



MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL STUDY

Project Title: EG-04-711 Thompson Rezone and Parcel Map

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

Project Location: 9530 Sheldon Road, Elk Grove, CA
Between Waterman Road and Bradshaw Road.
APN's 127-0030-057

Project Sponsor's Name and Address: Owner/Applicant:
Mike Thompson
9530 Sheldon Road, Elk Grove, CA
Sacramento, CA 95830

General Plan Designation(s): Rural Residential (0.1 to 0.5 du/ac)

Zoning: AR-5 Agricultural/Residential – minimum 5 acres

Contact Person: Stuart Wagner

Phone Number: (916) 478-2255

Date Prepared: January 5, 2005

Project Description

The project involves a Rezone from a zoning designation of Agricultural Residential AR-5 to a zoning designation of AR-2 and a Tentative Parcel Map to split a five (5) acre (gross) parcel into a 2.985 acre (gross) parcel and 2.017 acre (gross) parcel. Both parcels will be served by a private drive. Per the City's Zoning Code, the public street frontage requirement on the smaller (2.017 acre) parcel can be waived for Agricultural Residential lots (Section 305-07). The applicant is also requesting an exception from the requirement of public water for two (2) acre parcels.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table 1. Surrounding Land Use Designations and Uses

	Existing Use	Zoning	General Plan
Project Site	Single Family Home	AR-5	Rural Residential
North	Single Family Home	AR-2	Rural Residential
East	Vacant	AR-5	Rural Residential
South	Single Family Home	AR-5	Rural Residential
West	Single Family Home	AR-5	Rural Residential

