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove. No barriers to movement through the local communities would be installed. The proposed Project would improve the off-street multiuse trail connectivity in the area. Therefore, no impact would occur.

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?

No Impact. The proposed Project is consistent with the City's General Plan (as amended) and the City's Bicycle, Pedestrian, and Trails Master Plan. While the Project would cross through land designated as RMC, this designation was applied due to the two detention basins and not as habitat mitigation. The trail segment would not alter the functionality of the detention basins.

Regarding the deed restricted parcel west of West Stockton Boulevard, according to the 1996 BO for the deed restricted parcel, recreational trails are permitted within the parcel if they are located outside of the northern Deed Restriction boundary, which is considered the north embankment of the Laguna Creek Bypass Channel. Since the proposed trail will be north of the bypass channel's northern embankment, the Project would be in compliance with the 1996 BO. The Project also does not propose to fill or alter aquatic habitat that may be suitable for GGS within the deed restricted parcel. Work within the deed restricted parcel will be limited to the area north of the Laguna Bypass Channel within a developed area that provides low to no habitat suitability for GGS. Furthermore, the Project is subject to separate Section 404 of the Clean Water Act permitting as well as separate Section 7 of the Endangered Species Act consultation and would be subject to any required avoidance and minimization measures; therefore, the Project is in

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conformance with the spirit of the conservation and protection requirements of the deed restrictions.

Therefore, the proposed Project would not conflict or cause a significant impact due to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project. No impact would occur.

XII. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The Surface Mining and Reclamation Act of 1975 requires the State Geologist to inventory and classify selected mineral resources in California. The proposed Project is located in an area of the City of Elk Grove, which is covered by the MRZ-3 classification for mineral resources. The MRZ-3 classification covers areas “containing aggregate deposits, the significance of which cannot be evaluated from available data” (DOC 1999). No mineral extraction activities occur in the vicinity of the Project area. None of the roadways in the vicinity of the proposed Project serve as routes for traffic involved in mineral extraction activities.

DISCUSSION OF IMPACTS

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?

No Impact. The proposed Project would not result in the use or extraction of any mineral or energy resources and would not restrict access to known mineral resource areas. Furthermore, the proposed Project would not result in the loss of availability of a known mineral resource. Therefore, no impact would occur.

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?

No Impact. Refer to discussion topic “a)”, above. The proposed Project would have no impact on mineral resources. No impact would occur.

XIII. NOISE

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

Since operation of the proposed Project does not include any motor vehicle transportation uses, this section focuses on the regulatory setting as it relates to construction-related noise.

City of Elk Grove General Plan

The City’s General Plan Update (2023) contains goals and policies designed to protect the community from the harmful and annoying effects of exposure to excessive noise. General Plan goals applicable to the proposed Project include, **Goal N-1: Sensitive Uses are Protected From Noise Intrusion**, **Goal N-2: Community Noise Exposure is Minimized**. These goals are supported by policies described in the City’s General Plan.

The City’s General Plan also includes maximum allowable noise standards for projects affected by transportation noise sources. Noise compatibility of proposed Project is determined in comparison to these standards. As depicted in **Table 8. Maximum Allowable Noise Exposure, Transportation Noise Sources**, the City’s maximum acceptable exterior noise standard for residential land uses affected by transportation noise sources is 60 dBA Leq.

City of Elk Grove Noise Ordinance (Municipal Code Chapter 6.32)

Elk Grove Municipal Code Title 6, Chapter 6.32, Noise Control, regulates noise generated by non-transportation sources. Section 6.32.100 (Exemptions) of the Code restricts construction activities to occur between the hours of 7:00 a.m. and 7:00 p.m., within close proximity to residential uses. Noise associated with construction not located in close proximity to residential uses may occur between the hours of 6:00 a.m. and 8:00 p.m.

Chapter 6.32 of the City of Elk Grove Municipal Code describes the City’s Noise Control laws. Under Section 6.32.100(E) Exemptions, construction-related noise can be exempted based on the following language:

“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

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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.”

ENVIRONMENTAL SETTING

Noise-sensitive land uses generally include those uses where exposure to noise would result in adverse effects, as well as uses where quiet is an essential element of their intended purpose. The City’s General Plan does not define noise-sensitive land uses, but typical noise-sensitive land uses include receptors such as residences, parks, schools, and/or hospitals. There are existing sensitive receivers within 500 feet of the proposed construction activity, including existing residences west of SR 99 and Creekside Christian Church (8939 E Stockton Blvd, Elk Grove, CA 95624) to the east of SR 99. Motor vehicles traveling on these roadways, surrounding neighborhood roads, and SR 99 are the primary contributor to the existing noise environment at the Project site.

Table 8. Maximum Allowable Noise Exposure, Transportation Noise Sources

Land Use	Outdoor Activity Areas ^{a,b}	Interior Spaces	
	LDN/dB	LDN/dB	LDN/dB
Residential	60 ^{d,g}	45	
Residential subject to noise from railroad tracks, aircraft overflights, or similar noise sources which produce clearly identifiable, discrete noise events (the passing of a single train, as opposed to relatively steady noise sources as roadways)	60 ^{d,g}	40 ^f	
Transient Lodging	60 ^{d,g}	45	
Hospitals, Nursing Homes	60 ^{d,g}	45	
Theatres, Auditoriums, Music Halls			35
Churches, Meeting Halls	60 ^{d,g}		40
Office Buildings			45
Schools, Libraries, Museums			45

- a. Where the location of outdoor activity areas is unknown, the exterior noise level standards shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patios or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the outdoor activity area.
- b. Transportation projects subject to Caltrans review or approval shall comply with the Federal Highway Administration noise standards for evaluation and abatement of noise impacts.
- c. As determined for a typical worst-case hour during periods of use.
- d. Where it is not possible to reduce noise in outdoor activity areas to 60dB,Ldn or less using a practical application of the best available noise reduction measures, an exterior noise level of up to 65 dB,Ldn may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.
- e. In the case of hotel/motel facilities or other transient lodging, outdoor activity areas such as pool areas may not be included in the project design. In these cases, only the interior noise level criterion will apply.
- f. The intent of this noise standard is to provide increased protection against sleep disturbance for residences located near railroad tracks.
- g. In cases where the existing ambient noise level exceeds 60 dbA, the maximum allowable project-related permanent increase in ambient noise levels shall be 3 dBA /Ldn.

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.

DISCUSSION OF IMPACTS

The Project components include a recreational facility that would not produce substantial noise during operation and would not contribute substantially to the ambient noise environment. Implementation of the proposed Project would not result in the construction or operation of any transportation uses or stationary noise sources; therefore, this section focuses on construction-related noise impacts.

- 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?**

Less than Significant with Mitigation. Construction noise typically occurs intermittently and varies depending upon the nature or phase (e.g., demolition/land clearing, grading and excavation) of construction. Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Typical noise levels for individual pieces of construction equipment are summarized in **Table 9. Typical Construction Equipment Noise Levels.**

Table 9. Typical Construction Equipment Noise Levels

Type of Equipment	Typical Noise Level (dBA) 50 feet from Source
Dozer	85
Excavator	88
Concrete Mixer	85
Compactor	82
Loader	85
Backhoe	80
Grader	85
Crane	83
Generator	81
Truck	88

During construction, noise from equipment would cause short-term localized increases in ambient noise levels. The actual noise levels at any particular location would depend on a variety of factors, including the type of construction equipment or activity involved, distance to the source of the noise, obstacles to noise that exist between the receptor and the source, time of day, and similar factors. Construction of the proposed Project would result in a temporary, periodic increase in ambient noise levels that would exceed the City noise standards. However, this increase would be temporary, intermittent, and limited to daytime hours. Further, mitigation is available that would require limits to the hours of construction, appropriate locations for staging areas, noise-reduction intake and exhaust mufflers and engine shrouds for construction equipment, and minimization of construction equipment idling, which would reduce impacts to less than significant. Implementation of mitigation measures **NOI-1** through **NOI-4** will reduce impacts to less than significant by limiting the hours of noise-generating construction operations to daytime hours, locating construction equipment and staging areas away from sensitive land uses, requiring construction equipment to be equipped with noise-reduction intake and exhaust mufflers and engineer shrouds, and prohibiting the idling of motorized construction equipment when not in use.

