

5.1 INTRODUCTION

This Section includes minor edits to the DEIR. These modifications resulted in response to comments received during the DEIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strike out~~ for deleted text), and are organized by section of the DEIR.

5.2 CHANGES AND EDITS TO THE DEIR

TABLE OF CONTENTS

The following revisions are made to page ii, Table of Contents, of the DEIR:

"APPENDICES

Appendix A - Notice of Preparation/Initial Study and Responses to Notice of Preparation

Appendix B - Noise Data

Appendix C - ~~URBEMIS 2001 Output~~ AQ-15 Plan

Appendix D - ~~AQ-15 Plan~~ URBEMIS 2002 Output

Appendix E - Drainage and Water Quality for Sterling Meadows

Appendix F - Water Service for Sterling Meadows

Appendix G - Wastewater for Sterling Meadows"

2.0 EXECUTIVE SUMMARY

Section 2.0 of the DEIR has been updated to reflect the changes identified below and is included in this FEIR as Section 2.0, Executive Summary.

3.0 PROJECT DESCRIPTION

The following revision is made to page 3-5, Water Supply second paragraph, of the DEIR:

"Water service is not currently available to the project site. ~~The closest available public water infrastructure is a 14-inch transmission main located within Grant Line Road approximately 3,000 feet east of the project site.~~ Since the proposed project will not be immediately adjacent to the existing SCWA water system, it has two options available for provision of water service: 1) connect to the proposed Laguna Ridge water system (Alternative A); or 2) develop its own water system (Alternative B) (**Figure 3.0-13**)."

The following edits are made to pages 3-5 and 3-6 of the DEIR:

5.0 ERRATA

“Water Supply

Alternative A would provide water service through the facilities identified in the Water Master Plan from the approved Laguna Ridge Specific Plan. Alternative A would employ a conjunctive use program of: 1) treated surface water; and 2) ground water treated and stored at the proposed Laguna Ridge Water Treatment Plant. The project would have two options for receiving water service. The first option (A-1) would connect via a proposed 20-inch main in Lotz Parkway and utilize the Laguna Ridge Specific Plan system (which includes the Big Horn Water Treatment Plant and Laguna Ridge Water Treatment Plant) (Figure 3.0-13). If the Laguna Ridge Specific Plan system is not constructed in time to serve the proposed project, the second option (A-2) for water supply would be constructing a 20-inch main in Poppy Ridge Road which would then extend south to the project in Lotz Parkway (Figure 3.0-14). The pipeline would connect the proposed project's water system to the Poppy Ridge Water Treatment Plant. Water for the project would be supplied from the existing system until the Laguna Ridge and Big Horn Water Treatment Plants are constructed. If this scenario were to occur, both options maybe interconnected in the future. Both options require off-site construction along future Lotz Parkway from the northwest corner of the project site. If this off-site right-of-way cannot be acquired, an optional T-main alignment that extends out to West Stockton Boulevard and south to the project site is available within existing rights-of-way.

If the proposed project is initially served from a single point of connection to the Laguna Ridge system, the water supply must include two emergency/redundant wells with an interim connection directly to the Sterling Meadows distribution system (Figure 3.0-1415). Both Alternatives A-1 and A-2 would require the project developer to identify and reserve, per the California Government Code, two well sites approved by SCWA prior to the approval of a tentative subdivision map. Alternative B assumes that the proposed project's developer would choose to proceed in advance of the construction of the Laguna Ridge Specific Plan water facilities.

Under Alternative B, water supply would be provided from wells and a groundwater treatment and storage facility constructed at Sterling Meadows via 1) a water system that would supply only the proposed project (Alternative B₋₁) (Figure 3.0-15); or 2) a water system that would ultimately supply both Sterling Meadows and the approved Lent Ranch Marketplace (Alternative B₋₂) (Figures 3.0-13 and 3.0-15). Alternative B₋₁ would require construction of two wells, treatment for two wells, two 400,000 gallon storage tanks, and a pump station. Alternative B₋₂ involves development of a water supply project to serve both Sterling Meadows and Lent Ranch Marketplace. Alternative B₋₂ would require construction of two wells, treatment of two wells, two 1 million gallon storage tanks, and a pump station. A third well supplying raw water to the treatment facility would be constructed on the Lent Ranch Marketplace site. Further discussion and details are provided in Section 4.12 (Public Services and Utilities).”

4.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

On page 4.0-8 of the DEIR, the following revisions are made in the “Name of Project” column of Table 4.0-1:

“Airport Meadowview/ South Sacramento Area Community Plan Update – includes Sunnyside Meadows, Village Meadows, Delta Shores Village PUD, City Farms, Fruitridge Manor, Glen Elder, Elder Creek, Franklin Villa, Southgate, Valley Hi and Florin Perkins industrial area bounded by Fruitridge to the north, Freeport Boulevard to the west, the City of Sacramento limits to the south and Sheldon Road to the south, and SR 99 to the east.”

Page 4.0-8, the following revisions have been made in the "Location" column of Table 4.0-1.

"City of Sacramento: Joining of the Airport Meadowview Community Plan and South Sacramento Area Community Plan areas, north of the Sacramento Regional Wastewater Treatment Plant."

4.2 AGRICULTURAL RESOURCES

The following revisions are made to mitigation measure MM 4.2.1 on page 4.2-10 and 4.2-11 of the DEIR:

- "MM 4.2.1** The applicant shall protect one acre of existing farmland or land of equal or higher quality for each acre of Prime Farmland, (200 acres) Unique Farmland or Farmland of Statewide Importance that would be developed as a result of the project. This protection may consist of the establishment of a farmland conservation easement, farmland deed restriction or other appropriate farmland conservation mechanism that ensures the preservation of that land from conversion in perpetuity, but may also be utilized for compatible wildlife habitat conservation efforts (e.g., Swainson's hawk foraging habitat mitigation). The farmland/wildlife habitat land to be preserved shall be located within Sacramento County, outside the City of Elk Grove city limits, bounded by Hood-Franklin Road, Kammerer Road, Grant Line Road and the Jackson Highway, by Dillard Road and Clay Station Road, by the Sacramento County line, and by the Sacramento River, and must have adequate water supply to support agricultural use. In deciding whether to approve the land proposed for preservation by the Project applicant, the City shall consider the benefits of preserving farmlands in proximity to other protected lands. The preservation of off-site farmland may be done at one time, prior to the City's approval of the project's first grading permit, or may be done in increments with the build-out of the project, with preservation occurring prior to each grading permit approval. Grading plans shall include the acreage and type of farmland impacted. In addition, the City shall impose the following minimum conservation easement content standards:
- a) All owners of the agricultural/wildlife habitat mitigation land shall execute the document encumbering the land.
 - b) The document shall be recordable and contain an accurate legal description of the agricultural/wildlife habitat mitigation land.
 - c) The document shall prohibit any activity which substantially impairs or diminishes the agricultural productivity of the land. If the conservation easement is also proposed for wildlife habitat mitigation purposes, the document shall also prohibit any activity which substantially impairs or diminishes the wildlife habitat suitability of the land.
 - d) The document shall protect any existing water rights necessary to maintain agricultural uses on the land covered by the document, and retain such water rights for ongoing use on the agricultural/wildlife habitat mitigation land.
 - e) Interests in agricultural/habitat mitigation land shall be held in trust by an entity acceptable to the City and/or by the City. The entity shall not sell,

lease, or convey any interest in agricultural/wildlife habitat mitigation land which it shall acquire without the prior written approval of the City.

