



MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL STUDY

Project Title: **Sheldon Crossing, EG-05-865**

Lead Agency Name and Address: City of Elk Grove
Development Services - Planning
8400 Laguna Palms Way
Elk Grove, CA 95758

Project Location: The project site is located on the southeast side of Grant Line Road, between Wilton Road and Aleilani Lane.
(APNs: 126-0250-006 and 126-0250-008)

Project Sponsor's Name and Address: Property Owner: JMR Wilgrant LLC
Johnny Javanifard
1112 11th Street
Sacramento, CA 95814

Applicant: Lipp CDS, INC
Lawrence D. Lipp
1112 11th Street
Sacramento, CA 95814

General Plan Designation(s): Commercial

Zoning: GC – General Commercial and LC – Limited Commercial

Contact Person: Sarah Kirchgessner

Phone Number: (916) 478-3649

Date Prepared: October 2005

Project Description

The proposed project includes a Design Review for a commercial/retail center consisting of five single story buildings totaling 43,784 square feet and labeled as follows: Pad A, 7,434 square feet; Pad B, 10,000 square feet; Shops 1, 5,550 square feet; Shops 2, 10,400 square feet; and Shops 3, 10,400 square feet. The proposed commercial center will be accessed through ingress/egress points at Grant Line Road and Wilton Road and includes 197 parking stalls (see Figure 1). All buildings will have hardi-plank and board & batten siding, and a metal roof, consistent with the Old Town Sheldon Design Guidelines. The site will be landscaped in accordance with City requirements and standards. Currently, there is neither public sewer nor water service to the subject property nor are these services anticipated in the immediate future. The site is proposed to be served by an on-site septic system and well water system. A six foot high masonry wall will be built abutting the residential properties to the southeast. The project also includes a Rescission of Zoning Agreement 88-1086 that includes a condition that no building shall be placed within 220 feet of Wilton Road and no advertising or display space shall be in that orientation.