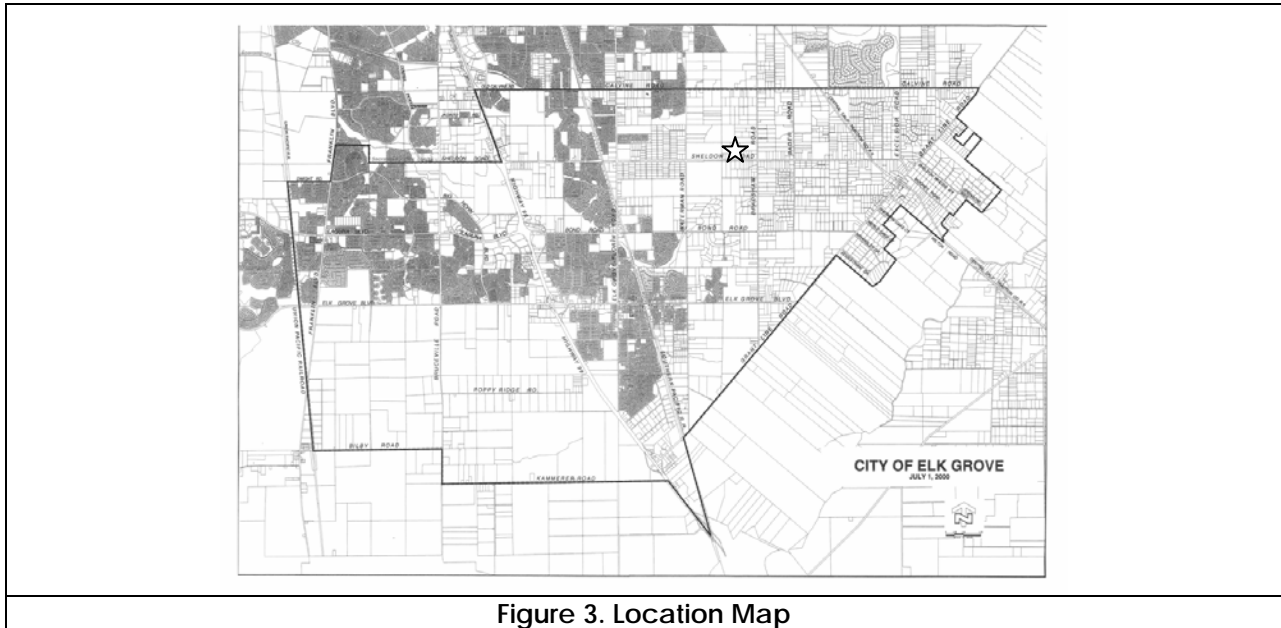


Figure 3. Location Map

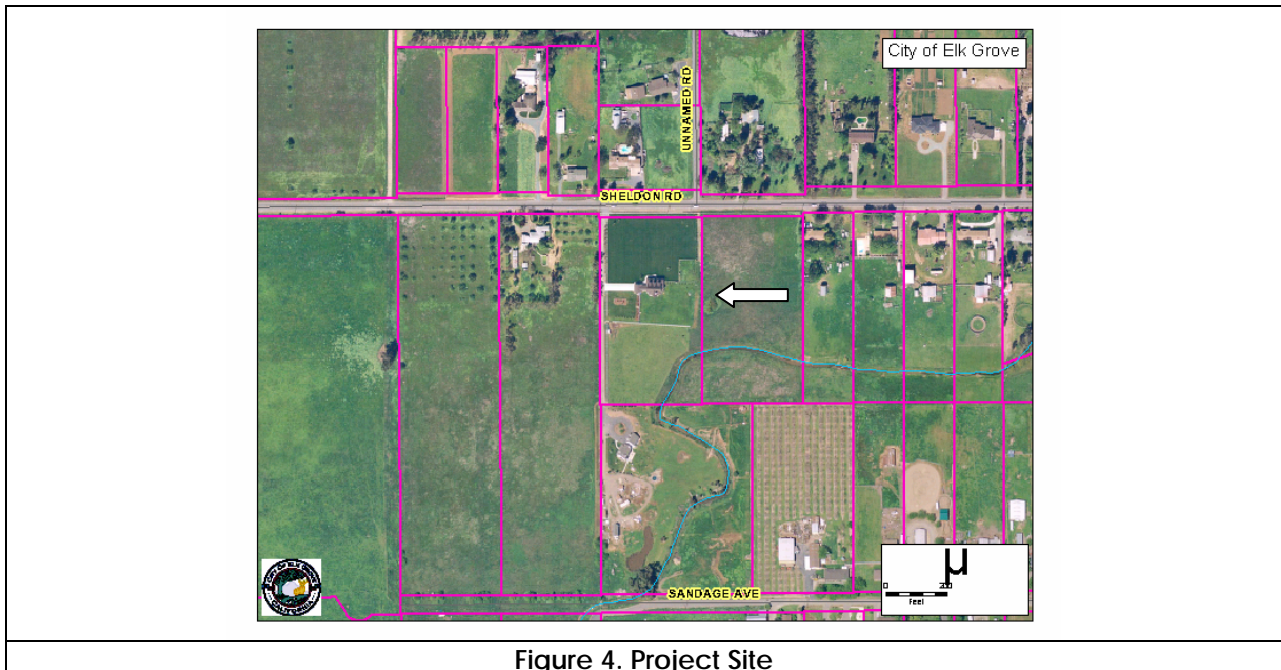


Figure 4. Project Site

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.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & 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 checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input checked="" type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

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.

January 5 2004

Planner's Signature

Date

Stuart L. Wagner
Planner's Printed Name

City of Elk Grove
Development Services - Planning

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Thompson Rezone, 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 brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a,d) No impact. There are no scenic vistas or any significant scenic resources in the project area that may be impacted by the project. The project does not propose any development on the site. Future development of the site could include a single family residence and accessory structures, which would be subject to City standards for light and glare, and would be visually consistent with the rural character of the area. The project would not degrade the existing visual character or quality of the site or the surroundings, nor would it create a new source of substantial light or glare. Therefore, no impacts are expected.

b,c) Less than Significant Impact. Potential impact to scenic resources could result by the development of the site. A portion of Laguna Creek Tributary 1 is located at the southern end of the project area and could be characterized as a scenic resource. However, no development would be allowed within 100 feet of the creek, a 'no build' drainage easement is currently in place on either side of creek. Furthermore the scenic area is located in the back portion of the property and is generally not visible by the public. Therefore the impact is 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 2000" designates the site as "Other Land" on the project site. "Other Land" is defined as land which does not meet the criteria of any other category. Common examples include low density rural development, wetlands, dense brush and timberlands, gravel pits, and small water bodies.