- f) The applicant shall pay to the City an agricultural/wildlife habitat mitigation monitoring fee to cover the costs of administering, monitoring and enforcing the document in an amount determined by the receiving entity, not to exceed 10% of the easement price paid by the applicant, or a different amount approved by the City Council, not to exceed 15% of the easement price paid by the applicant.
- g) The City shall be named a beneficiary under any document conveying the interest in the agricultural/wildlife habitat mitigation land to an entity acceptable to the City.
- h) If any qualifying entity owning an interest in agricultural/wildlife habitat mitigation land ceases to exist, the duty to hold, administer, monitor and enforce the interest shall be transferred to another entity acceptable to the City.
- i) Before committing to the preservation of any particular farmland pursuant to this measure, the Project proponent shall obtain the City's approval of the farmland proposed for preservation.

Timing/Implementation: *Prior to the issuance of grading permits.*

Enforcement/Monitoring: *City of Elk Grove Development Services – Planning”*

The following revisions are made to mitigation measure MM 4.2.2a on page 4.2-14 of the DEIR:

“MM 4.2.2a All of the landscape corridors directly located between existing agricultural operations or agriculturally zoned properties and the project area shall be fully improved and functional prior to the occupancy of any residence that adjoins the subject corridor.

Timing/Implementation: *Prior to issuance of occupancy permits.*

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

The following edits are made to mitigation measure MM 4.2.2b on page 4.2-15 of the DEIR:

“MM 4.2.2b The project proponent shall ensure that a disclosure statement ~~shall be recorded against the property~~ provided to all prospective buyers of the properties regarding nearby agricultural activities, including notice of the Right to Farm Ordinance, against the property. This disclosure statement and notice shall be provided to all prospective buyers of properties within the Sterling Meadows project notifying such persons that the property may be affected by nearby agricultural uses, including agricultural chemical usage, agricultural odors and agriculture-related noise resulting from existing and future agricultural-related activities. A signed and notarized Affidavit of Compliance of the ~~The~~ disclosure statement requirement shall be reviewed and approved by the City of Elk Grove Community Development Department - Planning prior to recordation. of Final Map. Notes shall be

included on the Final Map as “Agricultural properties and uses surrounding this property may continue in perpetuity, subject to the provisions of the city’s adopted Right-to-farm ordinance.” “A disclosure statement will be provided to all potential buyers prior to the sale of lots”.

Timing/Implementation: Prior to Final Map approval and pPrior to the sale to prospective buyers. Notes shall be included on the final map.

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

4.5 TRAFFIC AND CIRCULATION

The following revisions are made to mitigation measure MM 4.5.2 on page 4.5-16 of the DEIR:

“MM 4.5.2 Prior to approval of improvement plans for the Sterling Meadows project, the ultimate improvements to the Grant Line Road/SR 99 Interchange Reconstruction Project shall be constructed and operational.

Timing/Implementation: Prior to the approval of improvement plans for the project, or, if applicable, for each phase of the project.

Enforcement/Monitoring: City of Elk Grove Development Services = Planning and Public Works Departments.”

The following revisions are made to Impact 4.5.3 on page 4.5-17 of the DEIR:

“Impact 4.5.3 The proposed project has the potential to develop without adequate traffic controls at intersections~~would provide adequate connections for vehicular, pedestrian, and alternative modes of travel to facilitate travel to and from the site.~~ Impacts regarding site access and internal circulation are considered **potentially significant.**

The following revisions are made to mitigation measure MM 4.5.3 on page 4.5-17 of the DEIR:

MM 4.5.3 Prior to approval of improvement plans for the project, or for each phase of the project if it develops in phases, the project applicant shall submit an evaluation of the need for traffic signals at intersections within the project site to the City of Elk Grove Development Services for review and approval. The project applicant shall construct traffic signals at all intersections within or immediately adjacent the project site, such as the intersection of Lotz Parkway with Kammerer Road, where signalization is warranted and deemed necessary by the City.

Timing/Implementation: Prior to the approval of improvement plans for the project, or, if applicable, for each phase of the project.

Enforcement/Monitoring: City of Elk Grove Development Services - Public Works.

5.0 ERRATA

The following revisions are made to Impact 4.5.4 on page 4.5-18 and 4.5-19 of the DEIR:

“Public Transit Impact

Impact 4.5.4 The proposed project would contribute to demand on the regional transit system and would be required to fund its fair-share of increased demand for transit facilities through the City's Development Impact Fee Program. This is considered a **less than significant** impact.

The City's General Plan Policy CI-9 requires that the City assess fees on new development for the project's fair share contribution to impacts on the regional transit system. Development of the proposed project would result in the need for an additional bus stop to serve project residents. The project would be required to develop a facilities financing plan approved by the City prior to the start of project construction. Additionally, the City's General Plan Policy CI-9-Action 2 requires irrevocable offers of dedication of rights-of-way and light rail station sites along the City's preferred light rail alignment. As discussed previously, the City had identified a conceptual light rail alignment through the site. ~~The project would be required to make any necessary offers of dedication (as determined by the City and Sacramento Regional Transit) prior to approval of the tentative map. This is a significant impact. Subsequent to the publication of the Draft EIR, the conceptual light rail alignment has been moved and no longer runs through or adjacent to this project. The project would be subject to the Elk Grove Capital Facilities Fee Program which will cover the project's fair-share of costs associated with bus and rapid transit facilities. This impact is considered less than significant.~~

Mitigation Measure

None required.