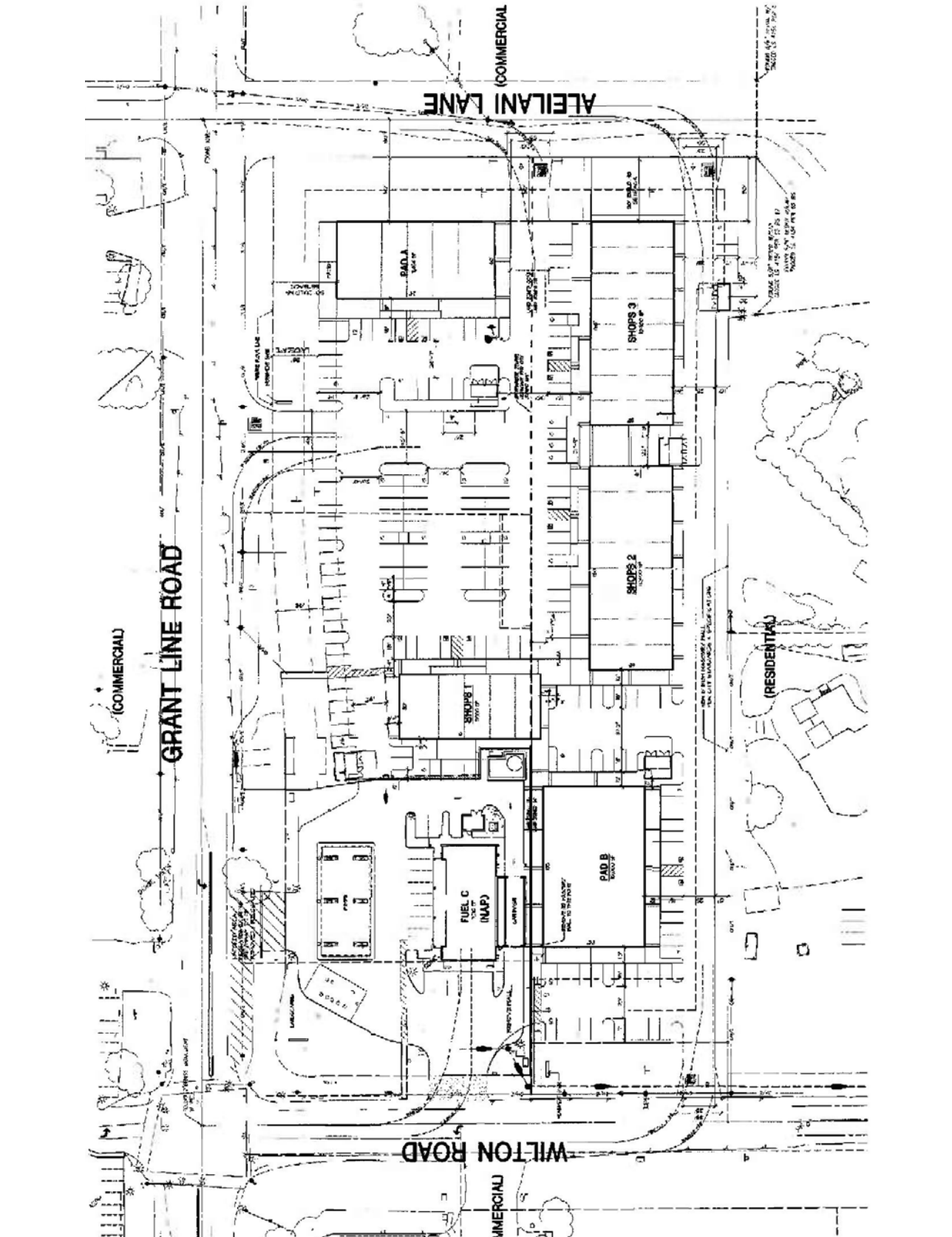


Figure 1. Site Plan

Environmental Setting and Surrounding Land Uses

The project site (5.135-acres) is located on the southeast side of Grant Line Road, between Wilton Road and Aleilani Lane (see Figures 2 and 3). The site is relatively flat and contains an existing single-family dwelling, accessory structures, and an existing well and pump that are proposed to be demolished. The site contains 48 trees, including several heritage and landmark trees. The site is surrounded by rural residential and commercial land uses. Table 1 details the project’s and adjacent properties’ current Zoning and General Plan designations and uses.

Table I. Surrounding Land Use Designations and Uses

	General Plan Designation	Zoning Designation	Existing Use
Project Site	Commercial	GC/LC	Rural Residential/Vacant
North	Commercial	GC	Commercial Use
East	Rural Residential/ Light Industrial	AR-2/M-1	Rural Residential
South	Commercial	GC/AR-2	Commercial Use
West	Commercial	GC	Gas Station/Commercial Uses

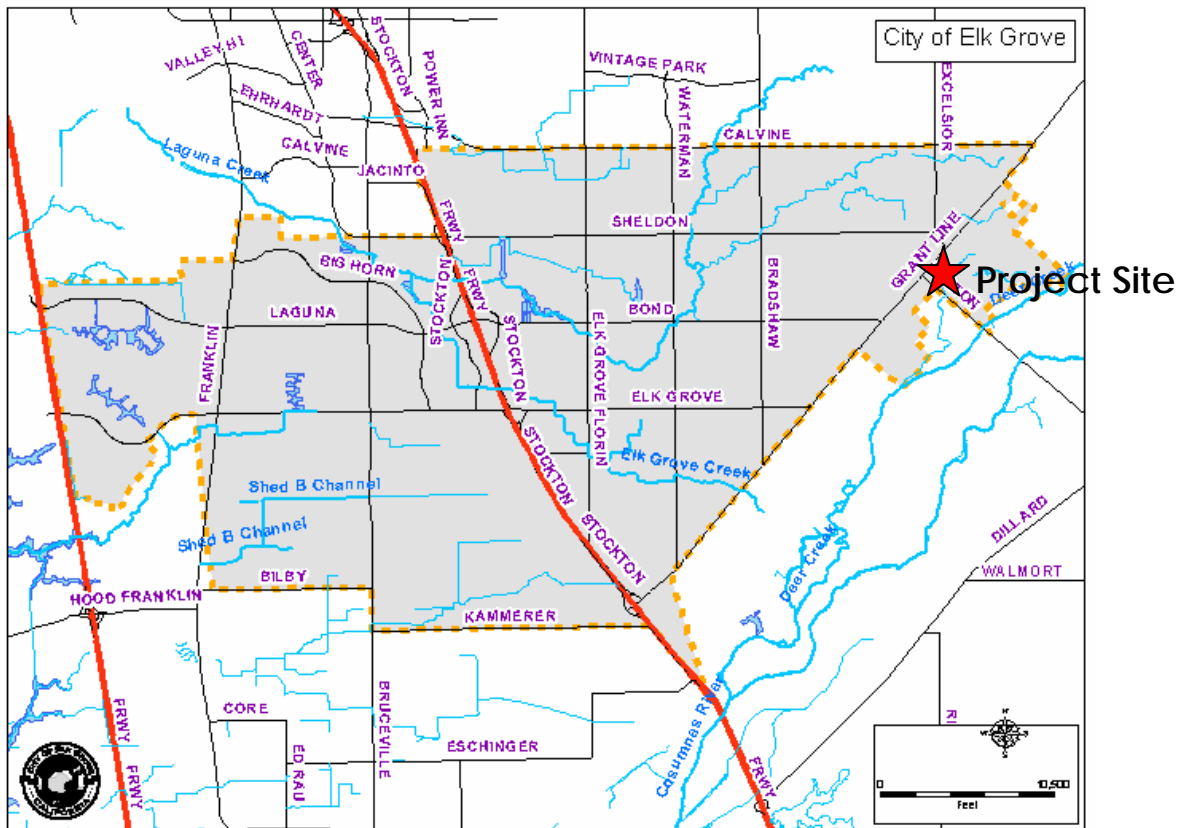


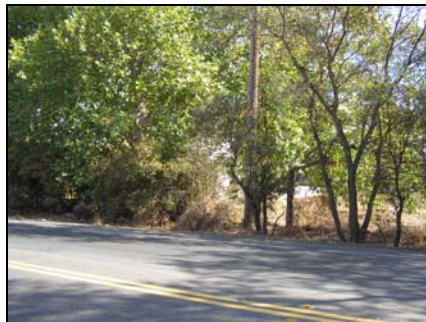
Figure 2. Location Map



Figure 3. Vicinity Map Aerial photo does not reflect current level of development



View Looking southeast from Grant Line Road



View of existing dwelling looking northeast from Grant Line Road



Looking northeast from Wilton Road

Figure 4. Various Views of Project Site

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Regional Water Quality Control Board

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- Aesthetics
- Biological Resources
- Hazards & Hazardous Materials
- Mineral Resources
- Public Services
- Utilities / Service Systems
- Agricultural Resources
- Cultural Resources
- Hydrology / Water Quality
- Noise
- Recreation
- Mandatory Findings of Significance
- Air Quality
- Geology / Soils
- Land Use / Planning
- Population / Housing
- Transportation / Traffic

DETERMINATION: (To be completed by the Lead Agency)

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.

