



## MITIGATED NEGATIVE DECLARATION

Project Title: Laguna Gateway Phase 3 – EG-05-820

Lead Agency Name and Address: City of Elk Grove  
Development Services - Planning  
8401 Laguna Palms Way  
Elk Grove, CA 95758

Project Location: Southwest corner of West Stockton Blvd. and Dunisch Road  
APN: 116-0050-013, 116-0050-027, 116-0050-030, 116-0050-031

Project Sponsor's Name and Address: Pappas Gateway LP  
Contact: John Pappas  
2020 L Street, 5<sup>th</sup> Floor  
Sacramento, CA 95814

General Plan Designation(s): Commercial, Office, and Multi-Family

Zoning: SPA (MP/BP) – Office Park  
AR-5 – Agricultural- Residential 5

Contact Person: Gerald Park

Phone Number: 916-478-3671

Date Prepared: August 15, 2007

**Background**

On May 19, 1999, the Sacramento County Board of Supervisors approved the Laguna Gateway Special Planning Area (LG-SPA)(Ordinance SZC-99-0036). The LG-SPA encompasses approximately 155 acres on the north and south sides of Laguna Boulevard, east of Big Horn Boulevard, and west of Highway 99. The purpose of the LG-SPA is to establish a mix of commercial and industrial office park uses to attract quality business park development and local employment opportunities in the Laguna Community. Projects within the LG-SPA are subject to the Laguna Gateway Design and Development Guidelines.

The project site is located at the southwest corner of West Stockton Boulevard and Dunisch Road (**Figure 1**). The Laguna Gateway Phase 3 project is proposed on four parcels totaling 5.70 acres. Parcels A, B, and C are within the LG-SPA and subject to the established design guidelines (**Figure 2**). Parcel D is not part of the LG-SPA. The sizes of each parcel are provided in the table below. Access to the site is proposed to be provided via one driveway located off of Dunisch Road, one driveway located off of West Stockton Boulevard, and one driveway located off of Laguna Gateway.

The parcels sizes and proposed zone changes are provided in the table below.

| <b>Parcel</b> | <b>Acreage</b> | <b>Current Zoning</b> | <b>Proposed Zoning</b> |
|---------------|----------------|-----------------------|------------------------|
| Parcel A      | 0.78           | SPA (MP/BP)           | SPA (RW/SC)            |
| Parcel B      | 0.25           | SPA (MP/BP)           | SPA (RW/SC)            |
| Parcel C      | 1.66           | SPA (MP/BP)           | SPA (RW/SC)            |
| Parcel D      | 3.01           | AR-5                  | SC                     |

SPA (MP/BP) – Office Park  
 AR-5 – Agricultural Residential 5  
 SPA (RW/SC) – Retail West/Shopping Center  
 SC –Shopping Center

**Project Description**

The project consists of a 1) Rezone from Special Planning Area Office Park (SPA MP/BP) to Special Planning Area Retail West/Shopping Center (SPA RW/SC) and Agricultural-Residential 5 (AR-5) to Shopping Center (SC), 2) Special Planning Area Amendment to amend the Laguna Gateway SPA to reflect the requested rezone, 3) Tentative Parcel Map to merge four parcels and re-subdivide the site into two parcels, and 4) Design Review for two buildings with a total square footage of 48,624 square feet with associated parking, landscaping, and lighting. See **Figure 3** for the proposed project's site plan.