~~**MM 4.5.4** Prior to approval of the tentative map, the project applicant shall dedicate rights of way and station sites for the desired light rail route through to the proposed project in consultation with the City of Elk Grove Development Services Department, Transportation Division and Sacramento Regional Transit.~~

~~Timing/Implementation: Prior to approval of the tentative map~~

~~Enforcement/Monitoring: City of Elk Grove Development Services Department/Sacramento Regional Transit~~

~~Implementation of MM 4.5.3a and MM 4.5.3b would reduce impacts to public transit to **less than significant**. Impacts associated with development of a light rail line through the project site would include short term air quality, noise, and traffic impacts related to construction and long-term noise impacts associated with operation of the light rail line."~~

The following revisions are made to pages 4.5-20 through 4.5-25 of the DEIR:

“Cumulative Traffic Impacts on Local Roadways and State Highways

Impact 4.5.5 Implementation of the proposed General Plan as well as potential development within the City and adjacent areas would have a less than cumulatively considerable contribution to significant impacts on local

roadways and state highways under cumulative conditions. This is considered a **cumulative significant** impact.

Under cumulative conditions, implementation of the proposed project would cause the following roadway segments to worsen from LOS C to D under cumulative conditions: Lotz Parkway from Poppy Ridge Road to Whitelock Parkway and Bilby Road between the project site and Promenade Parkway. These facilities would continue to operate acceptably under cumulative conditions. The project would not cause the LOS to worsen at any other study roadway segments. Therefore, the proposed project would have a **less than cumulatively considerable contribution** to impacts associated with roadway segment operations under cumulative conditions. no new significant impacts to the study roadways were identified under cumulative conditions.

Development under the General Plan and regional growth expected by the year 2025 is expected to result in significant roadway impacts within the City and impacts to SR 99 as shown in **Tables 4.5-14 and 4.5-15**. Cumulative plus project daily traffic volumes are shown on **Figure 4.5-6**. **Figures 4.5-7 and 4.5-8** depict the AM and PM peak hour roadway segment operations projected with build out of the General Plan. Development of the Sterling Meadows site was anticipated to occur with the land uses identified for the South Pointe Policy Area, as identified in the General Plan and General Plan land use map, and these land uses were evaluated in the General Plan EIR and General Plan Amendment Subsequent EIR.

Additional development within the City, including the Sterling Meadows site, would further contribute to traffic impacts in the City. These projects would contribute to LOS impacts to Grant Line Road, Elk Grove Boulevard, and Interstate 5, as identified in the General Plan.

The project would contribute to the unacceptable operations of the following freeway segments, based on Caltrans' Concept LOS thresholds, under cumulative plus project conditions:

- I-5 Northbound — north of Hood Franklin Road,
- I-5 Southbound — north of Hood Franklin Road,
- I-5 Northbound — south of Hood Franklin Road,
- I-5 Southbound — south of Hood Franklin Road,
- I-5 Northbound — north of Elk Grove Boulevard, and
- I-5 Southbound — north of Elk Grove Boulevard.

**TABLE 4.5-14
 FREEWAY MAINLINE LEVEL OF SERVICE AND DENSITY — CUMULATIVE PLUS PROJECT CONDITIONS**

Freeway Mainline	Cumulative Plus Project Conditions			
	AM Peak		PM Peak	
	Density	LOS	Density	LOS
SR 99 Northbound (south of Elk Grove Blvd.)	28.1	D	24.0	E

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Freeway Mainline	Cumulative Plus Project Conditions			
	AM Peak		PM Peak	
	Density	LOS	Density	LOS
SR 99 Southbound (south of Elk Grove Blvd.)	18.7	C	29.2	D
SR 99 Northbound (north of Elk Grove Blvd.)	20.9	C	18.2	C
SR 99 Southbound (north of Elk Grove Blvd.)	13.6	B	22.0	C
SR 99 Northbound (south of Grant Line Rd.)	32.5	F	29.7	D
SR 99 Southbound (south of Grant Line Rd.)	21.8	C	27.7	D
I-5 Northbound (south of Hood Franklin Rd.)	22.5	C	35.8	E
I-5 Southbound (south of Hood Franklin Rd.)	29.0	D	35.1	E
I-5 Northbound (north of Hood Franklin Rd.)	>45.0	F ³	36.0	E
I-5 Southbound (north of Hood Franklin Rd.)	31.7	D	>45.0	F ³
I-5 Northbound (north of Elk Grove Blvd.)	36.2	E ²	29.9	D
I-5 Southbound (north of Elk Grove Blvd.)	21.0	C	37.0	F

Notes: ¹—Density in passenger cars per mile per lane.

²—Highway Capacity Manual (Transportation Research Board 2000).

³—Unstable Flow.

Source: Laguna Ridge Specific Plan Revised DEIR, 2003

TABLE 4.5-15
ARTERIAL ROADWAY LEVEL OF SERVICE – CUMULATIVE PLUS PROJECT CONDITIONS

Roadway Segment	Cumulative Plus Project Conditions			
	Lanes	Vol	V/C	LOS
Elk Grove Blvd. — I-5 to Franklin Blvd.	6	35,200	0.65	B
Elk Grove Blvd. — Franklin Blvd. to Bruceville Rd.	6	42,700	0.79	C
Elk Grove Blvd. — Bruceville Rd. to Auto Center Drive	6	58,400	1.08	F
Elk Grove Blvd. — E. Stockton Blvd. to Elk Grove Florin Rd.	4	53,100	1.48	F
Hood Franklin Rd. — I-5 to Franklin Blvd.	4	16,200	0.45	A
Kammerer Rd. — Bruceville Rd. to SR 99	4	26,700	0.74	C
Grant Line Rd. — SR 99 to Waterman Rd.	4	56,900	1.58	F
Franklin Blvd. — Hood Franklin Rd. to Bilby Rd.	2	8,400	0.47	A
Bruceville Rd. — Bilby Rd. to Poppy Ridge Rd.	4	15,400	0.43	A
Bruceville Rd. — Poppy Ridge Rd. to Elk Grove Blvd.	4	30,700	0.85	D
Poppy Ridge Rd. — Bruceville Rd. to W. Stockton Blvd.	4	15,600	0.43	A

Notes: —Bolted areas indicate project deficiency.

Analysis is performed for the roadway one way in each direction; the worst operation for the a.m. and p.m. peak hour is provided.