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 proposed project is in rural residential area with no adjacent agricultural uses. 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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:

a) No 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. The proposed project, which includes a rezone and tentative parcel map, will not involve an activity that may impair air quality, such as the use of heavy equipment and grading. Any proposed future use on the new parcel will involve small scale construction which will be subject to City regulations designed to reduce potential adverse impacts to air quality.

b) Less than Significant. The proposed project is to create one (1) Single Family Residential (SFR) lot. While no construction is proposed at this time, the construction of a new home will not have an adverse environmental impact on air quality. The SMAQMD has determined that construction of 28 SFR units or more is considered a potentially significant adverse impactⁱⁱ. Given that the proposed project is well 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.

c-e) Less Than Significant Impact. Effects on air quality can be divided into short term construction-related effects and those associated with long term operation of the project.

Construction activities, such as grading and vehicular traffic, may generate temporary or short term increase in dust and particulate matter, and are expected to be minor due to the small size of the proposed project. The air pollutants generated by the proposed project would be primarily dust and particulate matter during construction of one single family residence and associated structures. This impact is considered less than significant because potentially sensitive receptors would be exposed to minor amounts of construction dust and equipment emissions for short periods of time with no long-term exposure to the same groups. No known sensitive receptors exist in the project vicinity.

f) No Impact. The proposed project and associated uses would not create objectionable odors because the proposed project is a subdivision, and does not involve any activity that would generate odors. Any potential use on the new parcel would be a residential and as such, would not create objectionable odors affecting a substantial number of people.

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 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 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 rural residential area. In all directions there are rural low density homes with patchy natural vegetation, landscaping, and pasture for horses and other livestock. The parcels on the east and west side of the subject parcel are vacant and contain natural vegetation and scattered trees that support wildlife.

A biological survey was conducted at the project site on November 18, 2004ⁱⁱⁱ. The subject property is characterized by landscaping and non-native vegetation that has been managed for residential purposes and small -scale livestock husbandry. The site does not contain large trees or woodland that may be used for nesting by Swainson's hawk nests and other raptors. Burrowing owls were not observed although the open nature of the habitat may provide foraging or burrowing opportunities. There were no elderberry shrubs (*Sambucus mexicanus*) growing on site. There were no vernal pools on site. The southeastern border of the subject parcel contains an area of biological concern. Proposed Parcel 2 contains a portion of Laguna Creek Tributary 1, a potential water of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers. This perennial drainage contains no riparian vegetation but does support emergent wetland vegetation. Sanford's arrowhead (*Sagittaria sanfordii*) was not observed in this area.

The parcel proposed on the southern end of the property contains a pasture which may qualify as foraging habitat for Swainson's hawks, burrowing owls, and raptors. The presence of giant garter snake is unknown but the species may use wetlands and uplands along Laguna Creek Tributary 1.

The City General Plan Conservation and Air Quality Element includes policies that address natural streams, including Laguna Creek and its tributaries. Policy CAQ-21 states that, "Development adjacent to a natural stream shall provide a 'stream buffer zone' along the stream." Generally, a fifty-foot setback from the centerline on both sides of the stream is the minimum required to comply with this policy. Currently there is a 100' drainage easement on either side of the creek which does not allow for grading or construction activities to occur within.

Discussion of Impacts

- a) *Potentially Significant Unless Mitigation Incorporated* – A number of wildlife species could potential occur and forage on the site and could be affected by project construction. Swainson's hawk may lose potential foraging habitat and burrowing owls may exist on the site. Other sensitive species may also inhabit the area. Impacts to these species are discussed below.

Swainson's hawk

Development of the proposed new lot for residential use 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 within 2-3 miles of the project site. 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 majority of the site (3.0 acres) is disturbed by an existing residence with surrounding landscaped areas (see figure 4). Approximately two (2) acres on the project site remains as fallow land that is relatively undisturbed and potentially viable Swainson's hawk foraging habitat. This area includes a 200 foot drainage easement.