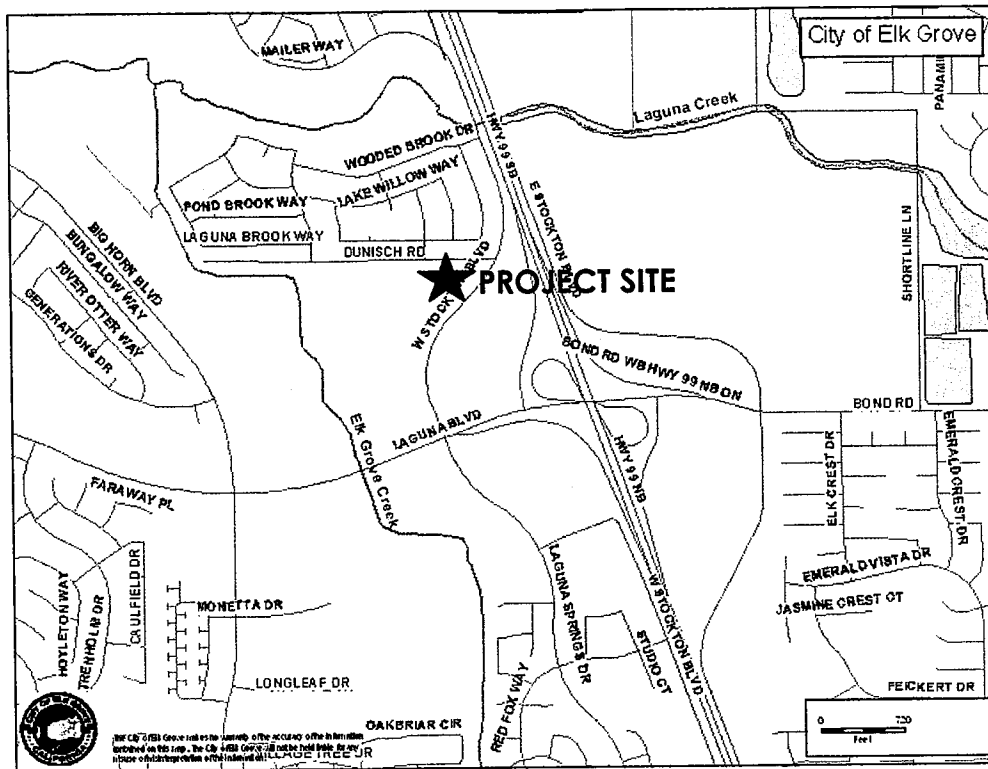


Figure 1. Laguna Gateway Special Planning Area



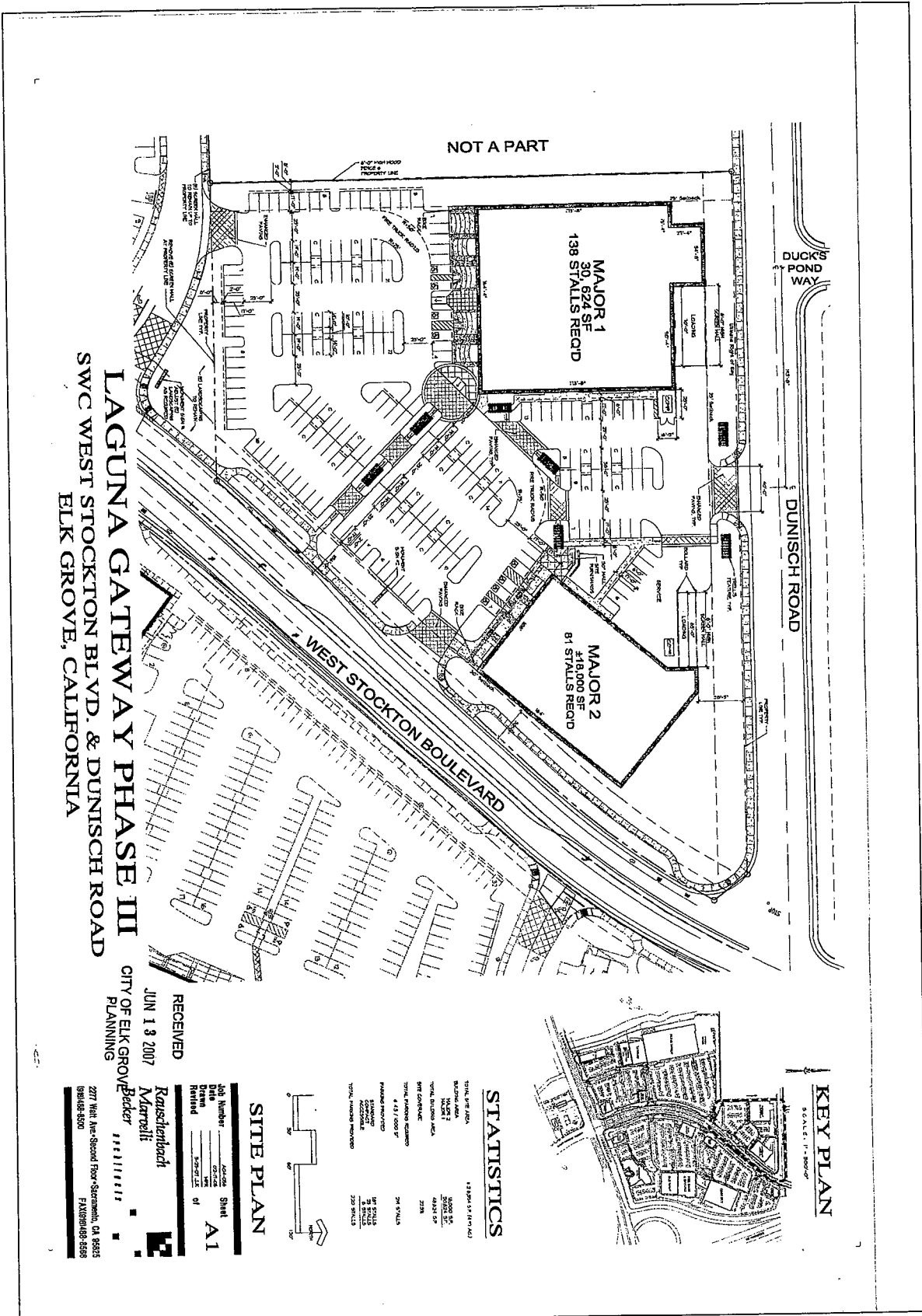


Figure 3. Site Plan

**Environmental Setting and Surrounding Land Uses**

The project site is situated at the southwest corner of West Stockton Boulevard and Dunisch Road, and has approximately 570 linear feet of frontage along N. Stockton Boulevard and 614 linear feet of frontage along Dunisch Road. The project site is relatively flat and currently contains no structures. The table below shows on-site and adjacent land uses and **Figures 4** and **5** show the proposed project site and surrounding land uses. The project site is void of any significant natural features.

| LOCATION       | ZONING   | GENERAL PLAN LAND USE            | ACTUAL USE OF PROPERTY         |
|----------------|--|----------------------------------|--------------------------------|
| <b>On-Site</b> | Special Planning Area Office Park (SPA-MP/BP);<br>AR-5 | Commercial, Office, Multi-Family | Vacant Parcel                  |
| <b>North</b>   | RD-10  | Medium Density Residential       | Single-Family Residential      |
| <b>South</b>   | SPA-LG   | Commercial                       | Laguna Gateway Shopping Center |
| <b>East</b>    | SPA-LG   | Commercial                       | Laguna Gateway Shopping Center |
| <b>West</b>    | AR-5   | Commercial, Office, Multi-Family | Vacant Parcel                  |