- NOI-1:** To minimize the construction-generated noise, contractor shall follow the Caltrans Standard Specifications for noise control and Chapter 6.32.100(E) of the City of Elk Grove Municipal Code, which requires the following:
- Only operate construction equipment or run the equipment engines:
 - Between the hours of 7:00 a.m. and 7:00 p.m when located adjacent to residential uses
 - Between the hours of 6:00 a.m. and 8:00 p.m when not located adjacent to residential uses
 - 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 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.
- NOI-2:** Construction equipment and equipment staging areas shall be located at the farthest distance possible from adjacent sensitive land uses.
- NOI-3:** Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation.
- NOI-4:** When not in use, motorized construction equipment shall not be left idling.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant with Mitigation. No groundborne vibration or noise levels would be generated during use of the trail segment. Groundborne vibration and noise levels would be generated during construction of the Project. Construction would be temporary and would occur between the hours of 6 a.m. and 8 p.m. on weekdays in accordance with Chapter 6.32, Noise Control, of the Elk Grove Municipal Code, or between the hours of 7 a.m. and 7 p.m. on weekdays where adjacent to residential uses in accordance with Elk Grove General Plan Policy N-1-7 and as specified in **NOI-1**. Pile driving or other activities commonly associated with vibration may occur. Impacts would be less than significant with incorporation of mitigation measures **NOI-1** through **NOI-4** by limiting the hours of noise-generating construction operations to daytime hours, locating construction equipment and staging areas away from sensitive land uses, requiring construction equipment to be equipped with noise-reduction intake and exhaust mufflers and engineer shrouds, and prohibiting the idling of motorized construction equipment when not in use. Therefore, Project impacts would be less than significant with mitigation.

- NOI-1:** To minimize the construction-generated noise, contractor shall follow the Caltrans Standard Specifications for noise control and Chapter 6.32.100(E) of the City of Elk Grove Municipal Code, which requires the following:
- Only operate construction equipment or run the equipment engines:
 - Between the hours of 7:00 a.m. and 7:00 p.m when located adjacent to residential uses
 - Between the hours of 6:00 a.m. and 8:00 p.m when not located adjacent to residential uses

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- 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 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.

NOI-2: Construction equipment and equipment staging areas shall be located at the farthest distance possible from adjacent sensitive land uses.

NOI-3: Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation.

NOI-4: When not in use, motorized construction equipment shall not be left idling.

- 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?**

No Impact. The proposed Project is not located in the vicinity of a private airstrip, airport land use plan, or within two miles of a public airport or public use airport. Therefore, no impact would occur.

XIV. POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

In the ten years prior to the incorporation of the City in July 2000, the population increased by 70.5 percent, in part due to annexations. The City began to rapidly develop as a result of an increase in jobs to the Sacramento County region and the availability of land outside the downtown Sacramento area. According to the California Department of Finance, the population of the City was approximately 170,011 in 2017, which is a 1.2 percent increase from the previous year (DOF 2018). Several housing developments are planned in the City. The proposed Project does not involve the addition of new housing or the displacement of existing housing.

DISCUSSION OF IMPACTS

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No Impact. The proposed Project does not include the construction of new homes or businesses, nor does it include extension or construction of new roadways which could potentially induce growth. Therefore, the Project would have no potential to induce substantial population growth in the area, either directly or indirectly. No impact would occur.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No Impact. The Project will not displace any number of existing housing or necessitate the construction of replacement housing. No impact would occur.

XV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) 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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The City receives general public safety and law enforcement services from the City of Elk Grove Police Department. The Elk Grove Community Services District Fire Department provides fire protection and emergency services to the City. The Elk Grove Unified School District provides educational services to the area in the Project vicinity. Additionally, the City provides maintenance of public facilities, including those intended for bicycle and pedestrian use.

DISCUSSION OF IMPACTS

- a-b) 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:**

- Fire Protection, Police Protection?**

Less than Significant Impact. Police and fire protection (including ambulance services) are currently provided by the Elk Grove Police Department and the Consumnes Community Service District Fire Department (CCSDFD) in and surround the Project area.

The Elk Grove Police Department has 150 sworn officers and 107 civilian employees who provide law enforcement and policing services to the City (EGPD 2023). In addition, the City’s General Plan, Safety Element (City 2023) contains policies relating to police protection. Under Policy SAF-1-1 the City shall “regularly monitor and review the level of police staffing provided in Elk Grove, and ensure that sufficient staffing and resources are available to serve local needs” (City 2023). This policy ensures adequate police protection in the City as it expands and develops. The BPTMP also identifies thoughtful design where “[t]he design of trails shall provide a degree of privacy to surrounding

residences, but still allow for informal monitoring of the trail” (City 2023). Police patrols of the new trail segment, including the overcrossing and the bridge, will occur when construction is complete; however, the trail is approximately 0.33 miles long in length and can be included in existing patrols occurring throughout other portions of the Laguna Creek Trail and adjacent residences.

There are currently eight stations operated by CCSDFD. CCSDFD fire station 76 is within one-half mile of the Project, located at 8545 Sheldon Road, while two additional stations, Stations 71 and 74, are located within two miles of the Project.

The General Plan also has safety policies to ensure efficient movement of police and firefighting equipment and safe evacuation of residents, and the City cooperates with the CCSDFD to reduce fire hazards, assist in fire suppression, and promote fire safety. The BPTMP requires that all bicycle and pedestrian trails be at minimum 10 feet of paved trail, which is consistent with Cosumnes Community Service District fire standards, so that the trails can double as an emergency vehicle access (City 2023). The current proposed paved portion of the trail and Whitehouse Creek bridge are 10 feet in width and can support the weight of emergency vehicles.

Development of the proposed Project would not result in increased population and residential structures; however, fire and police services could be required for users of the trail segment. As the proposed Project is located within portions of the City already serviced by police and fire services, as the trail has been designed to accommodate emergency vehicles, and as the new trail has a short distance of 0.33 miles in length, it is anticipated that the City would be able to provide police and fire protection services for the proposed Project while continuing to maintain acceptable service ratios, response times, and performance objectives. For these reasons, a less than significant impact to police and fire protection is anticipated.

- c-d) **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:**

- **Schools, Parks?**

No Impact. The proposed Project does not include new development for habitation, nor does it include development of new businesses. Therefore, the proposed Project would not induce population growth and furthermore, does not include any components that would result in any schools or parks. Establishment of additional facilities to maintain acceptable service ratios for the public would not be necessary. Therefore, no impact would occur.

- e) **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:**

- **Other Public Facilities?**

No Impact. The Project was previously planned for and is included in the City’s BPTMP and will connect to other existing segments of the LCIRT. Construction and operation of

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the Project would not result in a need for the creation of additional facilities. Further, the City's Department of Public Works, Operation and Maintenance Division is responsible for multi-use trails on public property (City 2023). The BPTMP identifies long-term trail maintenance responsibilities that will be the responsibility of the City; however, this maintenance has already been planned and does not exceed the City's capabilities.

XVI. RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The City’s General Plan (2023) contains goals and policies established to conserve existing national, State, and regional recreation areas, as well as encouragement for the development of additional recreational opportunities to meet the City’s needs. In addition, the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan includes goals that encourage an exceptional public parks network throughout the City and public use of all available pedestrian and bicycle trails (City 2021). The proposed Project would construct a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove.

DISCUSSION OF IMPACTS

- 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?**

Less than Significant Impact. The proposed Project would construct a segment of the LCIRT which includes a pedestrian overcrossing spanning West Stockton Boulevard, SR 99, and East Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove. The trail segment will fill in an existing gap within the LCIRT system. The trail segment will increase the accessibility of the surrounding community parks to nearby residents. However, residents already have access to parks in the area under existing conditions; thus substantial physical deterioration of local parks and other recreational facilities is not expected to result from the proposed Project. Although the proposed Project involves the extension of a multiuse trail for recreational purposes, it does not include a residential or commercial component that would increase human presence in the area which could result in increased use of existing parks or recreational facilities as the primary purpose of the Project is to provide safer alternative transportation. Therefore, impacts are considered less than significant.

- 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?**

Less than Significant Impact. The proposed Project is consistent with the existing land use of the Project site and surrounding areas. Furthermore, the proposed Project is

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consistent with the City's General Plan and the City's Bicycle, Pedestrian, and Trails Master Plan, which identify the need for an off-street multiuse trail system providing connections throughout the City. The proposed improvements will not impact the usability of the trail during construction, as there is currently no bicycle or pedestrian trail at this location. The proposed Project does not anticipate any permanent or adverse physical impacts; therefore, impacts are considered less than significant.