Source: Fehr & Peers, 2003

Development of the Sterling Meadows project would contribute to the unacceptable operation of the following roadways under the cumulative condition:

- Elk Grove Boulevard from Bruceville Road to Auto Center Drive,

- ~~Elk Grove Boulevard from East Stockton Boulevard to Elk Grove Florin Road and,~~
- ~~Grant Line Road from SR99 to Waterman Road.~~

~~These cumulative impacts to City roadway segment operations were addressed in the Elk Grove General Plan EIR (SCH# 2002062082) certified in November 2003 and the City of Elk Grove General Plan Amendment Subsequent EIR (SCH# 2002062082) certified in January 2005. The City Council of the City of Elk Grove adopted Findings of Fact and a Statement of Overriding Considerations for these significant cumulative impacts to roadway segments.~~

Mitigation Measures

No mitigation required. As part of the Sterling Meadows fees the project will contribute a traffic fee. The City's Roadway Facilities Fee is used to construct medians and internal lanes for all four and six lane facilities under the jurisdiction of the City of Elk Grove and would be used to reimburse the improvements required by this project and construct the roadways anticipated in the General Plan. The Roadway Facilities Fee does not include frontage or landscaping improvements.

~~However, as discussed in the General Plan EIR, there are no feasible mitigation measures to offset the impacts to the affected Elk Grove Boulevard segments as it is not feasible to widen the affected roadways to the width necessary to accommodate cumulative plus project traffic volumes, due to extensive residential and commercial development immediately adjacent to the roads as well as other physical and jurisdictional limitations cited in the Elk Grove General Plan EIR and the Elk Grove General Plan Findings of Fact and Statement of Overriding Considerations (Resolution 2003-216). Since Interstate 5 is under the jurisdiction of Caltrans, it is outside the City's jurisdiction to implement improvement to Interstate 5 that would mitigate this impact. Thus, the project's contribution to cumulative impacts is **significant and unavoidable**.~~

Cumulative Traffic Impacts on Study Intersections and Freeway Facilities

Impact 4.5.6 Implementation of the proposed project would not result in contribute to the significant degradation of study interchanges and freeway facilities under cumulative conditions. The project would have a less than cumulatively considerable contribution to this impact. ~~the Elk Grove Boulevard/Big Horn Boulevard intersection operations, Elk Grove Boulevard/SR 99 Southbound Ramps, Elk Grove Boulevard/East Stockton Boulevard, Elk Grove Boulevard/Franklin Boulevard, Elk Grove Boulevard/Bruceville Road, Hood-Franklin Road/I-5 Southbound Ramps, Hood-Franklin Road/I-5 Northbound Ramps, and Grant Line Road/West Stockton Boulevard intersections to unacceptable LOS conditions, resulting in a **cumulative significant** impact.~~

The proposed project would not degrade the LOS at any of the study intersections under cumulative conditions. Although the project would cause slight increases in delays at the six intersections projected to operate at LOS F, each increase was less than the five-second threshold for identifying significant impacts. Detailed results from the cumulative analysis are shown in **Table 4.5-14**.

Freeway facilities were analyzed under cumulative conditions and the analysis indicates that the project would not significantly change the LOS at freeway ramps under cumulative conditions (see **Tables 4.5-14** and **4.5-15**).

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Therefore, the proposed project would not have a **less than cumulatively considerable contribution** to cumulative study intersection and freeway facility operations.

Mitigation Measures

None required.

Intersection LOS at each location is presented in **Table 4.5-16** and peak hour traffic volumes and lane configurations for cumulative plus project conditions are shown on **Figure 4.5-9**.

TABLE 4.5-16
INTERSECTION LEVEL OF SERVICE - CUMULATIVE CONDITIONS

Intersection	Control	Cumulative Plus Project Conditions	
		AM	PM
1. Elk Grove Boulevard/I-5 Southbound Ramps	Side street Stop	0.0 (A)	0.0 (A)
2. Elk Grove Boulevard/I-5 Northbound Ramps	Side street Stop	12.1 (B)	27.5 (D)
3. Elk Grove Boulevard/Franklin Boulevard	Signalized	76.8 (E)	> 80.0 (F)
4. Elk Grove Boulevard/Bruceville Road	Signalized	> 80.0 (F)	> 80.0 (F)
5. Elk Grove Boulevard/Big Horn Boulevard	Signalized	> 80.0 (F)	> 80.0 (F)
6. Elk Grove Boulevard/SR 99 Southbound Ramps	Signalized	> 80.0 (F)	> 80.0 (F)
7. Elk Grove Boulevard/SR 99 Northbound Ramps	Signalized	32.3 (C)	8.2 (A)
8. Elk Grove Boulevard/East Stockton Boulevard	Signalized	> 80.0 (F)	45.4 (D)
9. Bilby Road/Franklin Boulevard	Side street Stop	25.2 (D)	19.4 (C)
10. Hood Franklin Road/I-5 Southbound Ramps	Side street Stop	18.4 (C)	> 50.0 (F)
11. Hood Franklin Road/I-5 Northbound Ramps	Side street Stop	14.2 (B)	> 50.0 (F)
12. Hood Franklin Road/Franklin Boulevard	Signalized	50.0 (D)	36.0 (D)
13. Kammerer Road/Bruceville Road	Signalized	28.4 (C)	21.7 (C)
14. Kammerer Road/West Stockton Boulevard	Signalized	> 80.0 (F)	> 80.0 (F)
15. Grant Line Road/East Stockton Boulevard	Signalized	49.1 (D)	40.3 (D)

Source: Laguna Ridge Specific Plan Revised DEIR, 2003

Notes: — Bolded areas indicate project deficiency.

The addition of project traffic would contribute to deficiencies at the following study intersections, as shown in **Table 4.5-16** based on the City's thresholds:

- Elk Grove Boulevard/Big Horn Boulevard (LOS F in both a.m. and p.m. peak hours)
- Elk Grove Boulevard/SR 99 Southbound Ramps (LOS F in both a.m. and p.m. peak hours)
- Elk Grove Boulevard/East Stockton Boulevard (LOS F in a.m. peak hour)

- ~~Elk Grove Boulevard/Franklin Boulevard (LOS E in a.m. peak hour and LOS F in the p.m. peak hour)~~
- ~~Elk Grove Boulevard/Bruceville Road (LOS F in both the a.m. and p.m. peak hour)~~
- ~~Hood Franklin Road/I-5 Southbound Ramps (LOS F in p.m. peak hour)~~
- ~~Hood Franklin Road/I-5 Northbound Ramps (LOS F in p.m. peak hour)~~
- ~~Kammerer Road/West Stockton Boulevard (LOS F in both the a.m. and p.m. peak hour)~~

Mitigation Measures

Elk Grove Boulevard/Big Horn Boulevard

~~**MM 4.5.6a** — The project applicant shall pay their fair share for the following lane configuration improvements at the Elk Grove Boulevard/Big Horn Boulevard intersection.~~