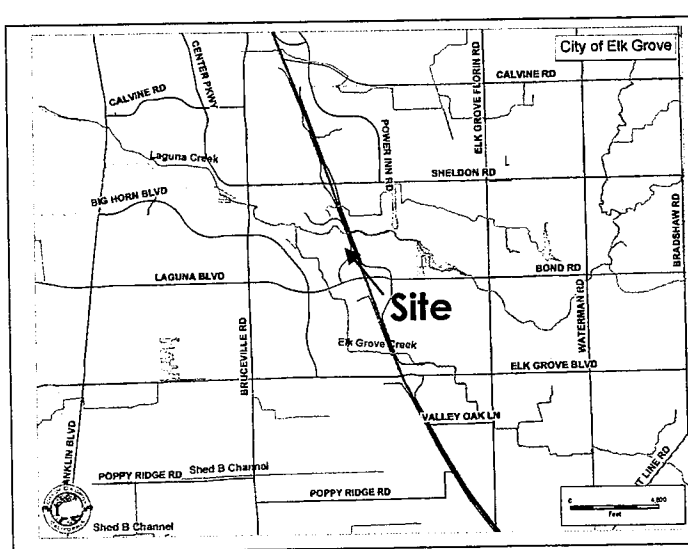


Figure 4. Location Map

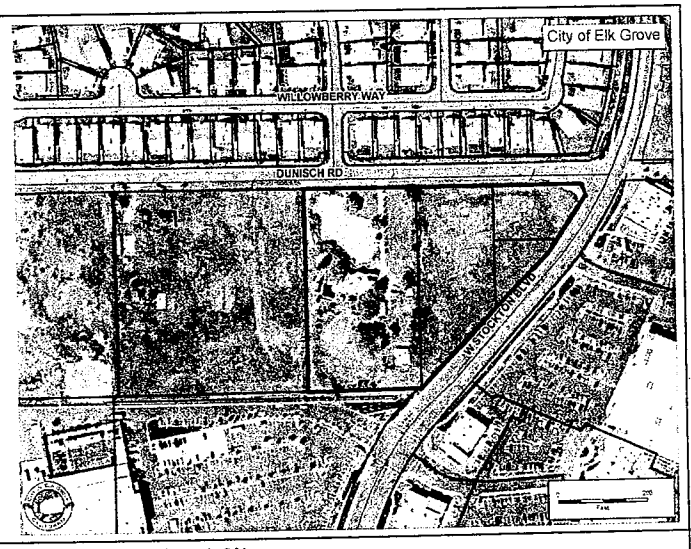


Figure 5. Project Site

**Agency Approvals:**

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

Sacramento Air Quality Management District (SMAQMD)  
Regional Water Quality Control Board (RWQCB)

**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 type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agricultural Resources             | <input checked="" type="checkbox"/> Air Quality              |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils                     |
| <input type="checkbox"/> Hazards & Hazardous Materials   | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning                 |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing                |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems     | <input 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.

Gerald Park  
Planner's Signature

8/17/07  
Date

GERALD PARK  
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 Laguna Gateway Phase 3 project, 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 a Mitigated Negative Declaration (The discussion demonstrates that there are no potentially significant impacts identified that cannot be mitigated to a less-than-significant level. Therefore, an EIR is not warranted.).

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.

**I. AESTHETICS**

| <b>Would the project:</b>  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) 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,b) **No Impact.** The proposed project would result in the construction of approximately 48,624 square feet of commercial space on approximately 5.70 acres located at the southwest corner of West Stockton Boulevard and Dunisch Road. The General Plan does not identify scenic vistas in this area, nor are any scenic resources present in the vicinity. The area is presently developed with commercial and office uses.

c) **Less Than Significant Impact.** The proposed project site lies between two commercially developed parcels located to the south and east. West Stockton Boulevard and Dunisch about the project site to the east and north, respectfully. The construction of a commercial structure in this location would be consistent with the character of surrounding development. The area does not contain any unique features which would be lost or compromised as a result of the project. The proposed materials and exterior treatments are compatible with other commercial buildings in the immediate area. Furthermore, application of the Laguna Gateway Design and Development Guidelines, Elk Grove Design Guidelines, and the General Plan Urban Design Policies LU-35 and LU-36 would lessen any potential impacts associated with the appearance of the proposed commercial use by requiring the project to comply with the City's Non-Residential Design Guidelines and Sign Regulations. The Laguna Gateway Guidelines contain landscaping requirements along Stockton Boulevard, project entrances, and parking lot.

In addition, development standards in the Laguna Gateway Design Guidelines and Zoning Code require building setbacks, height limitations, lighting and signage restrictions, and screening and landscaping requirements intended to lessen the impacts on adjoining residential land uses. The Guidelines for Non-Residential development and Zoning Code requirements for commercial developments would lessen potential land use conflicts associated with the proposed project. Therefore, construction of the proposed project would alter, but not degrade the scenic quality and visual character of the area. This impact is considered less than significant.