XVII. TRANSPORTATION

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

On September 27, 2013, Governor Brown signed Senate Bill 743 (SB 743) and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, level of service, and other similar measures of vehicle capacity or traffic congestion as a basis for determining significant impacts. The Governor’s Office of Planning and Research (OPR) has issued final guidance entitled, Proposed Updates to the CEQA Guidelines covering the specific changes to the CEQA guidelines. The final guidance recommends elimination of auto delay and level of service for CEQA purposes and the use of Vehicle Miles Traveled, or VMT, as the preferred CEQA transportation metric. The City of Elk Grove General Plan Update (2023) incorporates the change in transportation impact analysis, resulting from SB 743, and includes VMT policy that establishes significance thresholds for CEQA analysis of future projects.

State

2019 CEQA Update: Section 15064.3(b)(2) - Determining the Significance of Transportation Impacts

Pursuant to CEQA section 15064.3(b)(2), transportation 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, a lead agency may tier from that analysis as provided in Section 15152.

Local

City of Elk Grove Traffic Analysis Guidelines for Transportation Projects

The Traffic Analysis Guidelines (TAG) within the City’s General Plan Update establishes protocol for transportation analysis studies and reports based on the current state-of-the-practice in transportation planning and engineering and includes guidance for General Plan consistency analysis (using roadway and intersection performance) and CEQA analysis (using VMT). As stated on page 9 of the TAG, transportation projects that are not likely to lead to substantial or measurable increase in VMT and are exempt from analysis include, but are not limited to, the

following: Public transit (e.g., establishing new routes or services or modifying existing routes or services).

- Addition of active transportation improvements (e.g., new trail segments), like on-street bike lanes and shoulder improvements to improve conditions for cyclists.
- Addition of roadway capacity on local and collector roadways only provided for the purpose of improving conditions for pedestrians, cyclists, and public transit (as applicable).
- Resurfacing, rehabilitation, maintenance, preventative maintenance, replacement, and repair projects that do not add additional roadway capacity.
- Installation, removal, or modification of turn lanes.
- Installation, removal, or modification of traffic control devices, including traffic signals, wayfinding, and traffic signal priority systems.
- Traffic signal optimization and or coordination to improve vehicle, bicycle, or pedestrian flow.
- Installation of roundabouts.
- Installation or modification of traffic calming devices. • Lane reductions (i.e., road diets”).
- Addition of auxiliary lanes that do not add additional roadway capacity.
- Removal of off-street parking and addition, adoption, or modification of parking devices and management strategies.
- Safety improvements, including roadway shoulder enhancements and auxiliary lanes, and grade separations for rail, transit, pedestrian, and bicycle facilities.
- Sidewalk infill, removing barriers to accessibility, and American with Disabilities Act (ADA) Improvements.
- Installation or modification of access control restrictions.
- Complete Streets Projects that do not add additional roadway capacity.
- Other improvements to the circulation system that do not add additional roadway capacity.

Per the City’s TAG, a VMT analysis is not required as the Project consists of activities considered exempt from VMT analysis.

ENVIRONMENTAL SETTING

The proposed Project will construct the final segment of the LCIRT system, providing a safe route across the barrier by constructing a pedestrian overcrossing over SR 99, East Stockton Boulevard, and West Stockton Boulevard. Additionally, the Project will construct a multi-use trail and a pedestrian bridge over Whitehouse Creek, thereby completing the pedestrian/bicycle facilities. As the LCIRT is located off-road, it provides a safe pedestrian and cyclist travel corridor. By completing a sizeable gap in the system, the Project would provide the community with greater access through the City.

DISCUSSION OF IMPACTS

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

No Impact. The proposed Project would construct the final segment of the LCIRT, which includes a pedestrian overcrossing spanning SR 99, East Stockton Boulevard, and West Stockton Boulevard; a multi-use trail east of the pedestrian overcrossing; and a pedestrian bridge spanning Whitehouse Creek in the City of Elk Grove. The Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The proposed Project does not involve construction of a new public roadway or significant physical alteration of an existing roadway.

The Project is included in, and is consistent with, the City's General Plan and Bicycle, Pedestrian, and Trails Master Plan. Therefore, no impact would occur.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

No Impact. The proposed Project does not involve construction of a new public roadway or significant physical alteration of an existing roadway and would have no impact on an established VMT threshold. The Project consists solely of activities which are considered exempt from VMT analysis, per the City's TAG. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), and no impact would occur.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The proposed Project would be designed in accordance with the standards and guidelines set forth in the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan. Specifically, trail design and maintenance shall provide for trail safety and security. The trail would not create an increased hazard due to geometric design or incompatible uses as it consists of an ADA compliant trail segment, allowing for trail user defensible space, and would provide adequate site distance for trail users. No impact would occur.

d) Result in inadequate emergency access?

Less than Significant. Minor on-street construction activities for the proposed Project may occur, and off-street construction activities for the trail are not expected to interfere with emergency access on local roadways. The trail is designed for consistency with the standards and guidelines provided in the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan (i.e., minimum tread width is 10 feet of paved trail). Upon completion of construction, the trail, overcrossing, and bridge would be wide enough for emergency vehicles and access to emergency vehicles would be available in the event of an emergency. Therefore, the proposed Project would not result in inadequate emergency access and would have a less than significant impact.

XVIII. TRIBAL CULTURAL RESOURCES

XVII. 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	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), or	<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 Resource 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"/>

REGULATORY SETTING

Effective July 1, 2015, CEQA was revised to include early consultation with California Native American tribes and consideration of tribal cultural resources (TCRs). These changes were enacted through Assembly Bill 52 (AB 52). By including TCRs early in the CEQA process, AB 52 intends to ensure that local and Tribal governments, public agencies, and Project proponents would have information available, early in the Project planning process, to identify and address potential adverse impacts to TCRs. CEQA now establishes that a “project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment” (PRC § 21084.2).

To help determine whether a project may have such an adverse effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. The consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (PRC § 21080.3.1). Consultation must consist of the lead agency providing formal notification, in writing, to the tribes that have requested notification or proposed projects within their traditionally and culturally affiliated area. AB 52 stipulates that the Native American Heritage Commission (NAHC) shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated within the project area. If the tribe wishes to engage in consultation on the project, the tribe must respond to the lead agency within 30 days of receipt of the formal notification. Once the lead agency receives the tribe’s request to consult, the lead agency must then begin the consultation process within 30 days. If a lead agency determines that a project may cause a substantial adverse change to TCRs, the lead agency must consider measures to mitigate that impact. Consultation concludes when either: 1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a TCR, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC § 21080.3.2). Under existing law, environmental documents must not include information about the locations of an archaeological site or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records act. TCRs are also exempt from disclosure. The term “tribal cultural resource” refers to either of the following:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources
- Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code (PRC) Section 5020.1
- A resource determined by a California lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of the PRC Section 5024.1.

ENVIRONMENTAL SETTING

APE

The Area of Potential Effects (APE) was established as the area of direct and indirect impacts and consists of an approximately 29.7-acre area (**Figure 3. Project Features**). This includes all grading activities required for vegetation/tree removal, trail segment construction, SR 99 overcrossing construction, Whitehouse Creek bridge construction, staging areas, temporary construction access, and utility relocations. The APE also includes right-of-way acquisitions and temporary construction easements. The APE extends approximately 1,500 feet north/south along East Stockton Boulevard/West Stockton Boulevard/SR 99 and approximately 2,300 feet east/west. The vertical APE varies depending on the type of ground disturbing activities. Vertical depths of disturbance for the SR 99 pedestrian overcrossing extend 10 feet below existing ground surface for the abutments and 70 feet for the overcrossing's CIDH columns and the driven column support piles. The Whitehouse Creek bridge extends between 5 and 10 feet below ground surface for construction of the abutments. The trail segment will consist of grading between 0 and 3 feet below existing ground surface.

Records Search

In order to determine whether any previously recorded cultural resources were located within the APE, a record search (NCIC File No.: SAC-23-136) for the APE and a ¼-mile search radius surrounding the APE was obtained from the North Central Information Center (NCIC), California State University, Sacramento, on July 13, 2023. The record search was conducted by Paul Rendes, Coordinator from the Information Center. The search examined the Office of Historic Preservation (OHP) Historic Properties Directory, OHP Determinations of Eligibility, and the California Inventory of Historical Resources.

The record search identified one previously recorded resource, a historic homestead, whose recorded boundary is located partially within the northwestern edge of the APE, north of West Stockton Boulevard. This resource, and any associate buried components, is no longer extant as it was obliterated through construction of the residential development, West Stockton Boulevard and other roadways, sound walls with deep footings, sidewalks, extensive network of buried utilities (water, sewer, electrical, and communication/media), and the Laguna Creek Bypass Flood Control Channel. Further, no proposed ground disturbance is proposed within the recorded boundary of the resource.