Planner's Signature

Sarah Kirchgessner
Planner's Printed Name

November 2005
Date

City of Elk Grove
Development Services - Planning

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Sheldon Crossing Project #EG-05-865, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of an Environmental Impact Report.

EVALUATION OF ENVIRONMENTAL IMPACTS

- 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). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No impact. There are no scenic vistas in the project area. The project will not degrade visual character as the site is surrounded on two sides by existing commercial development. The proposed project has been reviewed in accordance with the City's Supplemental Design Guidelines for Old Town Sheldon and complies with applicable requirements in the guidelines. The proposed project takes as its architectural design reference the rural, western, and historical heritage theme of the existing community and takes into account the scale, style, and architectural vernacular of currently existing buildings. Therefore, there will be no impacts to scenic resources or existing visual character.

b-d) Less than significant impact. The project is located in an area zoned for commercial and rural residential development. The project does not include the demolition of any historic buildings within a state scenic highway. The project proposes the removal of 28 trees and the relocation of ten trees. The City of Elk Grove General Plan policy CAQ-8 (Conservation Element) establishes that all large trees are important aesthetic resource for the City and should be preserved and protected. The tree preservation ordinance requires mitigation for the removal of oak trees over 6 inches in diameter and all large landmark trees (see Section IV, Biological Resources). These measures will reduce the impacts on existing trees to a level of less than significant. Potential adverse impacts could result from the new sources of light and glare produced by the proposed project. These impacts were analyzed in the 2003 General Plan EIR and policies were adopted to ensure that adverse impacts from new sources of light were reduced to a less than significant level. Such policies include the implementation of Design Guidelines that contain standards to minimize the effects of light and glare of new development. The City currently has an adopted Design Guidelines for Non-Residential Development consistent with the policies of the General Plan. The proposed project will be required to comply with all General Plan Policies and applicable zoning regulations. Therefore, adverse impacts to the visual character of the surroundings and from new sources of light and glare are considered less than significant.

II. AGRICULTURAL RESOURCES

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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Department of Conservation's map entitled "Sacramento County Important Farmland 2002" designates the project site as "Urban and Built-Up Land." "Urban and Built-Up Land" is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This type of land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

a-c) No Impact. The project is not located on Prime Farmland, Unique Farmland of Statewide Importance (Farmland), as shown on the maps prepared in pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency. The subject property is not under a Williamson Act contract. The project will not create changes that would result in the conversion of farmland to non-agricultural uses. Therefore the proposed project will not result in adverse impacts to agricultural resources.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Existing Setting

The project site is located within the Sacramento Metropolitan Air Quality Management District (SMAQMD), which is part of the Sacramento Valley Air Basin. The Sacramento Valley Air Basin has been further divided into Planning Areas called the Northern Sacramento Valley Air Basin (NSVAB) and the Greater Sacramento Air region, designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. The Non-attainment area consists of all of Sacramento and Yolo counties, and parts of El Dorado, Solano, Placer, and Sutter counties. SMAQMD is responsible for limiting the amount of emissions that can be generated throughout the County by various stationary and mobile sources. Specific rules and regulations have been adopted by the SMAQMD Board of Directors that limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures that must be implemented in association with various uses and activities. These rules not only regulate the emissions of the six criteria pollutants, but also toxic emissions and acutely hazardous materials.

Emissions sources subject to these rules are regulated through the SMAQMD's permitting process. Through this permitting process, the SMAQMD also monitors the amount of stationary emissions being generated and uses this information in developing new clean air plans. The proposed project would be subject to SMAQMD rules and regulations to reduce specific emissions and to mitigate potential air quality impacts. Sacramento County is a known area of non-attainment for state and federal standards for ozone and particulate matter less than 10 microns in diameter (PM10). Implementation of the project would result in increases in both construction emissions and increases in reactive organic gases (ROG) and NO_x, which are precursor components of ozone, and PM10.

a-c) Less Than Significant Impact. The project would not substantially conflict with or obstruct implementation of the Sacramento Metropolitan Air Quality Attainment Plan, or the goals and objectives of the City's General Plan. All construction will be subject to City regulations designed to reduce potential adverse impacts to air quality. The Sacramento Metropolitan Air Quality Management District (SMAQMD) has established criteria and plans for reducing air emissions. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan on either a short-term or long-term basis. On a cumulative level, the project would contribute to criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. This impact was addressed in the City of Elk Grove General Plan EIR and a Statement of Overriding Considerations was adopted. Therefore, air quality impacts resulting from the proposed project are considered less than significant.