- d) **Less than Significant Impact.** Due to the fact that the area is developed with commercial and office uses, the project would be consistent with existing uses. Additional light and glare would be created by the project in association with lighting fixtures and building materials. However, the Laguna Gateway Guidelines require outdoor lighting to be designed so that the light source will not be visible from adjacent residential to the north and project would comply with City design standards and would continue the existing development pattern identified in the General Plan. Therefore, impacts to visual character, including 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:**

- a) **No Impact.** The proposed project is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown in the Open Space Element of the City's General Plan. The site is located on land designated and Urban and Built-Up Land.
- b) **No Impact.** The subject property is not under a Williamson Act contract and the proposed project does not involve any changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use. No Williamson Act Contracts are located in the immediate vicinity of the project site as shown in Figure 4.1-2 (Williamson Act Contracts) of the Elk Grove General Plan EIR (Elk Grove, 2003). Therefore, no impacts to Williamson Act Contracts would occur.
- c) **No Impact.** The proposed project site is located in an urbanized area. There are no farmlands or agricultural uses on the site. No conversion of farmland or agricultural uses would occur as a result of this project.

**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.

| <b>Would the project:</b>   | 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 checked="" type="checkbox"/>                | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

a-c) **Less than Significant Impact.** The project is within the Sacramento Valley Air Basin (SVAB), which consists of nine counties or portions of counties stretching from Plumas County to the north to Mariposa County to the south. Considerable transport of pollutants occurs between these air basins. As a result, air quality in Sacramento County is partially determined by the release of pollutants elsewhere.

Air quality is subject to both federal and state regulations. The Federal Clean Air Act requires the Environmental Protection Agency (EPA) to establish ambient air quality standards for six criteria air pollutants: ozone (O<sub>3</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), carbon monoxide (CO), nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>) and lead (Pb). The California Clean Air Act (CCAA) sets state standards that are more stringent than the federal standards, and includes other criteria air pollutants. The California Air Resources Board (CARB) is the state agency that sets the state ambient air quality standards under the CCAA. Areas that exceed an ambient air quality standard are classified as being in "non-attainment" for that pollutant and must prepare a plan to reach attainment status. Sacramento County is in non-attainment status for federal standards and state ozone and state PM<sub>10</sub> standards, but is in attainment status for all other federal and state criteria pollutants.

The Sacramento Metropolitan Air Quality Management District (SMAQMD) has established criteria and plans for reducing air emissions. The emissions generated during the site preparation phase would not exceed the thresholds of significance established by the SMAQMD. The proposed project is consistent with the *Commercial/Office/Multi-Family* General Plan land use designation. Further, 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 With Mitigation Incorporated.** The proposed project will require site preparation activities to clear the site and earth-moving to grade and level the site. Construction-related air quality impacts are generally attributable to dust generated by equipment and vehicles. Other short-term emissions would include ozone, carbon monoxide, particulate matter, reactive organic compounds, or nitrogen oxides. Fugitive dust is emitted both during construction activity and as a result of wind erosion over exposed earth surfaces. Soil type and soil moisture are also factors in determining dust generation. Since Sacramento County is in non-attainment for O<sub>3</sub> and PM<sub>10</sub>, impacts resulting from construction will be potentially significant unless mitigation is incorporated to reduce precursor emissions. To reduce potentially significant adverse impacts related to construction activities to a less than significant level, the SMAQMD has developed standard mitigation measures as described below. Furthermore, SMAQMD enforces Rule 401, which requires that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. The following measures and Rule 401 will lower construction related air quality impacts to a less than significant level.

**Mitigation Measure 1 (Air Quality)**

In order to reduce potentially significant adverse impacts to air quality from construction activities to a less than significant level, the following air pollution control measures shall be incorporated into the project specifications and administered during construction:

- All active portions of the construction site, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.
- All clearing, grading, earth-moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.
- All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, earth-moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident.

- If used, petroleum-based dust palliatives shall meet the road oil requirements of the SMAQMD rule regarding Cutback Asphalt Paving Materials.
- Streets adjacent to the project site shall be swept as needed to remove silt that may accumulate from construction activities. Streets are required to be wet prior to or in conjunction with rotary sweeping.
- All internal combustion engine driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.
- During the smog season (May through October) the construction period shall be lengthened to minimize the number of vehicles and equipment operating at the same time.
- When available, diesel powered or electric equipment shall be used in lieu of gasoline-powered engines.
- Construction activities shall minimize obstruction of through-traffic lanes adjacent to the site.

*Timing/Implementation: Include the above measures on all grading plans, improvement plans, and during project construction.*

*Enforcement/Monitoring: City of Elk Grove Development Services.*

**Mitigation Measure 2 (Air Quality)**

In order to reduce potentially significant adverse impacts from NOx emissions to a less than significant level, the project applicant shall provide a plan for approval by City of Elk Grove and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction\* compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit to City of Elk Grove-Development Services-Planning and SMAQMD, for review and approval, a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide City of Elk Grove-Development Services-Planning and SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

*\*Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.*

*Timing/Implementation: Include the above measures on all grading plans, improvement plans, and during project construction.*

*Enforcement/Monitoring: City of Elk Grove Development Services.*

e-f) **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 north. Construction activities will involve the use of a variety of gasoline or diesel powered equipment that emit exhaust fumes. These residents will potentially be exposed to nuisance dust and heavy equipment emission odors (e.g. diesel exhaust) during construction. However, the duration of exposure will be very short as extensive earthmoving is not required. Furthermore, exhaust from construction equipment dissipates rapidly and these residences are located over 75 feet away from the project site. Therefore, impacts to sensitive receptors are considered less than significant.