- ~~One right turn lane, two through lanes, and two left turn lanes on the northbound approach.~~
- ~~One right turn lane, two through lanes, and two left turn lanes on the southbound approach.~~
- ~~One right turn lane, three through lanes, and two left turn lanes on the eastbound approach.~~
- ~~One right turn lane, three through lanes, and two left turn lanes on the westbound approach.~~
- ~~Right turn overlap phasing on all approaches to the intersection, which would require modification of the existing signal equipment and signal phasing.~~

~~Timing/Implementation: — Prior to issuance of building permits~~

~~Enforcement/Monitoring: — City of Elk Grove Development Services.~~

~~With implementation of the above mitigation measures, operation of the Elk Grove Boulevard/Big Horn Boulevard intersection would be improved. However, LOS would be deficient under cumulative conditions and the impacts would remain **significant and unavoidable**.~~

Elk Grove Boulevard/Bruceville Road

~~**MM 4.5.6b** — The project applicant shall pay their fair share for the following lane configuration improvements at the Elk Grove Boulevard/Bruceville Road intersection.~~

- ~~One right turn lane on the westbound approach.~~

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~~Timing/Implementation: — Prior to issuance of building permits.~~

~~Enforcement/Monitoring: — City of Elk Grove Development Service~~

~~With implementation of the above mitigation measures, operation of the Elk Grove Boulevard/Bruceville Road intersections would be improved. However, LOS would be deficient under cumulative conditions and the impacts would remain **significant and unavoidable**.~~

~~Hood Franklin Road/I-5 Northbound Ramps and Hood Franklin Road/I-5 Southbound Ramps~~

~~**MM 4.5.6c** — The project applicant shall pay their fair share for the installation of a traffic signal and coordination of it with the Hood Franklin Road/I-5 Northbound Ramps intersection.~~

~~Timing/Implementation: — Prior to issuance of building permits.~~

~~Enforcement/Monitoring: — City of Elk Grove Development Services, Sacramento Count, and Caltrans~~

~~**MM 4.5.6d** — The project applicant shall pay their fair share for installation of a traffic signal and coordination of it with the Hood Franklin Road/I-5 Southbound Ramps intersection.~~

~~Timing/Implementation: — Prior to issuance of building permits.~~

~~Enforcement/Monitoring: — City of Elk Grove Development Services, Sacramento County, and Caltrans~~

~~Implementation of these improvements would provide LOS B and LOS C operation during the a.m. and p.m. peak hours, respectively. Implementation of this mitigation measure would reduce the impact to less than significant. However, this improvement is outside of the City's jurisdiction and, ultimately, timing and approval of this improvement would be the responsibility of Caltrans. Therefore, impacts to the Hood Franklin Road/I-5 Southbound Ramps and Hood Franklin Road/I-5 Northbound Ramps would be **significant and unavoidable**.~~

~~Grant Line Road/West Stockton Boulevard~~

~~This deficiency is due to limited capacity at the SR 99/Grant Line Road interchange. Implementation of mitigation measure MM 4.5.2 requires that reconstruction of the SR 99/Grant Line Road interchange improvements be completed prior to issuance of building permits for the project. Implementation of this measure would reduce the proposed project's impact to **less than significant**."~~

4.6 NOISE

The following revisions are made to mitigation measure MM 4.6.1a on pages 4.6-13 of the DEIR:

"MM 4.6.1a Site preparation and construction activities shall be limited to between the hours of 7:00 A.M. to 7:00 P.M. whenever such activity is adjacent to residential uses (Elk Grove General Plan Policy NO-3-Action 1). Construction equipment maintenance shall be limited to the same hours.

Timing/Implementation: Included as a note in all project construction plans and implemented during all construction phases of the project.

Enforcement/Monitoring: City of Elk Grove Development Services Department, Planning and Public Works Department."

The following revisions are made to the discussion under Impact 4.6.2 on pages 4.6-15 and 4.6-16 of the DEIR:

"Business/Professional and Commercial: Residential uses located near the proposed commercial land use could potentially create noise related land use conflicts. Due to the potential for adverse public reaction to noise impacts associated commercial uses in close proximity to residential uses, ~~this is considered a potentially significant impact.~~ Section 23.52.050 of the Zoning Code requires that commercial uses be screened from adjacent residential and agricultural zones by a masonry wall with a minimum height of six feet. Compliance with this requirement would reduce the impact to less than significant.

Mitigation Measures

MM 4.6.2a A six-foot high ~~solid~~ wall of solid masonry material shall be constructed between any park uses located adjacent to residential uses. The location of these walls shall be shown on improvement plans.

Timing/Implementation: Prior to approval of improvement plans.

Enforcement/Monitoring: City of Elk Grove Development Services = Planning and Public Works.

MM 4.6.2b A six-foot high ~~solid~~ wall of solid masonry material shall be constructed between multi-family uses and any adjacent single-family uses. The location of these walls shall be shown on improvement plans.

Timing/Implementation: Prior to approval of improvement plans.

Enforcement/Monitoring: City of Elk Grove Development Services = Planning and Public Works.

~~**MM 4.6.2c** An eight foot high solid wall shall be constructed between commercial uses and any adjacent residential uses. The location of these walls shall be shown on improvement plans.~~

~~*Timing/Implementation:* Prior to approval of improvement plans.~~

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

Implementation of the above mitigation measures would reduce these impacts to **less than significant.**"

The following revisions are made to page 4.6-17 of the DEIR:

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“Due to the presence of agricultural-related operations located on adjacent property ~~north~~, west and south of the Sterling Meadows site, and the potential noise generation associated with agricultural operations, there is a potential for residential uses to be exposed to noise levels in excess of Elk Grove General Plan standards. The potential for excessive noise exposure would be greatest if crop-dusting activities and intensive plowing or harvesting operations were to occur in close proximity to noise-sensitive areas developed within Sterling Meadows. Kammerer Road would provide an adequate buffer between the proposed project and agricultural uses to the south of the project site. However, there is the potential for the project to place residential uses in close proximity to agricultural lands west of the project site. This impact is considered a potentially significant impact.

Mitigation Measures

MM 4.6.4 The project applicant shall construct a ~~n~~ six (6) ~~eight (8)~~ foot high wall of solid masonry material to provide a noise buffer between the residential and adjacent agricultural uses. The wall shall be constructed where residential uses border adjacent agricultural land uses to the west ~~and north~~.

In lieu of constructing the solid masonry wall, the project developer may provide a 100-foot buffer between the residential and agricultural land use areas. Roadways between the residential uses and agricultural areas are considered part of the 100-foot buffer. Phasing the project and developing the residential areas 100 feet or more from the agricultural uses would provide this buffer. The solid masonry wall or buffer would not be required at the time that the adjacent property is no longer zoned for agricultural use.