d) Less than Significant Impact. SMAQMD Guide to Air Quality Assessment includes a table to help determine if the threshold for emissions from project construction or operation might be exceeded. Table 2.2 of the "Guide to Air Quality Assessment" indicates that a shopping center has a threshold of 56,000 square feet for construction and 193,000 square feet for operational. Further analysis is recommended when a project falls within 10% of these thresholds. The proposed project consists of a 43,784 square foot shopping center and a parking lot, which is below the 10% threshold. The site contains an existing single-family dwelling, accessory structures, that are proposed to be demolished. The demolition of these structures will be reviewed by the City's Building Department to ensure that state and local regulations are followed. Given that the proposed project is below the SMAQMD threshold, and that construction activities will be subject to the districts fugitive dust control standards (Rule 403), impacts to air quality are considered less than significant.

e) Less than Significant Impact. The Elk Grove General Plan considers residences to be "sensitive receptors" in relation to air quality issues. The project site is adjacent to single-family homes to the southeast. Construction activities would involve the use of a variety of gasoline or diesel powered equipment that emit exhaust fumes. These residents would potentially be exposed to nuisance dust and heavy equipment emission odors (e.g. diesel exhaust) during construction. However, the duration of exposure would be short as extensive earthmoving would not be required. Furthermore, exhaust from construction equipment dissipates rapidly. Therefore, impacts to sensitive receptors are considered to be less than significant.

f) No Impact. The proposed project and associated uses would not create objectionable odors because the proposed project is the construction of a retail shopping center, and does not involve any activity that would generate odors.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Existing Setting

The project site is located in a commercial area, on lots zoned for commercial use. The 5.153-acre site contains an existing single-family house and accessory structures. The site contains 48

trees on site and is covered with annual grasses. No waterways, such as creeks or channels, exist on or around the property.

a) Potentially Significant With Mitigation Incorporated. A number of wildlife species could potentially occur and forage on the site and could be affected by project construction, as described below.

Swainson’s hawk

Development of the proposed project could displace resident and/or migratory wildlife including Swainson’s hawk, a listed threatened species under the California Endangered Species Act. The California Department of Fish and Game Natural Diversity Database indicates there are known Swainson’s hawk nesting sites approximately one mile from the project site (see Figure 5). The CDFG has determined that parcels of land five acres or larger can provide suitable foraging habitat and that potential significant impacts to foraging habitat must be offset through mitigation. The project site is 5.153-acres in size. A portion of the project site (46,290 square feet) was previously disturbed by the existing residence and associated structures. The project contains roughly 4.1 acres of relatively undisturbed and potentially viable Swainson’s hawk foraging habitat.



Figure 5. 2005 Swainson’s Hawk Nest Sites Map
Source: Sacramento County, California Department of Fish and Game

Given that the site is within a foraging radius of known nest sites and there is the presence of suitable habitat on and surrounding the site, the project would result in the loss of 4.1-acres of suitable foraging habitat for Swainson’s hawk. Loss of foraging habitat is considered a potentially significant impact. In order to reduce potentially significant impacts to Swainson’s hawk foraging habitat to a less than significant level, mitigation is required. Mitigation measures include setting aside other lands that provide Swainson’s hawk foraging habitat and protecting those lands through fee title acquisition or a conservation easement. This project is also eligible for mitigation through payment of an in-lieu fee pursuant to Chapter 16.130 of the City’s Municipal Code.

Mitigation Measure 1 (Biological Resources - Swainson’s Hawk Foraging Habitat)

In order to mitigate for the loss of Swainson’s hawk foraging habitat to a less than significant level, the Applicant shall implement one of the City of Elk Grove’s approved mitigation alternatives as set forth below.

Monitoring Action

- Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove as set forth in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect. Purchase of credits at a 1:1 ratio from a CDFG-approved mitigation bank for Elk Grove is an acceptable mitigation; OR
- Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect.

Timing/Implementation: Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first.

Enforcement/Monitoring: City of Elk Grove Development Services-Planning in consultation with CDFG

The above mitigation measure (**MM 1**) would reduce impacts to Swainson's hawk to a less than significant level.

Raptors and Tricolored Blackbirds

While no nesting sites on the property were seen on a Staff site visit, the project site provides suitable foraging habitat for common raptor species, as well as tricolored blackbirds, a species of special concern. Active raptor nesting sites are protected by the Migratory Bird Treaty Act (MBTA); additionally, removal or destruction of active raptor nesting sites is considered a violation of the CDFG Code Section 3503.5 and the MBTA.

The white-tailed kite has no formal state or federal special-species status; however, it is fully protected species under the Fish and Game code. White-tailed kites are of concern to the CDFG because they roost communally and have suffered substantial declines earlier in the last century. Surveys would have to be conducted during the nesting season (early spring) to determine whether this species nests on the property.

The tricolored blackbird is designated as federal species of concern and a California species of special concern. It is generally considered a marsh species, nesting primarily in tule and cattail marsh habitats in colonies. Tricolors have declined throughout California, although they have continued to breed throughout their historic range. With the reduction of wetland habitat in California, an increasing percentage of tricolored blackbirds have been found nesting in non-marsh habitats such as blackberry thickets, thistle stands, and nettle. However, given the absence of wetlands or other aquatic habitat, as well as the lack of blackberry thickets, thistle stands, and nettle on the project site, the tricolored blackbird would have little if any potential for foraging on the site.