**IV. BIOLOGICAL RESOURCES**

| <b>Would the project:</b>  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and 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 type="checkbox"/>     | <input checked="" 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 type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Existing Setting:**

The project site is approximately 5.7 acres, of which 1.03 acres has been pad graded and the remaining 4.67 acres is vacant and relatively flat. Vegetation on the vacant portion consists of ruderal grasses and small shrubs. Staff conducted a site visit on October 11, 2005 and October 12, 2005. The site does not include any rare, endangered, or special status plant or animal species and does not include any natural wetland habitat.

**Discussion/Conclusion/Mitigation:**

a), b), and e) – **Less Than Significant Impact With Mitigation Incorporated.** The project site is a vacant lot that contains a small population of jackrabbits. Development of the site will displace the population of jackrabbits. However, jackrabbits are not an endangered, threatened, or species of concern and development of the site will not result in a significant impact upon the jackrabbit population.

The site is located within one mile of a known Swainson's hawk nest. The Swainson's hawk is a listed threatened species under the California Endangered Species act. The California Department of Fish and Game has determined that the minimum size of open land capable of sustaining foraging habitat for the Swainson's hawk is 5 acres. However, given that the project site is a vacant lot with less than 5 acres of undisturbed grasses and shrubs, and the highly urbanized and developed nature of the surrounding area, it is highly unlikely that the site could be used as foraging habitat for the Swainson's hawk. Therefore, impacts to Swainson's hawk as a result of the proposed project are expected to be less than significant.

However, there is the potential for nesting raptors to occupy trees on the site and adjacent trees in the surrounding area. This impact is considered a potentially significant.

An arborist report prepared for the proposed project determined that the site contains 40 trees with one (1) 6-inch (dbh) size Valley Oak tree. All trees are proposed to be removed as a result of the proposed project. This impact is considered potentially significant. The arborist report is available for review at the City of Elk Grove's Planning Department.

The following mitigation measures will reduce identified biological resources impacts to a less than significant level.

**Mitigation Measure 3 (Biological Resources – Nesting Raptors)**

Prior to grading activities, a preconstruction survey shall be performed between April 1 and July 31 to determine if active raptor nesting is taking place within and immediately adjacent to the project site. If nesting is observed, consultation with the Department of Fish and Game shall occur in order to determine the protective measures which must be implemented for the nesting birds of prey. If nesting is not observed, further action is not required.

*Timing/Implementation:* Prior to issuance of grading permits.  
*Enforcement/Monitoring:* City of Elk Grove Development Services - Planning and CDFG.

**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, at minimum, 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;

*Timing/Implementation:* 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

c), d) and f) – The project site does not contain any federally protected wetlands or waters of the U.S. and therefore, will have no impact on such features. The project site is a vacant lot surrounded by development. No rivers or streams cross or are near the project site. While the project does provide habitat for a small population of jackrabbits, and potentially other raptors, the site is too small and disconnected from other natural wildlife areas for it to constitute a wildlife corridor. Additionally, the City is not located in an area with an adopted Habitat Conservation Plan or Natural Community Conservation Plan, therefore, the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**V. CULTURAL RESOURCES**

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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:**

- a) **No Impact.** The City of Elk Grove Incorporation EIR identifies Cultural Resource Areas of Sensitivity. The project site is near the sensitive area identified along Elk Grove Creek. However, the site has been previously disturbed and is surrounded by urban development. The site does not contain any known prehistoric or historic archaeological site, historic building or structure, ethnic cultural values, or religious/sacred uses. Although unlikely, the site may potentially yield archeological or historical resources and would be subject to the provisions outlined in (b) below.
- b) **Less than Significant Impact.** It is not anticipated that any human remains will be encountered during construction of the proposed project because the site and surrounding area have been previously disturbed to accommodate development. However, should any previously unidentified or unanticipated human remains be discovered during project construction, the City of Elk Grove requires mitigation consistent with General Plan Archaeological and Paleontological Policy HR-6-Action 2. In addition, the proposed project would be subject to State law regarding the discovery and disturbance of human remains. California State Law requires that if cultural resources are encountered work shall stop immediately and the City's Environmental Coordinator shall be contacted who will coordinate an investigation of the find with appropriate specialists if needed. In addition, should any human remains be discovered at any time, all work shall be halted 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. Therefore, impacts to human remains are considered less than significant.
- c) **No Impact.** No paleontological resources are known or suspected and no unique geologic features exist within the project area.

- d) **Less than Significant Impact.** No human remains are known or anticipated to exist in the project area. However, in the event human remains are discovered during development of the project, Mitigation Measure MM V-1 of the General Plan EIR would reduce impacts to less than significant.

**VI. GEOLOGY AND SOILS**

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                |  |                                     |                                     |
| 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

a.i) **No Impact.** The Elk Grove General Plan references studies by the California Division of Mines and Geology, which indicate that no major active faults transect San Joaquin or Sacramento County. Elk Grove is not within an Alquist-Priolo Earthquake Fault Zone. Therefore, no impact associated with fault rupture is expected to occur relative to the proposed project.