Timing/Implementation: Prior to approval of Improvement Plans. Wall shall be constructed prior to issuance of building permits.

Enforcement/Monitoring: City of Elk Grove Development Services Department, Planning and Public Works."

The following revisions are made to mitigation measure MM 4.6.5 on pages 4.6-19 of the DEIR:

MM 4.6.5 To mitigate exposure to noise from surrounding roadways and internal uses, the project applicant shall construct a 6-foot high solid masonry wall along B Drive, a 7-foot high solid masonry wall along Lotz Parkway and an 8-foot high solid masonry wall along Kammerer Road. The location of these walls shall be shown on improvement plans.

Timing/Implementation: Prior to approval of improvement plans.

Enforcement/Monitoring: City of Elk Grove Development Services, Planning and Public Works.

4.7 AIR QUALITY

The following revisions are made to page 4.7-5, Table 4.7-3, second row, of the DEIR:

**“TABLE 4.7-3
PROJECT CONSISTENCY WITH GENERAL PLAN AIR QUALITY OBJECTIVES AND POLICIES**

General Plan Policies	Consistency With General Plan	Analysis
<p>Policy CAQ-27: The City shall promote energy conservation measures in new development to reduce on-site emissions and power plant emissions. The City shall seek to reduce the energy impacts from new residential and commercial projects through investigation and implementation of energy efficiency measures during all phases of design and development.</p>	Yes	The project would be required to incorporate energy conservation measures into all phases of design and development. Compliance with the City’s energy conservation requirements would result in consistency with this policy.
<p>Policy CAQ-30: All new development projects, which have the potential to result in substantial air quality impacts, shall incorporate design, construction, and/or operational features to result in a reduction in emissions equal to 15 percent compared to an “unmitigated baseline” project. An “unmitigated baseline project” is a development project, which is built and/or operated without the implementation of trip-reduction, energy conservation, or similar features, including any such features, which may be required by the Zoning Code or other applicable codes.</p>	Yes	An AQ-15 Plan has been prepared for the project and identifies design, construction and operational features to reduce the project’s emissions by 15 percent over “Existing Base” conditions. The project would be required to implement “Emission Reduction Measures” as required by mitigation measures in this section to reduce air related impacts; thereby, making it consistent with this General Plan policy. The AQ-15 Plan is included in Appendix D C.”

The following revisions are made to page 4.7-8 of the DEIR based on the URBEMIS-2002 modeling for the proposed project:

Impact 4.7.1 Construction activities associated with the development of the proposed project may emit pollutants equal or greater than five percent of the CAAQS and would exceed the threshold for could contribute to NO_x and PM₁₀ emissions. This would result in a **potentially significant** impact.

Construction activities such as excavation and grading operations, construction vehicle traffic and wind blowing over exposed soils would generate exhaust emissions and fugitive particulate matter emissions that would affect local air quality at various times during project construction. This is variable depending on the weather, soil conditions, the amount of activity taking place, and nature of dust control efforts. The dry climate of the area during the summer months creates a high potential for dust generation. Emissions from equipment used to grade and improve the site during project construction would result in ROC and NO_x emissions.

Daily emissions from each phase have been estimated using SMAQMD methodology and are shown in **Table 4.7-4**. These emissions are based on the worst-case assumption that construction would occur simultaneously for the residential and commercial components of the project. Emissions would not exceed the SMAQMD significance criterion of 85 pounds per day of NO_x. ~~However,~~ and construction activities are considered to have a potential to create a local nuisance and exceed the standard for PM₁₀

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**TABLE 4.7-4
CONSTRUCTION EMISSIONS (POUNDS PER DAY)**

ACTIVITY	ROG	NO _x	PM ₁₀
Grading Equipment	2.9	27.5	102.3
Construction Worker Trips	5.8	8.3	1.6
Stationary Equipment	0.3	0.3	-
Mobile Equipment	2.9	45.7	2.8
Asphalt Off-gassing	0.3	-	-
Total	12.2	81.5	106.7
Sacramento Metropolitan AQMD Threshold	N.A.	85	N.A.

Source: Donald Ballanti, 2002; SMAQMD Thresholds, 2005

**TABLE 4.7-4
CONSTRUCTION EMISSIONS (POUNDS PER DAY)**

Activity	ROG	NO _x	PM ₁₀
Fugitive Dust	=	=	100.00 ¹
Construction Worker Trips	0.32	0.38	0.03
Mobile Equipment	45.12	313.72	13.74
Total	45.44	314.10	113.77
Sacramento Metropolitan AQMD Threshold	N.A.	85	N.A.

Source: Donald Ballanti, 2002; SMAQMD Thresholds, 2005

The following revisions are made to pages 4.7-8 through 4.7-11 of the DEIR. The text of mitigation measures MM 4.7.1a through MM 4.7.1h is revised. Mitigation measure MM 4.7.1i is added and the text following the mitigation measure is revised:

“MM 4.7.1a The project applicant shall require that the contractor limit vehicle speed for onsite construction vehicles to 15 mph when winds exceed 20 miles per hour. This requirement shall be included as a note on the improvement plan submittal.

Timing/Implementation: During all grading and construction phases of the project. This measure shall be implemented during all grading and construction phases of the project and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Services; SMAQMD.

MM 4.7.1b The project applicant shall require that the contractors water all haul roads at least twice daily during construction activities. ~~This requirement shall be included as a note on the improvement plans.~~

Timing/Implementation: This measure shall be implemented During all grading and construction phases of the project and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Service; SMAQMD.

MM 4.7.1c Wash dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. This requirement shall be noted in project improvement plans.

Timing/Implementation: This measure shall be implemented dDuring all grading and construction phases of the project and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.

MM 4.7.1d The project applicant shall require that, when transporting materials by truck during construction activities, two feet of freeboard shall be maintained by the contractor, and that the materials are covered. ~~This requirement shall be noted in project improvement plans.~~

Timing/Implementation: This measure shall be implemented dDuring all grading and construction phases of the project and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Services; SMAQMD.

MM 4.7.1e Pave, apply water three times daily, or apply (non-stick) soil stabilizers on all unpaved access roads, parking areas and staging areas. ~~This requirement shall be noted in project improvement plans.~~

Timing/Implementation: This measure shall be implemented dDuring all grading and construction phases of the project and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Services and SMAQMD.