The northern harrier is designated as a California Species of Special Concern; it has no federal status. Northern harriers frequent meadows, grasslands, and open rangelands; they typically nest on the ground in shrubby vegetation.

The development of the project could be a potentially significant impact to these species unless mitigation is incorporated.

Mitigation Measure 2 (Biological Resources - Raptors)

- If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey shall be conducted within 30-days of the onset of construction to determine the activity status of any nests found on the project site. In the event that nesting raptors are found, a 250' no-construction zone shall be established around the nest until the young have fledged.
- If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary.
- Prior to demolition of structures or the commencement of construction activities or disturbance of blackberry thickets, a survey shall be conducted by a qualified biologist to determine whether or not raptors are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species.
- Applicant shall preserve on-site nesting and upland foraging habitat where feasible, or purchase nesting and upland foraging habitat at off-site preserve sites.
- Prior to the approval of any grading and/or building permits for the development of the site, Applicant or project owner shall submit to the City a copy of any/all required DFG or USFWS permits and verification of any required consultation.

The above mitigation measure (**MM 2**) would reduce the impact to raptors to less than significant.

b, c) No Impact. A site visit was conducted to the project site on October 17, 2005. There are no water features or wetlands located on the site. The absence of waterways on or near the project site as well as the absence of plant species normally found near freshwater would eliminate the potential for any riparian habitat. Given the absence of wetlands or other aquatic habitat in the study area, special status species including tricolored blackbird, giant garter snake, California tiger salamander, western pond turtle, vernal pool branchiopods, and special status plant species would have little if any potential for occurring at the site. Although a tributary of Deer Creek is located approximately 900 feet southeast of the project site, no development is proposed that would have a substantial adverse effect on any riparian habitat or special status species. Therefore, no impact is expected.

d) Less Than Significant Impact. Since the project site is located in a rural portion of Elk Grove, there is the potential that wildlife does traverse the site. The construction of a shopping center could slightly interfere with the movement of wildlife species. However, due to the surrounding commercial land uses and the proximity to Grant Line Road, and because no development is proposed in a riparian corridor, any interference to the movement of any native resident or migratory or wildlife species would be less than significant. Therefore, impacts are expected to be less than significant.

e) Less Than Significant with Mitigation Incorporated. A Tree Evaluation Report was prepared for the Sheldon Crossing project by Robert W. Props on July 31, 2005 (Attachment A). The City of Elk Grove General Plan policy CAQ-8 (Conservation Element) establishes that all large trees are important aesthetic resource for the City and should be preserved and protected. The tree preservation ordinance requires mitigation for the removal of oak trees over 6 inches in diameter and all large landmark trees. The Sheldon Crossing site contains 48 trees on site, including valley oaks, blue oaks, live oaks, black walnuts, and fruit trees.

The project proposes the removal of 28 trees. The project has been designed to save six trees on site and relocate ten trees (see Table 2). Fifteen trees were recommended for removal because of poor health by PROPS and Company Tree Care. Fifteen trees will require mitigation.

Table 2. Tree Summary

Tree Proposal	Number of Trees
Relocate	10
Save on Site	6
Recommended for removal due to poor health	15
Removals that require mitigation	15
Removals that do not require mitigation	2

In order to reduce potential adverse impacts to existing trees and to mitigate for the loss of fifteen existing trees on the project site, the following mitigation measures are imposed to reduce the impacts on existing trees to a level of less than significant.

Mitigation Measure 3 (Biological Resources – Trees)

In order to reduce potential adverse impacts to existing trees on the project site, the Applicant shall develop and implement a tree protection plan per the following specifications:

The plan shall include a list of native and non-native trees to be preserved on the project site, including the species, condition, and diameter at breast height of each tree, and an exhibit depicting the location of those trees.

All oak and California black walnut trees (*Juglans nigra*) that are 6 inches dbh or larger, or Landmark trees (native or non-native trees more than 18" DBH) on the project site that have been selected for preservation, all portions of adjacent off-site native trees which have driplines that extend onto the project site, and all off-site native trees which may be impacted by utility installation and/or improvements associated with this project, shall be protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
2. Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
3. Temporary protective fencing (chain link fence or better) shall be installed at least one foot outside the driplines of the protected trees prior to initiating construction in order to avoid damage to the tree canopies and root systems.
4. No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
5. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.

6. No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.
7. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
8. No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
9. The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist.
10. No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of protected trees. An above-ground drip irrigation system is recommended.
11. Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
12. Prior to the installation of new asphalt, weed control chemicals shall not be applied where they can leach into the dripline of any protected trees.
13. During construction, the frequency and amount of watering for protected trees shall not differ from that received prior to construction.

Monitoring Actions

- *Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first*, the tree protection plan shall be submitted to Elk Grove Planning for review and approval.
- **No later than 24 hours prior to commencement of construction activities including clearing and grubbing** the Applicant shall contact Development Services – Planning to schedule a site inspection to verify that the protective measures have been installed in accordance with this mitigation measure.