- a.ii) **Less Than Significant Impact.** Although there are no known active earthquake faults in the project area, the site could be subject to some ground shaking from regional faults. The Uniform Building Code contains applicable construction regulations for earthquake safety that would assure minimal impacts. Therefore, seismic-related impacts are expected to be less than significant.
- a.iii,a.iv,c,-d) **No Impact.** According to the Sacramento County Soil Survey, on-site soils are generally San Joaquin silt loam, which is not considered expansive. Furthermore, the project site has been graded and is level. It is unlikely that the project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction, subsidence, or lateral spreading. Therefore, no impact is expected.
- e) **Less than Significant Impact.** The project would not result in substantial soil erosion or the loss of topsoil from the project site. The site is relatively flat and would not require substantial cut and fill resulting in erosion and loss of top soil. Therefore, this impact is considered less than significant.
- f) **No Impact.** Development in this area is served by municipal wastewater. No septic sewer systems are proposed to serve the project. Therefore, no impact would occur.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

| <b>Would the project:</b>  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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) **Less than Significant Impact.** The project would involve the transport, use or disposal of negligible amounts of hazardous materials associated with operations and maintenance of

the facility. Therefore, impacts associated with hazardous materials are considered less than significant.

- b) **Less Than Significant Impact.** Construction of the proposed project would involve the use of heavy equipment, which would use small amounts of oils and fuels and other potentially flammable substances typically associated with construction activities. The Contractor would be required to identify a staging area for storing materials and equipment to reduce noise, hazard and aesthetic impacts on the adjacent residential land uses. The proposed project would not, however, result in a significant risk of explosion or accidental release of hazardous substances. Therefore, this would be considered a less than significant impact.
- c) **No Impact.** The project site is not located within one-quarter mile of an existing school. The closest school is over ½ mile from the project site. Normal construction techniques and materials would be used and negligible amounts of hazardous materials would be used and/or removed from the site. Chemicals for operations and maintenance would be used following construction. However, none of these materials are considered acutely hazardous. Therefore, no impact would occur in association with handling of hazardous materials.
- d) **No Impact.** The project is not located on a site that is included on a list of hazardous materials sites compiled by the Sacramento County Environmental Department-Hazardous Materials pursuant to Government Code 65962.5. The proposed project would not expose people to existing sources of potential health hazards. Therefore, no impact would occur.
- e-f) **No Impact.** The project is not within two miles of a public airport, and is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents. No impact would occur.
- g) **No Impact.** The project would not interfere with any adopted emergency response or evacuation plans. Therefore, no impact would occur.
- h) **No Impact.** The project site is surrounded by urban development including commercial and office uses. Therefore, the project would not expose people or structures at risk due to wildland fires. No impact would occur.

**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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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**

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                      |  |                                    |                                     |
| 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 & e) **Less than Significant Impact.** The proposed project would add approximately 5-acres of commercial uses to the City of Elk Grove. This would result in a slight increase the amount of impervious surface in the area by adding structures, asphalt and concrete to a lot previously developed with a single-family residence. The additional water drainage from this project would not have a significant impact on water quality or discharge pollutants into the water system or result in violations of existing requirements. The project would be required to meet all applicable water quality standards or waste discharge requirements thereby avoiding violation of such standards or requirements. Therefore, this impact is considered less than significant.

b) **Less than Significant Impact.** Development of the site would incrementally add to groundwater consumption. The project site is not within a groundwater recharge area. Water uses associated with development would include irrigation for landscaping, restroom facilities, and site maintenance. As a commercial use, the project would not involve heavy consumption of water and would not have a significant impact upon water depletion. The project would be required to connect to the public water provider in the area. As such, project specific and cumulative impacts of the proposed project upon the depletion of groundwater or interference with recharge in the vicinity of the project would be considered less than significant.

c,d,e,f) **Less than Significant Impact.** The project has the potential to change absorption rates, drainage patterns, and the rate and amount of surface runoff. The amount of additional impervious surface is not predicted to result in flooding on- or off-site. The site would be graded and improved so that drainage is conveyed to a municipal drainage system. No on-site storage is proposed. The project would not cause substantial additional sources of polluted runoff, cause erosion or siltation on- or off-site, or otherwise substantially degrade water quality.

g,h) **No Impact.** The project is not located within a 100-year floodplain as designated by the Federal Emergency Management Agency, nor is any residential housing proposed. Therefore, no impact would occur.

i) **No Impact.** The project site is not located immediately down stream of a dam or adjacent to a levee that would expose individuals to the risk from flooding. Therefore, no impact would occur.

- j) **No Impact.** The project area is not located near any large bodies of water that would pose a seiche or tsunami hazard. Also, the project is not near any physical or geologic features that would pose a mudflow hazard. Therefore, no impact would occur.

**IX. LAND USE AND PLANNING**

| <b>Would the project:</b>   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <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 checked="" type="checkbox"/> | <input 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 proposed project would develop approximately 5 acres designated in the General Plan as Commercial. The project would be consistent with the surrounding development pattern and would not physically divide any established neighborhoods. Therefore, no impact would occur.
- b) **Less Than Significant Impact.** The project is proposing a re-zone to change the site's current zoning from SPA (MP/BP) to SPA (RW-SC) (Parcels A-C) and AR-5 to SC (Parcel D). The proposed rezone would be consistent with commercial use designations in the General Plan. Therefore, this impact is considered less than significant.
- c) **No Impact.** No habitat conservation plans or natural community conservation plans apply to the project area. Therefore, no impact would occur.