Native American Consultation

As part of the identification efforts to determine whether the APE has Native American resources, the City contacted the Native American Heritage Commission (NAHC) in July 2023 and requested a search of the NAHC Sacred Lands File (SLF). The NAHC responded in July 2023 that no resources were identified during the SLF search.

The City then sent Project notification consultation letters in August 2023 to the following Native American Tribal Governments, which have previously requested to be contacted regarding City projects:

- Buena Vista Rancheria of Me-Wuk Indians
- Chicken Ranch Rancheria of Me-Wuk Indians
- Colfax-Todds Valley Consolidated Tribe
- Lone Band of Miwok Indians
- Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- Shingle Springs Band of Miwok Indians
- Tsi Akim Maidu
- United Auburn Indian Community of the Auburn Rancheria
- Wilton Rancheria
- Yocha Dehe Wintu Nation

In response to the Project notification consultation letters, a representative of Wilton Rancheria replied on August 15, 2023 confirming that the Project is located within Wilton Rancheria's ancestral and culturally affiliated territory and that Wilton Rancheria would like to consult on the Project. The email further requested that a compensated tribal monitor be present for all ground disturbing activities and be allowed to give a Cultural Awareness Talk to all construction staff and crew. The email also included Wilton Rancheria's Inadvertent Discovery Treatment Plan and requested that it be added to the construction guidelines. On September 6, 2023, a virtual meeting was held with Ms. Kremer, City staff, and consulting archaeologist Amy Dunay to discuss the Project details and relay the negative findings of the cultural survey and records search. Ms. Kremer requested that the Wilton Rancheria be included in future site visits and concluded that there were no known indigenous sites located within the APE. Ms. Kremer requested that a Wilton Rancheria monitor be present during all ground disturbing activities, especially east of SR 99. Coordination with Wilton Rancheria regarding construction monitoring is included in **CR-2**. She also requested the depth of ground disturbing activities which Ms. Dunay relayed in June 2024.

The Inadvertent Discovery Plan was also discussed. Ms. Dunay relayed that the City will utilize the plan to draft project specific measures to be included in the CEQA environmental document. A copy of the Tribal Cultural Resources chapter of this environmental document, including measures **CR-1** through **CR-3** which utilized components of the Inadvertent Discovery Plan, was provided to Wilton Rancheria in December 2024 for review/comment prior to public circulation. Wilton Rancheria did not provide any comments or questions regarding the Tribal Cultural Resources section or measures **CR-1** through **CR-3**.

No other response or requests have been received from other Native American Tribal Governments except the United Auburn Indian Community of the Auburn Rancheria who stated that they defer to Wilton Rancheria for tribal consultation.

Cultural Survey

3.0 INITIAL STUDY CHECKLIST

On July 26, 2023, the entire APE was subjected to an intensive pedestrian survey by consultant archaeologist, Amy Dunay. The pedestrian survey was conducted at roughly 10-meter transect intervals where conditions allowed. All APE field conditions were fully recorded in the field notes.

During the survey, exposed subsurface cuts, such as those within Laguna Creek, Whitehouse Creek, and the Laguna Creek Bypass Flood Control Channel were examined for indications of surface or subsurface cultural resources, soil color change, and/or staining that could indicate past human activity or buried deposits.

The pedestrian survey did not identify any archaeological resources within the APE. Inspection of open surfaces, and visible cut slopes during the field survey revealed no evidence of subsurface artifacts, features, or other indicators of past human use (such as soil change). No components of the partially recorded historic homestead were observed as the portion of the resource that extends into the APE has been removed due to the development of West Stockton Boulevard, other modern roadways, residential homes, sidewalks, landscaping, sound walls, many buried utilities (water, sewer, irrigation, electrical, and communication/media), and the Laguna Creek Bypass Channel.

Buried Cultural Resource Potential

While no cultural resources were identified during the field survey of the APE or after Native American consultation, the City analyzed the potential for the APE to contain buried cultural resources. The subsurface sensitivity was assessed through landform analysis, observations of past ground disturbance, and visual inspections of exposed subsurface soils within the APE during the pedestrian survey. Although Holocene aged soils are present which typically do contain the potential to bury older human-occupation, the APE has been extensively altered from agricultural practices; excavation and then subsequent filling of a detention basin; development; installation of buried utilities (sewer, water, irrigation, power, and communication); and construction of sidewalks, roadway, maintenance paths, four existing bridges (West Stockton Boulevard, East Stockton Boulevard, Northbound SR 99, and Southbound SR 99), the Laguna Creek Bypass Flood Control Channel, and Whitehouse Creek (human created channel within the APE). These significant landform alterations and ground disturbances (both vertical and horizontal), combined with the negative pedestrian survey results and a lack of previously recorded resources within the APE indicate that the potential for buried cultural resources to be present in the APE is low.

At this time, no further archaeological study is required unless Project plans change to include areas not previously included in the surveyed area or if additional information is received from other sources or special interest groups.

DISCUSSION OF IMPACTS

- a) **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:**
 - **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),**

Less than Significant with Mitigation. No TCR was identified during identification and

3.0 INITIAL STUDY CHECKLIST

consultation efforts conducted for the Project. As such, the Project is not anticipated to cause a substantial adverse change in the significance of a TCR listed or eligible for listing in the California Register of Historical Resources, or in a local register of historic resources as defined in Public Resources Code section 5020.1(k). No impacts are anticipated for the Project related to TCRs; however, with any Project requiring ground disturbance, there is always the possibility that unmarked TCRs may be unearthed during construction. This impact would be considered potentially significant. Implementation of Mitigation Measure **CR-1** through **CR-3** (listed in Section V) would reduce this impact to a less-than significant level.

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the discovery. An archaeologist will assess the discovery to determine its significance. The archaeologist will develop a plan for documentation, treatment, and removal of resources, if necessary. Should the discovery involve Indigenous cultural resources, a Native American Representative from the federally recognized Wilton Rancheria shall be contacted to join the assessment of the discovery, and CR-2 shall be implemented. Work in the area(s) of the discovery may only proceed after authorization from the City and the archaeologist. Additional archaeological survey will be needed if Project limits are extended beyond the present survey limits.

CR-2: The City will coordinate with Wilton Rancheria regarding the anticipated construction schedule to ensure Wilton Rancheria has the opportunity to provide cultural awareness training to on-site construction personnel and to monitor ground disturbing activities. If Indigenous cultural resources are discovered, work shall be halted within 100 feet of the discovery, and a Native American Representative (Representative) from the federally recognized Wilton Rancheria shall be contacted to assess the significance of the discovery. The Representative will assess the significance of the find and make recommendations for further evaluation and treatment if necessary.

Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the Project area where they will not be subject to future impacts. Wilton Rancheria does not consider curation of a Tribal Cultural Resource to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by Wilton Rancheria.

The City and land owner or land owner representative shall consult with Wilton Rancheria regarding the discovery and recommended measures to determine the final treatment of the discovery, including any required mitigation. Mitigation shall follow the recommendations detailed in Public Resources Code sections 21084.3(a) and (b), 5097.98 (as stated in **CR-3**), and CEQA Guidelines section 15370. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

CR-3: Sections 5097.98 through 5097.993 of the Public Resources Code (PRC) and Section 7050.5 of the California Health and Safety Code protect Native

American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work shall halt within 100 feet of the discovery and the county coroner should be notified immediately. At the same time, an archaeologist shall be contacted to assist in the evaluation of the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification.

Should the Native American Heritage Commission designate Wilton Rancheria or one of its representatives as the Most Likely Descendant (MLD), the MLD will assess the discovery and provide recommended treatments to the City, and if the discovery is located on private property, the property owner, within forty-eight hours of being notified. All treatment recommendations made by Wilton Rancheria and archaeologists will be documented in the confidential portion of the project record. All parties will consult on the recommended treatments. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

- b) **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:**
- **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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

Less than Significant with Mitigation. The Project is not anticipated to cause a substantial adverse change to a TCR pursuant to criteria set forth in subdivision (c) of Public Resources Cod Section 5024.1. Given the extensive ground disturbances which have occurred throughout the APE, the potential for a buried TCR to be present is considered low. While no impacts to TCRs are anticipated for the Project, with any Project requiring ground disturbance, there is always the possibility that unmarked cultural resources may be unearthed during construction. This impact would be considered potentially significant. Implementation of Mitigation Measure **CR-1** through **CR-3** (listed in Section V) would reduce this impact to a less-than significant level.

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the discovery. An archaeologist will assess the discovery to determine its significance. The archaeologist will develop a plan for documentation, treatment, and removal of resources, if necessary. Should the discovery involve Indigenous cultural resources, a Native American Representative from the federally recognized Wilton Rancheria shall be contacted to join the assessment of the discovery, and CR-2 shall be implemented. Work in the area(s) of the discovery may only proceed after authorization from the City and the archaeologist. Additional

archaeological survey will be needed if Project limits are extended beyond the present survey limits.