Mitigation Measure 4 (Biological Resources – Trees)

In order to mitigate for the loss of existing trees on the project site, the Applicant shall develop and implement a tree replacement plan per the following specifications:

The Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect. The Plan shall comply with the City Code and General Plan policies and shall be submitted to the City for review. Current policies require that every inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank. Please note that plantings required due to mitigation **cannot** be applied to fulfilling the landscaping requirements of the City's Design Guidelines. The Plan shall include the following elements:

1. Species, size and location of all replacement plantings;

2. Method of irrigation;
3. The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage;
4. Planting, irrigation and maintenance schedules;
5. Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive that period;
6. The minimum spacing for replacement oak trees shall be 20 feet on center;
7. Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation;
8. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees;
9. No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees;
10. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any oak tree;
11. No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist;
12. The construction of impervious surfaces within the driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist;
13. No sprinkler or irrigation system shall be installed in such a manner that requires trenching within or that sprays water into the driplines of oak trees. An above ground drip irrigation system is recommended;
14. Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural, semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Monitoring Actions

- *Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first*, the tree replacement plan shall be submitted to Elk Grove Planning for review and approval.

Enforcement/Monitoring: City of Elk Grove Development Services, Planning

f) Less Than Significant Impact. Elk Grove General Plan policy CAQ-21 is established to preserve and protect natural streams in the City and states that any development adjacent to a natural stream shall provide a "stream buffer zone" along the stream. The project is approximately 900

feet from a tributary of Deer Creek. No development is proposed within this creek. No native or non-native trees are proposed for removal as part of this project. Therefore, impacts to local policies or ordinances protecting biological resources or local, regional, or state habitat conservation plans are considered to be less than significant.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project site is identified within a potentially cultural and archeological sensitive area, according to the Cultural Resource Element of the City of Elk Grove General Plan. General Plan Policy HR-6, Action 1 requires that a detailed on site survey be prepared on sites identified as having a significant cultural potential. Consequently, City cultural resources staff conducted a survey in November, 2005 and prepared a corresponding report (see Attachment B). The survey did not identify any previous surveys or previous recorded sites within the project site or immediately adjacent to it. The project site includes one private residence, outbuildings, and the remnants of a building/structure that was formerly located within the project site. The private residence and its outbuildings do not appear to meet any of the California Register of Historic Resources (CHRE) eligibility criteria for inclusion in the or for designation as unique archaeological resources. Similarly, current information regarding the remnants of the building/structure does not appear to meet any of the eligibility criteria for inclusion in the CHRE for designation as a unique archaeological resource. Current archaeological investigations, however, could not determine the nature of the debris filling the cellar/basement associated with the building/structure that was formerly located within the project site.

a-c) Less Than Significant with Mitigation Incorporated. Based on the above discussion, the site does not appear to contain any known historic buildings or cultural resource of significant importance. Given the age of the structure, it is unlikely, but possible, that significant cultural resources may be buried in the cellar/basement. If potential significant resources exist in the cellar/basement, they could be destroyed during excavation and/or grading. One way to determine if significant cultural resources are buried in the cellar/basement is to monitor the excavation and/or grading of the site. A mitigation measure has been included to ensure that this potential impact is addressed.

Mitigation Measure 5 (Cultural Resources)

In order to reduce impacts to cultural resources to a less than significant level, the Applicant shall implement the mitigation measures as set forth below:

- Conduct archaeological monitoring of the excavation of the cellar/basement using a backhoe or other equipment to determine the nature of the debris in the foundation¹; OR,
- Conduct archaeological monitoring during initial grading activities for the proposed project at the location of the cellar/basement to determine the nature of the debris in the foundation. If this alternative mitigation measure is adopted it should be included as notes in the grading permit and on the grading plans for the project.

Monitoring Actions

- *Prior to the issuance of any permits for grading, building or any other site improvements, on the subject property, whichever occurs first*, evidence shall be submitted to the City of Elk Grove that the Applicant has contracted with a professional archeologist to monitor the excavation and/or grading of the site; OR
- If the Applicant wants the City to monitor the excavation and/or grading of the site, the Applicant shall provide a deposit in the amount of \$750, *prior to the issuance of any permits for grading, building or any other site improvements, on the subject property, whichever occurs first*.
- *Within 72 hours of excavating the cellar/basement*, the Applicant shall provide Development Services - Planning a report documenting the results of the monitoring actions.

Enforcement/Monitoring: City of Elk Grove Development Services-Planning

The above mitigation measure (MM 5) would reduce impacts to Cultural Resources to a less than significant level.

d) Less Than Significant Impact. California State Law requires that if cultural resources are encountered, work shall stop immediately and the Sacramento County Coroner shall be contacted, who will coordinate an investigation of the find with appropriate specialists if needed. Moreover, should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to the State Health and Safety Code, Section 7050.5 and the State Public Resources Code, Section 5097.98. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

In order to ensure that the above measures are followed, General Plan Policy HR-6, Action 2 requires that the following conditions be imposed on all discretionary projects in the City. These conditions will be required to be included as notes in all construction plans.

- "The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontological artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action."

¹ Excavation could be completed at any time prior to initiation of project related activities. The area of excavation can be small and may also be accomplished by other means (e.g., mechanical auger or hand excavation), but mechanical excavation is the most effective and efficient means of determining the nature of the debris in the cellar/basement.

- "All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. "

In light of the results of the cultural resources survey and the application of standard conditions required by the City's General Plan, adverse impacts to cultural resources are considered less than significant.