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 2.017 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 protect

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. However, on December 1st, 2004 the CC determined that the current fee was insufficient to effectively acquire suitable land for mitigation. A fee update is anticipated for February 2005. Therefore, this option will be available to the applicant after the fee is updated.

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

*Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project applicant shall provide written verification to Development Services-Planning that **one** of following mitigation measures has been implemented:*

- Preserve 1.0 acre of similar habitat for each acre lost within a ten-mile radius of the project site. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove and in accordance with Chapter 16.130 of the City of Elk Grove Municipal Code. The applicant shall be responsible for funding the operation and maintenance and/or monitoring of the protected land; 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. **This option shall be suspended until the mitigation fee is updated pursuant to City Council direction on December 1, 2004. The fee update is expected to occur in February 2005.**

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

Raptors [red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), and Cooper's hawk (*Accipiter cooperi*)] inhabit the area. There are scattered trees in the area that may be suitable for these species but no suitable trees were found on the Thompson site^v. Adjacent properties contain suitable trees. The White-tailed Kite (Federal Species of Concern, Migratory Non-game Bird of Management Concern, State Fully Protected) also inhabits the area. This territorial, rodent specialist inhabits open agricultural and grassland habitats and nests in oak woodland, riparian forests, and mature residential vegetation. The trees within Thompson parcels are not suitable nest sites for this species because it prefers tall trees and groups of trees.

The kite may nest, forage, or communally roost nearby but the parcel does not contain trees large enough for nests of this species. The nearest CNDDDB record lies < 5 miles north and > 5 miles south along the Cosumnes River. Because there are no suitable trees on the Thompson site for the various raptors to make use of impacts to sensitive raptor species are expected to be less than significant.

Songbirds

California horned-lark (California Species of Special Concern) inhabits grasslands and is a good indicator of habitat quality for ground-nesting birds (Zeiner et al.1990). This species may forage in agricultural crops on the project site and larks may nest in fallow vegetation around the project site, although no occupied nesting habitat is present in the project area according to biological surveys. The proposed project would not impact nesting habitat for this species.

Tricolored Blackbirds

Tricolored blackbirds are a Federal and state Species of Special Concern. Land conversion of wetlands for agriculture and urban development, along with depredation from non-native predators and habitat degradation, are prime factors causing this species' decline (Zeiner et al. 1990). This colonial nesting species is endemic to California and its nesting habitat requirements include fresh water and emergent vegetation, such as tule, cattails, and willow. This species is documented as being nomadic and unpredictable in terms of site fidelity and larger flocks travel among foraging habitats, including marshes, pastures, agricultural wetlands, dairies, and feedlots. Sixteen CNDDDB records for this species Elk Grove indicate that this species has nested in tule, cattail, blackberry (common occurrence in the database), willows, and wild rose, surrounded by cattle pasture, freshwater wetland, residential development. No occupied nesting colony habitat exists in the project site or adjacent lands. The proposed project site does not contain nesting habitat for this species but nearby nesting sites are possible. Therefore the impacts to Tricolored blackbirds are expected to be less than significant.

Burrowing Owls

Burrowing owls (Federal Bird of Conservation Concern, state Species of Special Concern) commonly occupy old ground-squirrel burrows along levees and ditches adjacent to agricultural fields, pastures, grasslands, vernal pools, and ruderal areas where they forage for insects and small mammals (CDFG 2004, Zeiner et al. 1990). Burrowing owls were not observed during surveys of the site and area around the site but they may occupy the pasture and Laguna Creek Tributary 1 borders with open fields to the east and southwest. The nearest CNDDDB records are <5 mi. northwest of the parcel. Because this species is known to exist in the vicinity, it could potentially move onto the site to nest prior to construction of a new residential dwelling. Because the project site offers potential foraging and nesting habitat, this project would result in a potentially significant impact to these species unless mitigation is incorporated.