- CR-2:** The City will coordinate with Wilton Rancheria regarding the anticipated construction schedule to ensure Wilton Rancheria has the opportunity to provide cultural awareness training to on-site construction personnel and to monitor ground disturbing activities. If Indigenous cultural resources are discovered, work shall be halted within 100 feet of the discovery, and a Native American Representative (Representative) from the federally recognized Wilton Rancheria shall be contacted to assess the significance of the discovery. The Representative will assess the significance of the find and make recommendations for further evaluation and treatment if necessary.

Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the Project area where they will not be subject to future impacts. Wilton Rancheria does not consider curation of a Tribal Cultural Resource to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by Wilton Rancheria.

The City and land owner or land owner representative shall consult with Wilton Rancheria regarding the discovery and recommended measures to determine the final treatment of the discovery, including any required mitigation. Mitigation shall follow the recommendations detailed in Public Resources Code sections 21084.3(a) and (b), 5097.98 (as stated in **CR-3**), and CEQA Guidelines section 15370. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

- CR-3:** Sections 5097.98 through 5097.993 of the Public Resources Code (PRC) and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work shall halt within 100 feet of the discovery and the county coroner should be notified immediately. At the same time, an archaeologist shall be contacted to assist in the evaluation of the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification.

Should the Native American Heritage Commission designate Wilton Rancheria or one of its representatives as the Most Likely Descendant (MLD), the MLD will assess the discovery and provide recommended treatments to the City, and if the discovery is located on private property, the property owner, within forty-eight hours of being notified. All treatment recommendations made by Wilton Rancheria and archaeologists will be documented in the confidential portion of the Project record. All parties will consult on the recommended treatments. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Water

Water services within City limits are provided by the Sacramento County Water Agency and the Elk Grove Water District. Private service areas also exist within the City. The Project area receives water services from the Elk Grove Water District.

Wastewater Service

Urbanized portions of Sacramento County, such as the City of Elk Grove, receive wastewater service from the Sacramento Area Sewer District (SASD), which is a publicly owned wastewater agency. Over one million people in the major Sacramento Metropolitan Area receive wastewater services from the SASD. Three agencies—the City of Folsom, the City of Sacramento, and Sacramento County Sanitation District 1—contribute to the wastewater services provided by SASD. The Project site falls within the Sacramento County Sanitation District 1 service area; however, the Project will not require wastewater service.

Solid Waste Service

Solid waste services for residential service in the City are provided by Republic Services. Solid waste within the City limits is typically delivered to Sacramento County's Kiefer Landfill, the primary municipal solid waste disposal facility in Sacramento County, located at the intersection of Grant Line Road and Kiefer Boulevard. Waste is accepted from the general public, businesses and private waste haulers.

At present, the Kiefer Landfill, which comprises approximately 1,084 acres, is the only landfill within the jurisdiction of Sacramento County that is permitted to accept solid waste for disposal. The maximum tons per day allowed at the Kiefer Road Landfill is 10,815 tons per day, with an

average intake of 6,362 tons per day. The landfill has a total capacity of 117 million cubic yards (58 million tons). The Kiefer Landfill is classified as a major landfill, which is defined as a facility that receives more than 50,000 tons of solid waste per year. The Kiefer Landfill has been operating below permitted capacity and is projected to have capacity for about the next 20 to 30 years (City 2023).

DISCUSSION OF IMPACTS

- 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?**

Less than Significant. The proposed Project would construct the final segment of the LCIRT and would not increase population in the Project vicinity; therefore, there would be no additional wastewater flows as a result of Project development; or result in expanded wastewater treatment or stormwater drainage treatment.

The Project would add a net impervious surface of approximately 0.68 acre to the area due to the addition of pavement for the construction of the trail, but would direct runoff appropriately, and final design may incorporate drainage features including culverts through the trail prism and bio-swales for transport of additional waters. The impervious surface generated by the Project is the minimum area practicable, incorporating the natural drainage courses in the Project area, and preserving the maximum numbers of existing native trees and shrubs possible. The proposed Project is not anticipated to generate excessive runoff, and the proposed Project would not include construction of new stormwater drainage facilities, or expansion of existing facilities. Therefore, impacts would be less than significant.

- b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

No Impact. The Project would not result in the need for new or expanded water supplies. There may be a temporary need for water during construction to control dust; however, it is not anticipated to result in the need for water supply beyond what is currently available, and no increase in demand for long-term water supply would be generated by the Project. No impact would occur.

- 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?**

No Impact. The Project would not include the construction of any wastewater-generating uses. The Project would not increase population in the Project vicinity, and there would be no additional wastewater flows as a result of the proposed Project; therefore, the Project would not result in the need for new or expanded wastewater facilities. No impact would occur.

- 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?**

Less Than Significant. The Project would not generate solid waste during operation. Solid waste would be generated during construction; however, the amount will not exceed landfill capacities. Solid waste generated by the proposed Project would be transported to Kiefer Landfill which has been operating below permitted capacity and is projected to have capacity for about the next 20 to 30 years (City 2023). Therefore, impacts would be considered less than significant.

- e) **Comply with federal, state, and local statutes and regulations related to solid waste?**

No Impact. The Project would comply with all applicable federal, state, and local statutes and regulations related to solid waste including the California Integrated Waste Management Act of 1989 (AB 939) and the California Solid Waste Re-Use and Recycling Access Act of 1991 (§42900-42911 of the Public Resources Code). No impact would occur.

XX. WILDFIRE

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	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"/>	<input checked="" 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"/>	<input checked="" 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 checked="" 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"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Based on maps produced by the California Department of Forestry and Fire Protection (CalFire), the Project area is not within or near a State Responsibility Area (SRA). An SRA is the area of the state where the State of California is financially responsible for the prevention and suppression of wildfires. SRAs do not include lands within city boundaries or in federal ownership. Additionally, the Project area is not within or near an area designated for moderate, high, or very high fire severity. There are no areas designated as such within any portion of the City (CAL FIRE 2024). Similarly, fire severity maps produced by CalFire within the Sacramento County Local Hazard Mitigation Plan Update for Local Responsibility Areas (LRA), of which the City of Elk Grove is a part, have not designated any “very high fire severity lands” within any portion of the City or adjoining areas (CAL FIRE 2024). The closest fire severity zone is located approximately 5 miles east of the Project area in Wilton which is zoned as “Moderate”. Last, based on map data developed by the US Forest Service, the Project area is not located within or adjacent to any wildfire potential zones.

DISCUSSION OF IMPACTS

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**

No Impact. The Project has been designed in accordance with City road and improvement standards, thereby ensuring that adequate emergency access could be provided to the proposed uses. No impact would occur.

- 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?**

No Impact. The Project is located in a topographically flat, urban area of the City, adjacent to residential and commercial/mixed-use land uses. The proposed Project corridor is not within or adjacent to a SRA. The area surrounding the Project is developed with residential

3.0 INITIAL STUDY CHECKLIST

properties, transportation facilities, and commercial properties. Although fires could occur in the grasslands adjacent to the Project, the grasslands would not exacerbate wildfire risks due to the limited amount of suitable fuel and the ease of access for fire crews to conduct fire suppression activities. During construction, emergency access would be maintained at all times. In the event of a fire, the Cosumnes Fire Department provides emergency fire services to the Project area. No impact would occur.

- 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?**

Less than Significant. The proposed segment of the LCIRT will require ongoing maintenance. However, maintenance activities would not exacerbate fire risk and the proposed Project corridor is not within or adjacent to a SRA. Impacts would be less than significant.

- 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?**

No impact. The Project is located in a topographically flat, urban area of the City, adjacent to residential and commercial/mixed-use land uses and is not within or adjacent to a SRA. Vegetation removal would be minimal and temporary. The Project would have no impact.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION OF IMPACTS

- a) **Does the project have the potential to 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?**

Less Than Significant with Mitigation Incorporated. Implementation of the Project would have the potential to degrade the quality of the existing environment. Potential impacts have been identified related to Aesthetics (Section I), Air Quality (Section III), Biological Resources (Section IV), Cultural Resources (Section V), Geology and Soils (Section VII), Hazards and Hazardous Waste (Section IX), Hydrology and Water Quality (Section X), Noise (Section XIII), and Tribal Cultural Resources (Section XVIII).