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input 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 wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a-e) Less Than Significant Impact. The site does not lie on any known seismic fault and there are no geological features surrounding the site that would pose a landslide threat. Nevertheless, all buildings proposed for construction will be required to adhere to the applicable seismic standards of the Uniform Building Code. The risk of substantial soil erosion or loss of top soil is minimal because the parcel and the surrounding land are relatively flat. Commercial development projects are required to submit soils/geotechnical reports to ensure stable soils conditions and minimize impacts to structures from potential unstable soils present on the site.

The proposed project is within an area that is identified to utilize septic tank systems and not connect to a public municipal wastewater disposal system. Any septic system installed on the proposed lot must be installed pursuant to Sacramento County Environmental Health improvement standards. Therefore, no significant impacts from sewage disposal are expected. The Applicant will be required to connect to City water and sewer service when these services become available in this area. Therefore adverse impacts related to geology and soils are considered less than significant.

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a-h) No Impact. The project does not involve the manufacture, storage, handling or transportation of hazardous material. The site is not located in an airport land use plan area, near a private air strip or in the vicinity of wildland areas. The project is not a known hazardous material release site and no known hazardous material release site exists in the project vicinity. Therefore, the project will not have an adverse environmental impact from hazards and hazardous materials.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a-b) Less Than Significant Impact. Development of the site would incrementally add to groundwater consumption. The site is not located in a significant groundwater recharge area, however, the singular and cumulative impacts of the proposed project upon the groundwater decline in the project area are regarded as being minor. The proposed project is located in an area served by Zone 40 and 41 of the Sacramento County Water Agency. A well would serve the project site and any comments received from the Department of Water Resources would be included as conditions of approval. The proposed project is within an area that is identified to utilize septic tank systems and not connect to a public municipal wastewater disposal system. Any septic system installed on the proposed lot must be installed pursuant to Sacramento County Environmental Health improvement standards. Therefore, adverse impacts related to water quality, waste discharge, and groundwater supplies is expected to be less than significant.

c-j) No Impact. The project is not located within a 100-year flood hazard area and will not impact any drainage course. The site is fairly flat and its drainage pattern will not be substantially altered. It is expected that the proposed project will result in an increase in runoff. However, the project will be designed to comply with all City drainage ordinances to avoid any off site drainage and runoff impacts. The site is not located near a levee or a dam or near a water body that would pose a threat from seiche, tsunami or mudflow. Therefore the proposed project will not result in adverse impacts related to drainage and flooding.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

IX. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation

a-c) No Impact. The proposed project is a commercial/retail center. It is located on a property adequately zoned for this use. It represents the development of an area as it is planned for in the City of Elk Grove General Plan and therefore will not divide an established community. The proposed project is consistent with the land use policies of the General Plan and all improvements meet the standards of the zoning ordinance. No variances or exceptions from standards are required. There is no habitat conservation plan or natural community conservation plan with the City of Elk Grove. Therefore, no impacts to land use or planning will occur from project implementation.

X. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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"/>

Discussion/Conclusion/Mitigation:

a-b) No Impact. The Elk Grove General Plan Background Report indicates that the project site is comprised of "aggregate deposits which cannot be evaluated from available data." The project site is not delineated as a locally important mineral resource recovery site. The proposed project is not expected to 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. Therefore, no impact to mineral resources is expected within the project site.

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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"/>
f) For a project within the vicinity of a private airstrip, 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"/>

Discussion/Conclusion/Mitigation:

a, e, f) No Impact. The proposed project is required to comply with the City Of Elk Grove Noise Ordinance to ensure that acceptable noise levels are not exceeded. In addition, the proposed project is not located within an airport land use plan or within two miles of a public airport and is not in the vicinity of a private airstrip. Therefore, no adverse impact is expected.

b, c, d) Less Than Significant Impact. Sensitive receptors would be located directly southeast of the project site where a single family residence exists. Construction activities will generate noise levels and vibration that could adversely impact the residents in properties east and north of the project site. However, impacts of construction noise are intermittent and short term. The Municipal Code establishes appropriate construction hours to minimize noise impacts to local residents. The project site is located within a 60dB traffic noise contour. Although the development will result in a permanent increase in ambient noise levels in the project vicinity, it is unlikely that this increase would exceed the existing 60dB generated by automobile traffic. In addition, the project will be required to conform to the Zoning Code regarding elements such as trash compactors and loading docks that have the possibility to generate nuisance noise upon the adjoining land uses. The Zoning Code provides distance requirements and maximum sound

levels to mitigate those impacts. Therefore, potential adverse impacts related to noise are considered less than significant because the noise generated by the project is not likely to exceed the existing noise level and the project will be required to conform to the Municipal Code and Zoning Code standards, which are designed to reduce noise impacts to a less than significant level.

XII. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporate d	Less Than Significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No Impact. The proposed project is a commercial/retail development. The site is properly zoned for this use. The purpose of the project is to serve the existing residential area in the project vicinity and is consistent with the City of Elk Grove General Plan. No residential development is proposed by the project and it does not propose nor require extensions of roads or other infrastructure. Consequently, the project will not result in adverse impacts to population and housing.

b-c) Less Than Significant Impact. The site contains one existing single-family structure and accessory structures. Therefore, a substantial number of housing and people will not be displaced as a result of the proposed project. Therefore, adverse impacts are expected to be less than significant.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Discussion/Conclusion/Mitigation:

a, b, d, e) No Impact. The proposed project will be served by existing public services and construction of new services will not be required as a result of project implementation. The project will not require the construction of any additional park area to support the recreational needs of the neighborhood. Site plans were routed to the Fire Department, the Police Department, and Parks and Recreation and returned with standard conditions. Therefore, no adverse impacts are expected.

c) Less Than Significant Impact. The commercial development proposed would be required to pay current statutory School District development fees associated with commercial construction at the time of issuance of each building permit. Development fees required of the project will offset the financial impact upon the School District. Therefore, adverse impacts to schools are considered less than significant.