Mitigation Measure 2 (Biological Resources – Burrowing Owls)

In order to reduce impacts to burrowing owls to a less than significant level, the applicant shall conduct a pre-construction survey on the site. Within thirty days of the commencement of any clearing, grading or construction a field survey shall be conducted by a qualified biologist to determine if active nests of burrowing owls exist on the site. These surveys shall include all areas in or within 250 feet of the construction zone. In the event that nesting owls are found, a 250-foot no-construction zone shall be established around the nest until the young have fledged, as determined by a qualified biologist. The applicant shall consult with CDFG to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or

approvals shall be obtained from CDFG prior to disturbance of the site. Mitigation measures may include flagging the burrow to avoid disturbance, passive relocation, active relocation to move owls from the site, or other measures required by the biologist or CDFG.

Monitoring Actions

- Prior to the commencement of any clearing, grading or construction, the applicant shall submit to Development Services – Planning for approval, a copy of the survey results including evidence of consultation with CDFG and their recommendations, if applicable.

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

The above mitigation measure (MM 2) would reduce impacts to burrowing owls to a less than significant level.

Giant Garter Snake

Giant garter snakes are federally and state listed as threatened. Giant garter snakes inhabit a variety of aquatic habitats, such as agricultural canals, marshes, sloughs, and ponds. They also require adjacent upland habitat for basking and burrows for wintering that provide sufficient cover and are at high enough elevations to function as refuges from flood waters during the snakes' inactive season (October–May). Suitable habitat for this species exists within Laguna Creek and the City of Elk Grove and possibly along Laguna Creek Tributary 1. CNDDDB records of giant garter snake are recorded within 5 miles southwest of the parcel. Although it has not been recently observed and recent surveys have not identified Laguna Creek Tributary 1 as likely habitat for this species (City of Elk Grove 2004) this species may exist along the creek.

The Thompson Rezone and Tentative Parcel Map application does not proposed development within Laguna Creek tributary 1. Furthermore there is a 100' drainage easement on either side of the creek which does not allow for grading or construction activities to occur within. Future development of the project site could include a single family residence and accessory structures. Any new construction however would be required to stay out of the 100' drainage easement. By way of avoidance of the Giant Garter snake habitat, the impacts to the Giant Garter snake are considered less than significant.

Northwestern Pond Turtle

Northwestern pond turtle (Federal and State Species of Special Concern) may inhabit perennial, slow-moving waterways. This species prefers moderately deep water, slow moving streams with warm water and secure basking sites. It is possible that habitat conditions in Laguna Creek Tributary 1 may support the species. The nearest CNDDDB records are <5 miles southwest. No turtles were observed in the project site and adjacent areas.

As described earlier, development within this tributary is not proposed with the Thompson Rezone and Tentative Parcel Map application. By way of avoidance, the impacts to the Northwestern pond turtle are considered less than significant.

- b) Less than Significant With Mitigation Incorporated** – The City's General Plan Conservation and Air Quality Element contains Policy CAQ-9 which identifies wetlands, vernal pools, marshlands and riparian (streamside) areas as important resources and ensure no net loss of habitat areas will occur. Development is not to occur in and around the streamside area of

the project site i.e. Laguna Creek Tributary 1. There is currently a 100' drainage easement on either side of the creek which does not allow for grading or construction activities to occur within. There is however a possibility that the streamside area could be disturbed or encroached with construction activities and equipment.

Mitigation Measure 3 (Biological Resources – Stream and Riparian Habitat)

In order to reduce potentially adverse impacts to the existing stream channel and adjacent riparian habitat to a less than significant level, the applicant shall establish a stream buffer zone measured at least 100 feet from the centerline of Laguna Creek Tributary 1 for a total width of 200 feet. The following note shall be placed on the final map and on grading/building plans: ***“A temporary protective fence is to be installed along the length of a stream buffer zone measure at least 100 feet from the centerline of Laguna Creek Tributary 1 for a total width of 200 feet from this buffer. This protective fencing will remain until all construction activities cease.”*** The protective fence shall be a solid enclosure such as a temporary chain link fence or similar. Plastic fencing is not considered a solid enclosure.