Mitigation measures **BIO-1** through **BIO-29** would reduce impacts to biological resources to a less than significant level. The potential for discovery or disturbance of historical, archaeological, human remains, TCRs, or paleontological resources is not anticipated. However, implementation of mitigation measure **CR-1** through **CR-3** and **PAL-1** and **PAL-2** would reduce impacts to a less than significant level by ensuring that appropriate protocol is followed (see Chapter 4 Summary of Avoidance, Minimization, and Mitigation Measures).

Project impacts to Air Quality, Hazards and Hazardous Waste, Hydrology and Water Quality, and Noise would primarily consist of temporary impacts related to construction of the Project. These impacts would be reduced to a less than significant level through implementation and incorporation of **AQ-1**, **HAZ-1**, **WQ-1** through **WQ-11**, and **NOI-1** through **NOI-4**, respectively (see Chapter 4 Summary of Avoidance, Minimization, and Mitigation Measures).

See Chapter 4, Summary of Avoidance, Minimization, and Mitigation Measures, for a

summary of all mitigation measures, timing of implementation, and responsible party. Implementation of mitigation measures would reduce the level of all Project-related impacts to less than significant levels. Therefore, impacts are considered less than significant with mitigation incorporated.

- 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)?**

Less than Significant Impact. CEQA Guidelines Section 15064(h) states that a lead agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must therefore be conducted in connection with the effects of past projects, or other current projects, and probable future projects.

The proposed Project is consistent with the City of Elk Grove General Plan and the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan. The Project is listed in the City's Bicycle, Pedestrian, and Trails Master Plan, which expresses the City's desire to have a comprehensive off-street multi-use trail system that provides connectivity throughout the City and the wider Sacramento region. The proposed Project would complete the last gap in the LCIRT system in the City of Elk Grove and improve bicycle and pedestrian access in the City. The Project would make no significant contribution to cumulatively adverse impacts associated with existing or proposed development projects in the City as the Project would not directly generate vehicle trips. Construction of the proposed Project along with other construction in the City and Sacramento County would contribute to cumulative environmental impacts. However, the proposed Project's contribution would be minimal considering the highly developed land uses in the area. Therefore, impacts of the proposed Project related to cumulatively considerable impacts in the City of Elk Grove and Sacramento County are considered less than significant.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less than Significant with Mitigation Incorporated. The Project would not cause significant or unavoidable adverse effects to human beings, either directly or indirectly with mitigation incorporated. See Chapter 4, Summary of Avoidance, Minimization, and Mitigation Measures, for a summary of all mitigation measures, timing of implementation, and responsible party. All potentially significant impacts have been reduced to a less than significant level by mitigation measures related to individual resource-specific impacts:

- Aesthetics (VIS-1 through VIS-5)
- Air Quality (AQ-1),
- Biological Resources (BIO-1 through BIO-24),
- Cultural Resources (CR-1 through CR-3),
- Geology and Soils (PAL-1 and PAL-2),
- Hazards and Hazardous Materials (HAZ-1)
- Hydrology and Water Quality (WQ-1 through WQ-11),
- Noise (NOI-1 through NOI-4), and
- Tribal Cultural Resources (CR-1 and CR-2).

Therefore, impacts are considered less than significant with mitigation incorporated (see Chapter 4 Summary of Avoidance, Minimization, and Mitigation Measures).

**4.0 SUMMARY OF AVOIDANCE,
MINIMIZATION, AND MITIGATION
MEASURES**

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

4.1 Summary of Mitigation Measures

Aesthetics (Section I)

VIS-1: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans (same as Natural Environment Study BIO-2).

Timing/Implementation: *Prior to and During Project Construction*

Enforcement/Monitoring: *Contractor*

VIS-2: Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will be developed, one for upland habitats and one for wetland habitats. The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February. The final slopes along the multi-use trail will be either be treated with rock slope protection, based on hydraulic needs, or a combination of rock slope protection and native vegetation applied via hydroseed. These treatments are consistent with trail segments throughout the City of Elk Grove and will allow the trail to blend in with the natural area.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

VIS-3: Lighting will be appropriately shielded. The Project's lighting design must be consistent with the City Elk Grove lighting guidelines and standards.

Timing/Implementation: *Prior to and During Project Construction*

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

VIS-4: The new pedestrian overcrossing structure over SR 99, including slope paving, will follow aesthetic treatments developed by the Project Landscape Architect and the City of Elk Grove City Council, and should be compatible with adjacent overcrossing bridge structures.

Timing/Implementation: *Prior to Construction*

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

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

VIS-5: Aesthetic treatments on the new multi-use trail and pedestrian bridge over Whitehouse Creek will be consistent with other trails and bridges along the LCIRT. Additionally, all temporarily impacted areas will be revegetated with a native seed mix, per VIS-2.

Timing/Implementation: *Prior to and During Project Construction*

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

Air Quality (Section III)

AQ-1: Implement SMAQMD Basic Construction Emission Control Practices:

- 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 2 feet of freeboard 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.
- All roadway, driveway, sidewalk, and parking lot paving 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 [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

Timing/Implementation: *During Construction*

Enforcement/Monitoring: *Contractor*

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Biological Resources (Section IV)

BIO-1: Every individual working on the Project must attend a biological awareness training session delivered by the USFWS and/or CDFW approved Project biologist. This training program will include information regarding the sensitive habitats and special-status species that may occur within the Project area, and the importance of avoiding impacts to these species and their habitat.

Timing/Implementation: *Prior to and During Project construction*

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

BIO-2: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. Environmentally sensitive areas will be marked on project plans.

Timing/Implementation: *Prior to and During Project construction*

Enforcement/Monitoring: *Contractor*

BIO-3: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;

- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-4:

Vegetation removal will not exceed what is shown on the plans without prior approval from the Project biologist. If trees will be trimmed rather than removed, trimming must comply with ANSI A300 pruning standards and must not:

- leave branch stubs
- make unnecessary heading cuts
- cut off the branch collar (not make a flush cut)
- top or lion's tail trees (stripping a branch from the inside leaving foliage just at the ends)
- remove more than 25 percent of the foliage of a single branch
- remove more than 25 percent of the total tree foliage in a single year
- damage other parts of the tree during pruning
- use wound paint
- climb the tree with climbing spikes

Timing/Implementation: *Prior to and During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-5:

Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies.

Timing/Implementation: During Project Construction

Enforcement/Monitoring: Contractor

BIO-6: A chemical spill kit must be kept onsite and available for use in the event of a spill.

Timing/Implementation: During Project Construction

Enforcement/Monitoring: Contractor

BIO-7: The City of Elk Grove will fulfill all compensatory mitigation required by permitting agencies (CDFW, USACE, RWQCB) as outlined in the final environmental permits acquired for the Project. Compensatory mitigation will be developed during the permitting phase and is anticipated to be required for all aquatic resources impacted by the Project including, Laguna Creek, Whitehouse Creek, seasonal wetland, seasonal wetland swale and emergent wetland. The mitigation may consist of credit purchases, in lieu fee payments, or on/offsite habitat enhancement or restoration. All temporary impacts will be mitigated at a minimum 1:1 ratio and all permanent impacts will be mitigated at a minimum of 2:1 ratio.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-8: Following the completion of construction, soils that have been temporarily disturbed within sensitive upland/aquatic habitat (annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale) will be decompacted and seeded with California native plant species. At least two seed mixes will be developed, one for upland habitats and one for wetland habitats. The upland seed mix will contain narrowleaf milkweed (*Asclepias fascicularis*). The native seed mix must be approved by the Project biologist and seeds must be sourced within 50 miles of the Project site. Seed mixes will be developed to kick start vegetation growth, stabilize soils, and reestablish plant diversity. The final post-construction seed mix must be applied between October-February.

Timing/Implementation: Following Completion of Project Construction

Enforcement/Monitoring: Contractor

BIO-9: A focused rare plant survey will be conducted within the Project area prior to the start of construction. Surveys will be conducted during the appropriate blooming period for the following species: alkali-sink goldfields, Boggs Lake hedge-hyssop, dwarf downingia, legenera, Sanford's arrowhead, and wooly rose-mallow. If rare plants are discovered during pre-construction surveys

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

but can be reasonably avoided, ESA fence will be installed to protect the specimens in place.