MM 4.7.1f The project shall provide a plan for approval by 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 applicant shall submit to SMAQMD 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 SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

Timing/Implementation: *Plan shall be submitted to SMAQMD for review and approval prior to approval of grading and improvement plans and shall be implemented during all grading and construction phases of the project.*

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

MM 4.7.1g

The project applicant shall ensure 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. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

Timing/Implementation: *Prior to issuance of grading permit and dDuring all grading and construction phases of the project.*

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

MM 4.7.1h

The project applicant shall require paved streets adjacent to construction sites to be washed or swept daily to remove accumulated dust. ~~This requirement shall be included as a note on the improvement plans.~~

Timing/Implementation: *This measure shall be implemented d*During all grading and construction phases of the project

and shall be included as a note on all project construction plans.

Enforcement/Monitoring: City of Elk Grove Development Services; SMAQMD.

MM 4.7.1i The project applicant shall be required to pay SMAQMD fees to mitigate NOx emissions. Fees shall be paid in accordance with SMAQMD calculations.

Timing/Implementation: Prior to issuance of grading permit.

Enforcement/Monitoring: City of Elk Grove Development Services; SMAQMD.

The text on page 4.7-11 following MM 4.7.1h has been revised as follows:

"As indicated in **Table 4.2-4**, the project is projected to emit approximately ~~74.7~~ 314.10 pounds/day of NOx during construction activities; therefore, it would ~~not~~ exceed SMAQMD's established threshold of 85 pounds/day for NOx and create a nuisance from dust emissions. Implementation of the above mitigation measures MM 4.7.1a through 4.7.1h would reduce the project's air quality construction impacts for nuisance conditions and NOx to **less than significant** levels."

Page 4.7-7 of the Sterling Meadows DEIR, last sentence of the second paragraph under "Construction and Operational Emissions" has been revised as follows:

"The URBEMIS-200~~1~~2 output is included in **Appendix CD.**"

The following revision is made to mitigation measures MM 4.7.2a and MM 4.7.2b on pages 4.7-11 and 4.7-12 of the DEIR:

MM 4.7.2a The project applicant shall ~~implement Emission Reduction Measures~~ update its Air Quality Plan to reflect the current project map. The Plan shall reflect current transit services and any revisions to the SMAQMD Land Use Emissions Reduction measures, such as those identified in its AQ-15 Plan, and to ensure the project's compliance with the General Plan policy CAQ-30. ~~The Emission Reduction Measures shall be evaluated and approved by the SMAQMD. The updated plan shall be submitted to the SMAQMD and the City of Elk Grove for approval.~~

Timing/Implementation: Prior to ~~recordation of final map or approval of improvement plans, whichever occurs first~~ Tentative Map approval. All measures shall be implemented during all phases of the project as required in the plan.

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

MM 4.7.2b The project applicant shall pay off-site in-lieu fees, as determined by SMAQMD, for operational air quality emissions in excess of the SMAQMD thresholds.

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Timing/Implementation: Prior to approval of improvement plans.

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

Page 4.7-11 of the DEIR is revised as follows based on the updated URBEMIS-2002 modeling for the proposed project:

“Impact 4.7.2 Project emissions from mobile and area sources during the operational phase exceed SMAQMD's significance threshold. This would result in a **potentially significant** impact.

The URBEMIS-2002 computer program was used to calculate emissions from mobile and area sources. Mobile sources were based on traffic trips obtained from the *Traffic Impact Study for South Pointe (aka Sterling Meadows) in Elk Grove* prepared by Fehr & Peers (2002). Total emissions of criteria pollutants associated with the project are shown in **Table 4.7-5** for the two ozone precursors (reactive organic gases and nitrogen oxides) and PM₁₀. The project's project emissions of ROG and NO_x exceed the SMAQMD's significance threshold of 65 pounds per day.

Based on this criterion, the project would have a significant impact on regional air quality.

**TABLE 4.7-5
PROJECT REGIONAL EMISSIONS IN POUNDS PER DAY**

Activity	ROG	NO _x
Vehicles	421.3 <u>111.10</u>	84.0 <u>127.52</u>
Area Sources	56.2 <u>97.73</u>	3.4 <u>13.48</u>
TOTAL	477.5 <u>208.83</u>	87.4 <u>141.00</u>
SMAQMD Thresholds	65.0	65.0

Source: Donald Ballanti, 2005”

The following revision is made to page 4.7-12 of the DEIR, following mitigation measure MM 4.7.2b:

“Implementation of General Plan Policy CAQ-30 would reduce project impacts by 15 percent. This would reduce estimated project regional emissions in **Table 4.7-5** to 177.5 ~~150~~ pounds per day for ROG and 119.85 ~~74.0~~ pounds per day for NO_x. This would not reduce impacts below the SMAQMD thresholds of significance for ozone precursors. Payment of off-site in-lieu fees as required under MM 4.7.2b would provide for off-site pollution reductions that would off-set the project's operational air quality emissions that exceed the SMAQMD thresholds. Therefore, project regional air quality impacts would be reduced to **less than significant.**”

4.8 HYDROLOGY AND WATER QUALITY

The following revision is made to mitigation measures MM 4.8.1 on pages 4.8-12 and 4.8-13 of the DEIR:

“MM 4.8.1 Prior to the issuance of grading permits, the project applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered through all phases of grading and project construction. The SWPPP shall

incorporate Best Management Practices (BMPs) which describe the site, erosion and sediment controls, means of waste disposal, control of postconstruction sediment and erosion control measures and maintenance responsibilities, water quality monitoring and reporting during storm events (which will be responsibility of the project applicant), corrective actions for identified water quality problems and non-storm water management controls. The SWPPP shall address spill prevention and include a countermeasure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. The measures included in the SWPPP shall ensure compliance with applicable regional, state and federal water quality standards. These measures shall be consistent with the City's Drainage Manual and Land Grading and Erosion Control Ordinance which may include (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) protecting downstream storm drainage facilities from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff; and (6) any other suitable measures. The SWPPP shall be submitted to the City for review. The applicant shall require all construction contractors to retain a copy of the approved SWPPP on each construction site.

Timing/Implementation: Prior to issuance of grading permits.

Enforcement/Monitoring: City of Elk Grove Development Services Department, Planning – and Public Works."

The following revision is made to mitigation measure MM 4.8.2d on page 4.8-15 of the DEIR:

"MM 4.8.2d The project applicant shall consult with the City when designing the proposed detention basin. The developer shall submit detention basin designs and proposed plantings for in and around the detention basin for review and approval by the City. Development of the detention basin shall be subject to BMPs identified in mitigation measure MM 4.8.1.

Timing/Implementation: Prior to issuance of grading permits or improvement plans.

Enforcement/Monitoring: City of Elk Grove Development Services Department, Planning; Public Works and RWQCB."