Monitoring Actions

- o ***Prior to the recordation of the final map***, Planning shall verify that the note is found on the map.
- o ***Prior to the issuance of any permits for grading or building***, Planning shall verify that the note is found on the plans.
- o ***Prior to construction activities***, the applicant shall schedule a site inspection with Development Services - Planning to verify that the temporary protective fencing is in place along the 200' buffer zone.

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

- c) **No Impact** - Although Laguna Creek Tributary 1 traverses the southern portion of the site, no development is proposed within this creek. Furthermore there is a 100' drainage easement on either side of the creek which does not allow for grading or construction activities to occur within. Therefore impacts to federal protected wetlands are not expected.
- d) **Less Than Significant Impact** - Through a 200' stream buffer zone (Mitigation Measure 3), the project would not interfere 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 and a less than significant impact is expected.
- e-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 contains a portion of Laguna Creek Tributary 1. The proposed project would not conflict with this local policy. No development is proposed within this creek. Furthermore there is a 100' drainage easement on either side of the creek which does not allow for grading or construction activities to occur within. No native or non-native trees are proposed for removal as part of this project. Therefore, impacts to local policies or ordinances protecting

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

According to the Cultural Resources Sensitivity Map in the Elk Grove Plan Draft Environmental Impact Report, the project site is located in a culturally sensitive area. Cultural resources staff of Pacific Municipal Consultants (PMC) conducted archaeological and historical investigations for the project in October 2004. These investigations included: a records search at the North Central Information Center; a sacred lands search conducted by the Native American Heritage Commission; consultation with the Native American community; and pedestrian surface survey of the Area of Potential Effects (APE) for the project site.

a & b) Less than Significant Impact. The General Plan Background Report lists the known prehistoric and archaeological resources in the City of Elk Grove. The project site is not included in the Report. There are no known paleontological resources or unique geologic features on the property. The project will require minimal grading and no structures will be demolished. Archaeological and historic investigations (e.g. archival research and survey) did not identify any cultural resources within the project area of potential effects. The implementation of the project would not likely affect historical resources or unique archaeological resources. Therefore impacts to archaeological and historical resource are considered less than significant.

b & d) Less than Significant Impact. Archaeological and historic investigations (e.g. archival research and survey) did not identify any cultural resources within the project area of potential effects. The implementation of the project would not likely affect historical resources or unique archaeological resource. Regardless of the findings, there is always the possibility to inadvertently uncover cultural resources or human remains during ground disturbing project

activity. Therefore, if any cultural resources or human remains are uncovered during ground disturbing project activity it is recommended that all activity cease within 25 feet of the discovery and a qualified archaeologist be retained to determine the significance of the discovery. If human remains are discovered, all work must stop in the immediate vicinity of the find, 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 coroner will notify the Native American Heritage Commission, and follow the procedures outlined in the CEQA guidelines section 15064.5(e)

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a)
- i. **Less than Significant Impact.** There are no known faults crossing through the project site. The site is not located within an Alquist-Priolo earthquake hazard zone. Therefore, no significant impacts would occur with respect to fault rupture.
 - ii. **Less than Significant Impact.** The project would be designed and constructed in accordance with the requirements of the Uniform Building Code. As a result, the risk of

ground shaking would be reduced to a minimum and is considered to be less than significant.

- iii. **Less than Significant Impact.** Liquefaction is most likely to occur in deposits of water-saturated alluvium or similar deposits of artificial fill. Within Sacramento County, the downtown area and the Delta are areas that have been suggested as posing potential liquefaction problems.
 - iv. **Less than Significant Impact.** The area of the project site proposed for construction is relatively flat, therefore the likelihood of landslides is minimal.
- b) **Less Than Significant Impact.** Grading of the site, during future development, may create minor contour changes necessary to direct surface runoff. Construction of any future project would also result in the placement of paving and concrete. This is an insignificant impact. As a condition of approval of any grading or building permit, the contractor is required to control dust and wind erosion through a combination of watering and erosion control practices. The project would not result in substantial soil erosion, siltation, or loss of topsoil. Therefore, a less than significant impact is expected.
 - c) **Less than Significant Impact.** The project site is essentially level with little topographic variation. *The risk of* exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides is less than significant.
 - d) **Less than Significant Impact.** The project site has low potential for expansive soils according to the City of Elk Grove General Plan. In accordance with the Subdivision Map Act, Grading Ordinance, and the Uniform Building Code, a soil report is required prior to issuance of building permits in areas where potential of expansive soils is present thereby lessening this impact to less than significant.
 - e) **Less than Significant Impact.** 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, with the implementation of Sacramento County Environmental Health standards, no significant impacts from sewage disposal are expected.