If a special-status plant specimen is present within the Project area and cannot be fully avoided, the Project biologist will relocate individual(s) and/or collect seeds to ensure the continued existence of the local population. Area of relocation or re-seeding will be at the discretion of the Project biologist but will be located within suitable habitat and within the same watershed of the Project, preferably at a location that is protected in perpetuity. If relocation or seed collection of Boggs Lake hedge-hyssop is required a CDFW 2081 Incidental Take Permit must first be obtained.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-10: No Project activity will be completed from March 1 through August 31 unless the Project biologist conducts Swainson's hawk nesting surveys within the work area and a ½ mile buffer, following survey methodology developed by the Swainson's Hawk Technical Advisory Committee prior to commencing Project activities. Should a nesting Swainson's hawk pair be found within ½ mile of the Project, the Project biologist will provide a no-work buffer recommendation to CDFW, as well as a plan to avoid take of the species. Project activities will not proceed until the appropriate no-work buffer is established, and the appropriate take avoidance strategies are implemented, as determined by the Project biologist.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-11: Annual grassland habitat within the Project area is considered Swainson's hawk foraging habitat and is protected under Chapter 16.130 of the City Municipal Code, Swainson's Hawk Impact Mitigation Fees. The City will mitigate for the permanent loss of Swainson's hawk foraging habitat at a 1:1 ratio. Mitigation can be accomplished through participation in the City of Elk Grove Swainson's Hawk Impact Mitigation Fees Ordinance, other method acceptable to the California Department of Fish and Wildlife, or other method acceptable to the Elk Grove City Council pursuant to Section 16.130.110.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-12: Prior to the start of Project-related activities the Project biologist will conduct pre-construction surveys for burrowing owl within the Project area plus a 500-foot buffer. Surveys will follow CDFW's Staff Report on Burrowing Owl Mitigation, which includes four surveys at least 3 weeks apart prior to the start of Project activities. The final survey must not be conducted within 14 days prior to the start of Project activities. If burrowing

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

owls are identified within the survey area the Project biologist will consult with CDFW to determine appropriate no-work buffer distances, avoidance strategies and/or mitigation for impacted nest sites.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-13: If vegetation removal or ground disturbance is planned to occur during the nesting season (February 1st – August 31st), the Project biologist will conduct a pre-construction nesting bird survey within 7 days prior to vegetation removal or ground disturbance. Within 2 weeks of the nesting bird survey, all vegetation cleared by the Project biologist will be removed from the Project site.

A minimum 100-foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 300-foot no-disturbance buffer will be established around any nesting raptor species. Upon receiving notification of an active nest, the contractor will immediately stop work until the appropriate buffer is established. Work within the buffer zone will only proceed once the Project biologists has determined that the young have fledged. A reduced buffer may be considered at the discretion of the Project biologist and wildlife agencies.

If tricolored blackbird is discovered nesting within the Project area during the pre-construction nesting bird survey, the Project biologists will notify CDFW, and no Project related activities will proceed until CDFW has issued an Incidental Take Permit for tricolored blackbird or has provided written approval to start work.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

BIO-14: To avoid impacts to NWPT, the Project biologist will conduct a pre-construction survey of the Laguna Creek, Whitehouse Creek, and adjacent banks and wetlands, and upland habitats within the Project area. Surveys will be conducted no more than 24 hours prior to onset of construction. In addition, the Project biologists will monitor initial in-water work and dewatering activities, including clearing/grubbing of aquatic vegetation.

If a turtle is located within the construction area, the Project biologist will temporarily halt work in the vicinity of the discovery and capture the turtle(s) and relocate the species to appropriate aquatic habitat a safe distance from the construction site. The relocation site must be within the same water body found at the Project site (Laguna Creek or Whitehouse Creek).

Timing/Implementation: Prior to and During Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

BIO-15: If water pumps are used to dewater the Project area, pump intakes will be screened and equipped with an energy dissipater to protect aquatic species. Intake pumps will include a mesh screen with openings that do not exceed 3.96 millimeters (5/32 inches) measured diagonally.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-16: Prior to ground disturbing activities or in-water work, animal exclusion fencing will be installed on the edge of the Project boundary within natural habitat communities. The fencing will consist of silt fencing, or a similar material such that turtles, snakes, or other wildlife cannot get through or become entangled in it and will be buried a minimum of 6 inches below ground and will extend 12-18 inches above the ground. At any access opening in the fence, the fence will be installed to turn 180 degrees away from the access point for a length of approximately 10 feet and at a minimum width of one foot from the original fence. The on-site personnel, provided the environmental awareness training by the Project biologist, will inspect the exclusion fencing daily to ensure the fence is kept in good working order. The fence will be maintained and repaired as necessary throughout construction.

Timing/Implementation: *Prior to Project Construction*

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

BIO-17: No plastic or synthetic monofilament netting shall be used as erosion control or other BMP measures within the project area. All material will be comprised of natural fibers.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-18: To prevent the inadvertent entrapment of NWPT, all excavated, steep-walled holes or trenches more than 3 inches wide and 1 foot deep will be inspected for NWPT then covered at the close of each working day by plywood or similar materials. If it is not feasible to cover an excavation, one or more escape ramps constructed of earthen fill or wood \geq 6 inches wide shall be installed. Before such holes or trenches are filled, they must be thoroughly inspected by the biologist for trapped NWPT. If at any time a trapped NWPT is detected, the biologist or monitor will relocate the NWPT to nearby suitable habitat well outside the work area.

Timing/Implementation: *Prior to and During Project Construction*

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

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

BIO-19: Any heavy equipment to be operated in or near water or suitable upland habitat will use non-toxic (e.g., vegetable oil-based) hydraulic fluids only. A spill management plan will be developed to ensure that all equipment will be free of oil and fuel leaks. Equipment refueling and maintenance will only occur at staging areas to avoid fuel, hydraulic fluids, and lubricants from entering the waterway or suitable upland habitat. Further, absorptive pads or impermeable pans should be placed under the vehicles to contain spills and leaks.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-20: The NWPT may overwinter in aquatic or muddy substrates or on land as far as 1640 feet from aquatic habitat. NWPT that overwinter in upland habitat can begin movements as early as 25 August (peaking between September and October) through 30 November. NWPT will begin moving back to aquatic habitat between 1 February and 1 May. Monitoring of ground-disturbing activities in suitable upland habitat, within 1640 feet from presumed occupied aquatic habitat, shall occur from 25 August to 1 December and from 31 January to 1 May. If an overwintering NWPT is excavated and unharmed, construction activities will cease within 50 feet of the turtle until the biologist or monitor can relocate the NWPT to a location specified in the relocation plan. If a NWPT is excavated and injured, the biologist will take the NWPT to a Service-approved rehabilitation center. If it is killed, the NWPT will be taken to a designated repository. If the biologist or monitor exercises this authority, the Service will be notified within 48 hours.

Timing/Implementation: *Prior to and During Project Construction*

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

BIO-21: Ground disturbing activities within suitable GGS habitat (includes all aquatic habitat and upland habitat within 200 ft of aquatic habitat) will be conducted between May 1st and October 1st. This is the active period for giant garter snakes and the risk of direct mortality is lessened because snakes are expected to actively react and avoid danger. Ground disturbing activities may occur outside of this period if written approval is received by the U.S. Fish and Wildlife Service Sacramento Office prior to starting any work.

Timing/Implementation: *Prior to and During Project Construction*

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

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

BIO-22: A USFWS and CDFW approved biologist will conduct a clearance survey for giant garter snake within 24-hours prior to commencing any Project related activity within 200 feet GGS aquatic habitat. A clearance survey will be repeated if a lapse in construction activity of two weeks or greater has occurred. If individuals of the species are discovered during construction, work will stop in the area of discovery and coordination with the appropriate resource agencies will occur. The USFWS and Project biological monitor will be immediately notified if a snake is found during construction activities. The snake will be monitored by the biological monitor and allowed to leave the area on its own. Project activities will not be reinitiated until documentation for compliance with FESA and CESA is obtained.

Timing/Implementation: *Prior to and During Project Construction*

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

BIO-23: On site monitoring during all ground disturbance activities of the project will be conducted using a USFWS and CDFW approved biologist.

Timing/Implementation: *During Project Construction*

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

BIO-24: Any dewatered habitat shall remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.

Timing/Implementation: *During Project Construction*

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

BIO-25: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-26: All food-related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

BIO-27: The contractor must not apply rodenticide or herbicide within the Project area.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-28: If any wildlife is encountered during the course of construction, said wildlife will be allowed to leave the construction area unharmed.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

BIO-29: The Project area contains narrowleaf milkweed, which may provide suitable habitat for native insects (e.g., Monarch butterfly [*Danaus plexippus*]). Prior to construction the Project biologist will inspect milkweed plants for signs of any life stage of Monarch butterfly. If eggs/larvae of Monarch butterfly are discovered on any plants within the Project area they will be flagged and protected in place until fully hatched/emerged. The appropriate avoidance buffer will be determined by the Project biologist.