**X. MINERAL RESOURCES**

| <b>Would the project:</b>   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <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.** No significant mineral resources have been identified in the project area, the General Plan or other land use plan within the vicinity of the project. Furthermore, the surrounding area has been developed. Therefore, no impact to mineral resources would occur.

| <b>XI. NOISE</b>  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project result in:</b>   |                                      |  |                                     |                          |
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

- a) **Less Than Significant Impact.** Most construction equipment likely to be used on the site typically generates noise levels of 80-90 dBA at a distance of 50 feet. The impacts of construction noise are short-term and limited to the construction hours established by the City Code. The Zoning Code additionally addresses those parts of the project (trash compactors and loading docks) that would have the possibility to generate nuisance noise upon the adjoining land uses and provides distance requirements and maximum sound levels. Utilizing best management practices and applying the Zoning Code standards would reduce this impact to a less than significant level.
- b) **Less Than Significant Impact.** Potential vibration may occur during construction of the project. However, this is not expected to be significant and would have a short-term effect on the residents in near proximity of the project site. In addition, potential impacts would be reduced to a less than significant level by implementing best management construction practices.

- c) **Less Than Significant Impact.** The proposed commercial use would slightly increase overall ambient noise within the immediate area. The project site is located at the intersection of Dunisch Road and West Stockton Boulevard, which is a major contributor to ambient noise in the vicinity of the project site. Therefore, increases in ambient noise are considered less than significant.
- d) **Less Than Significant Impact.** See comments to section XI.a) above.
- e-f) **Less than Significant Impact.** There are no private airstrips in the immediate area of the project site. Therefore, exposure to excessive noise associated with airport operations is considered less than significant.

**XII. POPULATION AND HOUSING**

| <b>Would the project:</b>   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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) **Less Than Significant Impact.** Construction of the proposed project and related infrastructure would not significantly alter the location, distribution, or density of the intended population forecasted in the Elk Grove General Plan.
- b) **No Impact.** Development and operation of the proposed project would not displace any existing housing. No impact would occur.
- c) **No Impact.** See b) above.

**XIII. PUBLIC SERVICES**

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

**Would the project result in:**

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

|                             |                          |                          |                                     |                                     |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion/Conclusion/Mitigation:**

- a) **Less Than Significant Impact.** The project site is located in the Elk Grove Community Services District Fire Department service area. The project would be required to comply with the requirements of the Elk Grove Community Services District (EGCSD) Fire Department regarding access, water mains, fire flow, brush clearance and hydrants and would result in a less than significant impact on fire protection services. Increased demands for fire service are funded through property taxes and development fees. The proposed project would increase property taxes and thereby the amount of funding available for fire services. In addition, the payment of development fees would reduce potential impacts to fire protection to a less than significant level. The EGCSD Fire Department provides fire protection services for the City of Elk Grove and is one component of the Fee Program. Payment of fees and increases in revenues from property taxes would be sufficient to mitigate impacts to fire protection to less than significant. Therefore, this impact is considered less than significant.
- b) **Less than Significant Impact.** The project site is located within the service area of the City of Elk Grove Police Department. Police protection is provided through a contract with the Sacramento County Sheriff's Department (SCSD). Additional funding to accommodate growth would be provided through Sacramento County tax revenues and building impact fees which contribute to the cost of new personnel and facilities. Therefore, impacts to police protection would be less than significant.
- c) **Less Than Significant Impact.** The commercial development proposed would be required to pay current statutory development fees associated with commercial construction at the time of issuance of each building permit. The payment of such fees would reduce the potential impacts to school facilities to less than significant levels.

- d) **No Impact.** The project does not include a residential component which would result in increased demand for parks. Therefore, no impact would occur.
- e) **Less than Significant Impact.** The project would not create any significant impacts to the service levels of any other public service providers.

**XIV. RECREATION**

| <b>Would the project:</b>  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>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 does not include nor would it require the construction of additional recreational facilities. Furthermore, because the project is commercial, it would not significantly increase the use of existing recreational facilities. Therefore, no impact to recreational facilities would occur.

**XV. TRANSPORTATION/TRAFFIC**

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/>                | <input 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 checked="" type="checkbox"/>                | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion/Conclusion/Mitigation:**

The proposed project is consistent with the City's General Plan. Impacts to local roadways from implementation of the General Plan were considered in the Environmental Impact Report prepared and certified for the General Plan in 2003. Additional traffic impacts were addressed in a Supplemental EIR prepared for a General Plan Amendment in 2004. In approving the 2003 General Plan and the 2004 General Plan Amendment, the City of Elk Grove made findings regarding significant and unavoidable impacts to local roadways. However, in May 2007, Fehr and Peers Transportation Consultants performed a project specific Transportation Impact Study to determine the proposed project's potential impacts on local intersections, which were not covered by the previously certified EIR and Supplemental EIR. The findings of the Transportation Impact Study are presented below and a complete copy of the study may be obtained at the City of Elk Grove's Planning Department.

a,b) **Less Than Significant Impact With Mitigation Incorporated.** The proposed project is consistent with the Elk Grove General Plan and previous approvals. However, the Transportation Impact Study determined that the intersection of West Stockton Boulevard

and Laguna Boulevard would operate unacceptably at LOS E during both the PM and Saturday noon peak hours under existing plus project conditions due to the constrained capacity. Furthermore, the intersection of West Stockton Boulevard and Laguna Gateway would operate at an unacceptable LOS F during Saturday noon peak hours. The following mitigation measures are recommended in the Transportation Impact Study to reduce these impacts to a less than significant level.