XIV. RECREATION

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

Discussion/Conclusion/Mitigation:

a-b) No Impact. The project will not increase the use of existing neighborhood and regional parks because no parks are located in the vicinity of the project site. The project does not include recreational facilities and is not required to construct or expand existing recreational facilities. Therefore, no impacts are expected.

XV. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a-b) Less Than Significant. The proposed retail project is consistent with the General Plan and Zoning Code designation for the site for commercial use. As such, the anticipated vehicular trips for the project is consistent with the Level of Service identified for Grant Line Road and Wilton Road. Therefore, impacts associated to project traffic are considered less than significant.

c) No Impact. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project does not include any improvements to airports or change air traffic patterns.

d-e) Less Than Significant Impact. The project will be conditioned to provide adequate driveways and turnlanes to eliminate circulation related hazards. The project would be required to comply with the requirements of the Elk Grove CSD Fire Department for circulation design. Therefore, the project would not result in inadequate emergency access and adverse impacts are expected to be less than significant.

f) No Impact. The proposed commercial project would be required to meet standard parking standards established in the Elk Grove Zoning Code. Therefore, approval of the project would result in adequate parking supply.

g) No Impact. The proposed project would not conflict with alternative transportation policies and the project will be designed to include bus turnouts and bicycle parking. Therefore, no adverse impacts are expected.

XVI. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>

Discussion/Conclusion/Mitigation:

a-e) Less than Significant Impact. Currently, there is neither public sewer nor water service to the subject property nor are these services anticipated in the immediate future. The site is proposed to be served by an on-site septic system and well water system. Any septic system installed on the proposed lot must be installed pursuant to Sacramento County Environmental Health improvement standards. As a condition of approval, the Applicant would be required to connect to City public water and sewer systems when they become available in the area. The project would comply with all applicable development standards of the Sacramento County Water Agency, Elk Grove CSD Fire Department, and County Sanitation District-1. The Water Resources Department would require the project proponent to dedicate easements and install facilities pursuant to the City of Elk Grove Floodplain Management Ordinance, Guidance Manual of On-site Storm Water Quality Control Measures, Sacramento County Water Agency

Code, and Elk Grove Improvement Standards. If determined by a drainage analysis of the existing storm drain system, on-site detention may be necessary to mitigate the change from residential to commercial land use. Therefore, adverse impacts related to waste water and, storm water facilities, and water supplies are expected to be less than significant.

f-g) No Impact. The existing landfill would adequately accommodate the additional development. The project would be required to comply with all solid waste regulations as implemented and enforced by the City of Elk Grove. Therefore, the project would not significantly impact the disposal capacity of the landfill.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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, 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) 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) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Less Than Significant With Mitigation Incorporated. This Initial Study found that the proposed project could potentially degrade the quality of the environment, result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric or historic cultural resources. However, based on the analysis and mitigation provided in this Initial Study, potential environmental impacts of project would be mitigated to less than significant levels. Although no wildlife was observed on the site, development of the proposed new lots with industrial use could displace resident and/or migratory wildlife including Swainson’s hawk, a listed threatened species under the California Endangered Species Act. Mitigation measures will be imposed on the project that will reduce impacts to Swainson’s hawk to a less than significant level. The proposed project may temporarily impact the area by construction-related air quality, noise and traffic impacts. However, by implementing basic regulatory requirements, and project conditions of approval, these impacts are effectively reduced to a less than significant or not impact level. The site does not appear to contain any known historic buildings or cultural resource of significant importance. However, it is unlikely, but possible, that significant cultural

resources may be located on the project site. Mitigation measure will be imposed on the project that will reduce impacts to cultural resources to a less than significant level. Additionally, project implementation includes following appropriate procedures for avoiding or preserving artifacts or human remains should they be uncovered during project excavation.

b) Less than Significant Impact. The Elk Grove General Plan and General Plan EIR identified the project site as being developed by Commercial uses and the property has been zoned General Commercial and Limited Commercial since 1988. The project is consistent with the City's General Plan and would not create any impacts that would be cumulatively considerable. All project impacts have been reduced by adherence to basic regulatory requirements or conditions of approval incorporated into the project design.

c) Less than Significant Impact. Based on the analysis provided in this Initial Study, less than significant impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly. This environmental document has analyzed the project and mitigated impacts to less than significant.

REFERENCES

1. City of Elk Grove. City of Elk Grove General Plan. Elk Grove, CA. 2003.
2. City of Elk Grove Zoning Code.
3. Sacramento Metropolitan Air Quality Management District Guide to Air Quality Assessment

ATTACHMENTS

Attachment A – Tree Evaluation Report, Sheldon Crossing
Attachment B – Cultural Resources Survey