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 site is not a known

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

hazardous material release site and no known hazardous material release site exists in the project vicinity. Future development of the site could include a single family residence and accessory structures. Therefore, no impacts to hazards and hazardous materials are expected.

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 checked="" type="checkbox"/>	<input 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 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, 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. The proposed project includes an exception from the public water supply source requirement in Title 22 of the City of Elk Grove’s Municipal Code. Future development of a single family residence could occur on the site. Any development would include the construction of a well and septic tank. The construction of both the well and septic tank would require compliance with the standards and Municipal Code of the City; therefore, impacts are expected to be less than significant.

c-j) No Impact. A tributary of Laguna Creek traverses the southern portion of the project site. A Flood Plain Area lies on a portion of the creek. Development in the flood plain area is not proposed by this project. Any development on the site of a single family residence would not substantially alter the existing drainage pattern of the site or area, expose people or structures to a significant risk of loss, injury or death involving flooding, or 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. Therefore, no impacts to hydrology and water quality are expected.

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) **No Impact.** The Elk Grove General Plan designates the property as Rural Residential with a two (2) acre minimum size requirement. The project is consistent with the density range proposed for this site and will not divide an established community
- b) **No Impact.** The project has been designed and will be conditioned to comply with the general plan, zoning code and City standards for design.
- c) **No Impact.** There are no habitat conservation plans or natural community conservation plans within the City of Elk Grove.

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 proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The project site is not delineated as a locally important mineral resource recovery site. 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 type="checkbox"/>	<input checked="" 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, c, e, & f) No Impact. The Noise element of the City’s General Plan indicates that exterior noise levels between 60 and 75 dB Ldn are acceptable for residential uses (including AR-2). While the project is within the 60dB Traffic Noise Level Contour, as established by the Elk Grove Draft Environmental Impact Report, the noise expose level is not expected to exceed standards set by the General Plan. The proposed project will not generate any noise. Any future development on the existing or newly created parcel will be required to comply with the City Of Elk Grove Noise Ordinance to ensure that acceptable noise levels are not exceeded.

b & d) Less Than Significant Impact. This project involves a Rezone and Tentative Parcel Map. Development of the proposed parcel with a new residential home is not proposed at this time. If construction were to occur it would be restricted to daytime hours consistent with the City’s noise ordinance (City Ordinance 6.68.080(e)). Therefore, the noise level generated by any future development within the project site would create a less than significant impact.

XII. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a-c) No Impact. While the project does not propose any development, the potential will exist for the development of a single family residence. However, this will not be growth inducing due to the fact that the project is consistent with the General Plan. The project will also not require the displacement of any housing or people. Therefore, no adverse impacts to population or housing are expected from the project.

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.

c) Less Than Significant Impact. According to the Assistant Superintendent of Facilities and Planning of the Elk Grove Unified School District, "The District is currently impacted, overcrowded and experiencing a high rate of growth. The District does not have the financial capability to purchase school sites nor construct and furnish needed school facilities created by this and other development projects." The EGUSD has identified a negative financial impact upon the district from this project.

In the past, such a financial shortfall, or "impact" to the provision of a public service could have been used to delay or deny development proposals by a local agency such as a City. However, this authority has been removed from cities by state law. Sections 65996 and 65997 of the California Planning and Zoning Laws address the "exclusive provisions for mitigating impacts on schools."

- Section 65996(b) of the California Planning and Zoning Law Government Code. "The provisions of this chapter are hereby deemed to provide full and complete school facilities mitigation and notwithstanding Section 65858, or Division 13 (commencing with Section 21000) of the Public Resources Code, or any other provision of state or local law, a state or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or

reorganization, as defined in Section 56021 or 56073, on the basis that school facilities are inadequate.”