Timing/Implementation: *Prior to Project Construction*

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

Cultural Resources (Section V) and Tribal Cultural Resources (Section XVIII)

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the discovery. An archaeologist will assess the discovery to determine its significance. The archaeologist will develop a plan for documentation, treatment, and removal of resources, if necessary. Should the discovery involve Indigenous cultural resources, a Native American Representative from the federally recognized Wilton Rancheria shall be contacted to join the assessment of the discovery, and CR-2 shall be implemented. Work in the area(s) of the discovery may only proceed after authorization from the City and the archaeologist. Additional archaeological survey will be needed if Project limits are extended beyond the present survey limits.

Timing/Implementation: *During Project Construction*

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

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

CR-2: The City will coordinate with Wilton Rancheria regarding the anticipated construction schedule to ensure Wilton Rancheria has the opportunity to provide cultural awareness training to on-site construction personnel and to monitor ground disturbing activities. If Indigenous cultural resources are discovered, work shall be halted within 100 feet of the discovery, and a Native American Representative (Representative) from the federally recognized Wilton Rancheria shall be contacted to assess the significance of the discovery. The Representative will assess the significance of the find and make recommendations for further evaluation and treatment if necessary.

Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the Project area where they will not be subject to future impacts. Wilton Rancheria does not consider curation of a Tribal Cultural Resource to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by Wilton Rancheria.

The City and land owner or land owner representative shall consult with Wilton Rancheria regarding the discovery and recommended measures to determine the final treatment of the discovery, including any required mitigation. Mitigation shall follow the recommendations detailed in Public Resources Code sections 21084.3(a) and (b), 5097.98 (as stated in **CR-3**), and CEQA Guidelines section 15370. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

Timing/Implementation: *During Project Construction*

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

CR-3: Sections 5097.98 through 5097.993 of the Public Resources Code (PRC) and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work shall halt within 100 feet of the discovery and the county coroner should be notified immediately. At the same time, an archaeologist shall be contacted to assist in the evaluation of the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification.

Should the Native American Heritage Commission designate Wilton Rancheria or one of its representatives as the Most Likely Descendant (MLD), the MLD will assess the discovery and provide recommended treatments to the City, and if the discovery is located on private property, the property owner, within forty-eight hours of being notified. All treatment recommendations made by Wilton Rancheria and archaeologists will be documented in the confidential

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

portion of the project record. All parties will consult on the recommended treatments. Work in the area(s) of the discovery may only proceed after authorization from the City and in coordination with Wilton Rancheria.

Timing/Implementation: During Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works and Contractor

Geology and Soils (Section VII)

PAL-1: Prior to the start of construction, all construction personnel shall receive a paleontological sensitivity training, detailing the types of paleontological resources that may be encountered and procedures to follow if a find should occur.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works and Contractor

PAL-2: If paleontological resources (i.e., fossils) are discovered during ground-disturbing activities, the implementing agency will immediately be notified, and will ensure that their contractors shall stop work in that area and within 50 feet of the find until a qualified paleontologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures will be made in consultation with the implementing agency and would be included in the PMTP.

Timing/Implementation: During Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works and Contractor

Hazards and Hazardous Waste (Section IX)

HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: Contractor

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Hydrology and Water Quality (Section X)

WQ-1: The Project shall comply with the provisions of NPDES Permit and WDRs for the State of California, Department of Transportation, Order No. 2022-0033-DWQ, NPDES No. CAS000003 and any subsequent permits in effect at the time of construction.

Timing/Implementation: *Prior to Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-2: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as NPDES Permit pursuant to Section 402 of the CWA. The City is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small MS4s. Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the Water Quality Control Plan for the Sacramento and San Joaquin Basin.

Timing/Implementation: *Prior to and During Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-3: The Project shall comply with the provisions of the NPDES Construction General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, NPDES No. CAS000002 and any subsequent permits in effect at the time of construction.

Timing/Implementation: *During Project construction*

Enforcement/Monitoring: *Contractor*

WQ-4: The Project shall comply with the Construction General Permit by preparing and implementing a SWPPP or WPCP to address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or WPCP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Stormwater Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.

Timing/Implementation: *During Project Construction*

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Enforcement/Monitoring: Contractor

WQ-5: Design Pollution Prevention BMPs will be implemented such as preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes, and swales, over side drains, flared end sections, and outlet protection/velocity dissipation devices.

Timing/Implementation: Prior to Project Construction

Enforcement/Monitoring: City of Elk Grove Public Works

WQ-6: BMPs will be incorporated into Project construction to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction;
- Implementation of the Project shall require approval of a site-specific SWPPP or Water Pollution Control Program that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures, and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All construction materials would be hauled off-site after completion of construction;

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-7: Prior to the start of construction activities, the Project limits within environmentally sensitive areas (Laguna Creek, Whitehouse Creek, annual grasslands, emergent wetlands, seasonal wetland, and seasonal wetland swale), will be marked with temporary high visibility fencing or staking to ensure construction will not further encroach into sensitive resources. (same as BIO-2)

Timing/Implementation: *Prior to Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-8: Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must remain outside of jurisdictional waters. Any necessary equipment washing must occur where the water cannot flow into water bodies. (same as BIO-5)

Timing/Implementation: *During Project construction*

Enforcement/Monitoring: *Contractor*

WQ-9: A chemical spill kit must be kept onsite and available for use in the event of a spill. (same as BIO-6)

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-10: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds. (same as BIO-25)

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

WQ-11: The contractor must not apply rodenticide or herbicide within the Project area. (same as BIO-27).

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

4.0 SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Noise (Section XIII)

NOI-1: Noise-generating construction operations shall be limited to between the hours of 7 a.m. and 7 p.m. within close proximity to residential uses. Noise associated with construction not located in close proximity to residential uses may occur between the hours of 6:00 a.m. and 8:00 p.m. in accordance with the Elk Grove General Plan Noise Ordinance.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

NOI-2: Construction equipment and equipment staging areas shall be located at the farthest distance possible from adjacent sensitive land uses.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

NOI-3: Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation.

Timing/Implementation: *During Project construction*

Enforcement/Monitoring: *Contractor*

NOI-4: When not in use, motorized construction equipment shall not be left idling.

Timing/Implementation: *During Project Construction*

Enforcement/Monitoring: *Contractor*

5.0 COMMENTS AND CONSULTATION

5.1 Comments and Consultation

This chapter summarizes the City's efforts to identify, address and resolve Project-related issues through early and continuing consultation.

Scoping Process

Previous environmental studies, including the Laguna Creek Trail North Camden Spur Project (2015), East Lawn Cemetery Expansion Project (2016), the Landing Assisted Living Facility Project (2017), and the Laguna Creek and Whitehouse Creek Multi-Functional Corridor Project (2023) provided a basis for scoping potential environmental constraints within the Laguna Creek Inter-Regional Trail Crossing at State Route 99 Project area.

Consultation with Public Agencies

Consultation with the following agencies occurred:

U.S. Fish and Wildlife Service (USFWS)
Native American Heritage Commission (NAHC)

Public Participation

All comments received during circulation and public comment period for the Draft IS/MND will be incorporated into the Final IS/MND as **Appendix F**. Any additions or corrections to the IS/MND subsequent to public comments have been addressed within the document.

Additionally, the City has multiple years of public engagement regarding LCIRT system which includes the SR 99 Overcrossing. The City's Bicycle, Pedestrian, and Trails Master Plan (BPTMP) was originally adopted in 2014 and updated in May 2021. The BPTMP identifies a "Proposed Grade Separated Class I Bikeway" on SR 99 at the location of the proposed Project. The City formed a Community Advisory Group in Fall 2021 to guide the development of the LCIRT Master Plan. The LCIRT Master Plan itself was completed in 2023. The LCIRT Master Plan notes that the LCIRT system will include the overcrossing of SR 99 which will connect the existing Class I Trail south of and separated from West Stockton Boulevard and a planned LCIRT segment on the north bank of Laguna Creek with another planned LCIRT segment east of SR 99.

The Laguna Creek and Whitehouse Creek Multi-Functional Corridor Project (LCWC) is identified in the LCIRT Master Plan as a separate, planned project. The proposed Project will extend eastward to connect to the LCWC, east of Whitehouse Creek. In November 2018, the City held a public meeting for the LCWC project. The exhibits showed a future trail overcrossing of SR 99, which is included in the proposed Project. As part of the public involvement process, the City held several meetings with representatives of Creekside Christian Church. While the focus of these meetings was the overall trail alignment between SR 99 and Camden Lake, the SR 99 crossing was discussed in May 2020, June 2020, May 2021, September 2021, and October 2021.

6.0 LIST OF PREPARERS

6.1 List of Preparers

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