**Mitigation Measure 5 (Transportation)**

The applicant shall reconfigure and improve the intersection of Laguna Gateway/West Stockton Boulevard as follows:

- Northbound approach leg of Laguna Springs Drive
  - Restripe the outside through lane to through/right-turn lane
- Southbound approach leg of West Stockton Boulevard:
  - Extend the second left-turn lane to the first driveway north of Laguna Boulevard

All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works.

*Timing/Implementation:* Prior to Final Map  
*Enforcement/Monitoring:* City of Elk Grove Public Works Department

**Mitigation Measure 6 (Transportation)**

The applicant shall reconfigure and improve the intersection of Laguna Gateway/West Stockton Boulevard, as shown in the traffic study:

- West leg of Laguna Gateway:
  - Widen westbound to 2 lanes.
- Northbound approach leg of West Stockton Blvd:
  - Restripe the inside through lane to left-turn lane. Modify the markings on West Stockton Boulevard just north of the intersection to merge from the left lane.
- Signal Modification:
  - Modify the signal timing at the intersection to ensure acceptable operation on the public roadway.

All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works.

*Timing/Implementation:* Prior to Final Map  
*Enforcement/Monitoring:* City of Elk Grove Public Works Department

**Mitigation Measure 7(Transportation)**

The applicant shall pay a fair share for the:

- Design and construction of an exclusive right-turn lane from SR-99 southbound off-ramp intersection (westbound approach leg of Laguna Boulevard at West Stockton Boulevard.

- Restripe the existing right-turn lane to a through lane for the westbound approach leg of Laguna Blvd / West Stockton Blvd / Laguna Springs Drive.

Timing/Implementation: Prior to Final Map  
Enforcement/Monitoring: City of Elk Grove Public Works Department

- c) **No Impact.** The project does not affect any air traffic patterns. Therefore, no impact would occur.
- d) **Less Than Significant Impact.** The surrounding area is substantially improved and site visibility is adequate. The project would not create a hazard for pedestrian or vehicular traffic with adherence to established Public Works standards. The project will be sufficiently conditioned to avoid dangerous design features. This impact is less than significant.
- e) **Less Than Significant Impact.** The Elk Grove Community Service District Fire Department would require the project to comply with current fire regulations, including adequate emergency access. Therefore, this impact is considered less than significant.
- f) **No Impact.** The proposed project would provide parking facilities on-site in accordance with the commercial parking standards specified in the City Zoning Code. No impact is anticipated.
- g) **Less Than Significant Impact.** The proposed project provides on-site bike racks, and transit stops. The proposed project would not conflict with policies, plans or programs supporting alternative transportation. Therefore, this impact is considered less than significant.

**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 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 type="checkbox"/>            | <input checked="" 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,b) **Less Than Significant Impact.** The project is located in an area with existing wastewater infrastructure and there is adequate capacity at the City's wastewater treatment plant. As a result, the project would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c) **Less Than Significant Impact.** The project would connect to existing off-site infrastructure and construct water and wastewater conveyance lines to serve the proposed project. Construction would not result in significant environmental impacts. Therefore, construction of new stormwater facilities is considered less than significant.

- d) **No Impact.** The Zone 40 Master Plan was developed based on the land use densities for the Sacramento County General Plan. The Master Plan indicates that there are sufficient water supplies available for these designations. Therefore, water supplies would be adequate to meet the needs of the project and no impact would occur.
- e) **No Impact.** Wastewater service would be provided by CSD-1. The project site is currently developed with a single-family residence and is served by CSD-1. The Sacramento Regional Wastewater Treatment Plant (SRWTP) has adequate capacity to serve growth based on regional population estimates. As current capacity would be adequate to handle the proposed project, additional treatment plant capacity would not be required in association with the proposed project. Therefore, no impact to wastewater treatment capacity would occur.
- f-g) **No Impact.** The existing landfill would adequately accommodate the additional development. In addition, the project would comply with all solid waste regulations as implemented and enforced by the City of Elk Grove. Therefore, no impact would occur in association with solid waste disposal and landfill capacity.

**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 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 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 Impact.** The proposed project would not 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 because project components would be constructed on areas that are not identified as sensitive.

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

b) **Less Than Significant Impact.** The Rezone of the project site is consistent with the General Plan's commercial designation of the project site and with mitigation measures that would mitigate any potential impacts to less than significant levels, the project would not result in any cumulatively considerable impacts.

- c) **Less Than Significant.** Based on the analysis provided in this Initial Study, less than significant impacts to human beings would result from the proposed project. Potential air quality impacts, biological impacts, and Transportation impacts would be mitigated through standards, codes and design guidelines, and mitigation measures. As the project would be required to comply with these measures, the project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

**REFERENCES:**

- City of Elk Grove General Plan, November, 2003.
- City of Elk Grove General Plan Draft EIR (SCH #2002062082 August 2003).
- Elk Grove Incorporation Draft EIR (SCH #980420022 October 1998).
- City of Elk Grove Zoning Code, July 2000.