The Project is required to pay statutory development fees prior to the issuance of building permits for the proposed single family residential construction. Therefore, with the payment of statutory fees, and Section 65996 of the Planning and Zoning Laws, the impacts are anticipated to be 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. There are no recreational facilities on the project site and no recreational activities occur near the project site that would be impacted by the project. No recreational facilities are included in the proposed project.

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 & d-e) Less Than Significant Impact. The proposed project does not include any use that would generate traffic. In accordance with the existing general plan designation and zoning for the project site, any future development proposed would likely consist of a single family residence. Traffic generated by uses consistent with the General Plan is considered less than significant. The project includes a waiver from the public street frontage requirement, which would result in a flag lot. A proposed 20-foot private drive would provide emergency access to the parcel with no public street frontage. Therefore, adverse impacts are expected to be less than significant.

c, f-g) No Impact. The project includes a rezone and tentative parcel split that would subdivide one lot into two lots. The proposed project, along with any future construction of a single family residence, would not result in inadequate parking nor would in conflict with adopted policies, plans, or programs supporting alternative transportation.

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

will not require the construction of any additional roads or structures and therefore will not create any impact to parking, emergency, air traffic patterns, or otherwise increase hazards.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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-c, f-g) No Impact. The project does not propose any immediate development. However, future development of a single-family residence that might occur would be consistent with the General Plan and would include a septic system. The project would not require the construction of either water and/or wastewater treatment facilities, or water drainage facilities. No dedication to these utilities will be required for this project.

d) Less Than Significant Impact. The proposed project includes an exception from public water supply source. However, any well and/or septic system installed on the proposed lot must be

installed pursuant to Sacramento County Environmental Health improvement standards. Therefore, impacts are expected to be less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 & c) Less Than Significant Impact. Based on the analysis provided in this Initial Study, the project proponents and the City of Elk Grove, potential environmental impacts of the project could affect biological resources, but such impacts would be mitigated to less than significant levels through the incorporation of Mitigation Measures MM 1 – MM 3. The project would not result in adverse impacts to any special-status wildlife species or to habitat supporting such species, provided that the recommended mitigation measures are incorporated into the project. While the proposed project does not include any structures, future development of a residential structure would be possible. The placement of a structure on the site could impact wildlife that would move across the site. However, due to the scale of the structure and the surrounding residential land use and given that no development will occur in the riparian corridor, any impact to the movement of native resident or migratory wildlife would be less than significant.

Prehistoric or historic cultural resources would not be adversely affected because no archeological or historic resources are known to exist in the project areas and project implementation includes appropriate procedures for avoiding or preserving artifacts or human remains, should they be uncovered during project excavation.

The proposed project will result in the creation of a new legal parcel. While the proposed project does not include the development of the newly created parcel its development at a future date could temporarily impact the area by construction-related air quality, noise. Traffic and public services may also be impacted by the construction and use of a residential structure. However, these impacts would be of a less than significant level. The proposed project would not otherwise have any direct or indirect adverse impacts on humans because no immediate development is proposed.

b) No Impact. The project would be consistent with the City's General Plan and would not create any significant impacts. By adhering to basic regulatory requirements and/or conditions of approval incorporated into the project design, the project would not lead to any cumulative impacts.

ATTACHMENTS

- 1) Reconnaissance biological survey for the Thompson Rezone parcel, December, 2004
- 2) Archaeological and Historical Investigations for the Thompson Rezone Project, October 2004

REFERENCES

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- ⁱ Department of Conservation, 2002
 - ⁱⁱ Sacramento Metropolitan Air Quality Management District Guide to Air Quality Assessment Table 2.2 Project Sizes with Potentially Significant Emissions
 - ⁱⁱⁱ Reconnaissance biological survey for the Thompson Rezone parcel, December, 2004
 - ^{iv} Reconnaissance biological survey for the Thompson Rezone parcel, December, 2004
 - ^v Archaeological and Historical Investigations for the Thompson Rezone Project, October 2004