The following revisions are made to mitigation measure MM 4.8.4 on pages 4.8-17 and 4.8-18 of the DEIR:

"MM 4.8.4 Prior to the approval of improvement plans, the project applicant shall be required to demonstrate that permanent drainage facilities will adequately serve the project, or phase of the project, consistent with City standards. The project applicant shall demonstrate that increases in off-site flooding impacts will not result, and that the planned drainage facilities are either available or will be available upon site development. This demonstration may take the

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form of final plans and/or reports, which shall be reviewed and approved by the City. Interim storm drainage facilities shall be considered on a case-by-case basis to meet this mitigation measure.

Timing/Implementation: *Prior to the approval of improvement plans for each phase of the project.*

Enforcement/Monitoring: *City of Elk Grove Development Services Department, Public Works.*

4.10 BIOLOGICAL AND NATURAL RESOURCES

The following revisions are made to mitigation measures MM 4.10.4a through 4.10.4c on pages 4.10-17 through 4.10-18 of the DEIR:

“MM 4.10.4a If construction is proposed during the raptor breeding season (February–August), a focused survey for ground nesting raptors (including burrowing owls), migratory bird nests, and bat roosts shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests onsite. If active nests are found, no construction activities shall take place within 250 ~~500~~ feet of the nest until the young have fledged. This 250 ~~500~~-foot construction prohibition zone may be reduced based on consultation and approval by the CDFG. If no active nests are found during the focused survey, no further mitigation will be required.

Timing/Implementation: *Within thirty (30) days pPrior to construction activities during breeding season of February – August.*

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

MM 4.10.4b Within 30 days prior to the onset of construction activities outside of the breeding season (September–January), a qualified biologist shall conduct a burrow survey to determine if burrowing owls are present on the project site. If burrowing owls are observed on the site, measures shall be implemented to ensure that no owls or active burrows are inadvertently buried during construction. Such measures include: flagging the burrow and avoiding disturbance; securing and preserving suitable habitat offsite; passive relocation and/or active relocation to move owls from the site. All measures shall be determined by a qualified biologist and approved by the CDFG.

All burrowing owl surveys shall be conducted according to CDFG protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.

Timing/Implementation: Within thirty (30) days pPrior to construction activities during non-breeding season of September-January.

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

MM 4.10.4c

Pursuant to the MBTA and the California Fish and Game Code, if active songbird nests or active owl burrows are found within the survey area, clearing and construction shall be postponed or halted within a minimum of 250 feet ~~for owls and 100 feet for songbirds~~, or as determined by a qualified biologist to ensure disturbance to the nest will be minimized. Construction will not resume within the buffer until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The perimeter of the protected area shall be indicated by orange mesh temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist.

Timing/Implementation: Prior to construction activities ~~Thirty days prior to construction activities occurring between September 1 through January 31.~~

Enforcement/Monitoring: City of Elk Grove Development Services Planning.”

The following revisions are made to page 4.10-18 of the DEIR:

“Impact 4.10.5 Development of the proposed project could result in removal of sensitive vernal pool invertebrates habitat (including federally-listed species) ~~habitat~~ and may cause direct impacts to this species. This would be a **significant** impact.

Mitigation Measures

MM 4.10.5 The applicant can forego surveys required under A) and assume presence of listed vernal pool invertebrates in the appropriate water features on the site. Mitigation responsibilities would then commence with B).

The applicant shall evaluate wetland features on the project site to determine their suitability to support listed vernal pool invertebrates.

- A) Protocol level surveys (using methodologies approved by the United States Fish and Wildlife Service) shall be employed to determine if the wetland features on site support listed vernal pool invertebrates. If it is determined that these features do not support listed vernal pool invertebrates, no additional mitigation for this impact is necessary.
- B) If it is determined that listed vernal pool invertebrates are present, the applicant shall receive authorization from the United States Fish and Wildlife Service to impact these features. Mitigation for impacts shall include creation, restoration and/or preservation of listed vernal pool

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invertebrate habitat at no less than 3 acres of habitat created, restored and/or preserved for each acre impacted. Mitigation can be completed through purchase of credits in a United States Fish and Wildlife Service approved mitigation bank.

Timing/Implementation: *Prior to issuance of grading permit or approval of improvement plans, whichever occurs first.*

Enforcement/Monitoring: *City of Elk Grove Development Service, Planning and USFWS."*

The following revision is made to mitigation measures MM 4.10.6a, MM 4.10.6b, and MM 4.10.6d on pages 4.10-19 through 4.10-21 of the DEIR:

"MM 4.10.6a Within 30 days prior to commencement of construction activities, a pre-construction survey of land within 200 feet of all wetlands, channels, ponds, and other such waterways within the project site shall be conducted by a qualified biologist retained by the City and funded by the project applicant who is approved by the USFWS's Sacramento Fish and Wildlife Office. In order to protect snakes, de-watering of areas within the site shall not occur prior to completion of the pre-construction surveys. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist shall be retained by the City and funded by the project applicant to routinely monitor construction activities. If a snake is encountered during construction activities, the monitoring biologist shall contact the City Community Development Department, Planning Division and will have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed.

GGs encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a) 1(A) of the Act. The biologist shall be required to report any incidental take to the Service immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.

Timing/Implementation: *Within thirty (30) days prior to grading and/or commencement of construction activities.*

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

MM 4.10.6b If a GGS is identified within the project site either during pre-construction surveys or during construction, the following shall occur:

- 1) The City of Elk Grove shall be notified;

- 2) The City shall suspend all construction activities on the site of the sighting and along any water feature within the plan area that is hydrologically connected to the site of the sighting;
- 3) Protocol surveys shall be conducted by qualified biologists retained by the City and funded by the project applicant who are approved by the Service's Sacramento Fish and Wildlife Office;
- 4) The project applicant shall consult with the USFWS and CDFG to determine appropriate mitigation for the species and habitat loss, possibly including Section 10 consultation with the USFWS and Section 2081 consultation with the CDFG; and,
- 5) The project applicant shall provide the City with proof of the consultation and compliance with USFWS and CDFG mitigation requirements before construction activities may resume.

Timing/Implementation: Prior to and during construction activities.

Enforcement/Monitoring: City of Elk Development Services, Planning, USFWS and CDFG.

MM 4.10.6d

Dewatering of ponds, ditches, canals and other such areas may begin any time after November 1, but no later than April 1 of the following year ~~once~~ only after the absence of the species is determined. All water must be removed by April 15, or as soon thereafter as weather permits, and the habitat must remain dry without any standing water for 15 consecutive days after April 15 and prior to excavating or filling the dewatered habitat.

Timing/Implementation: Prior to and during construction activity.

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

The following revisions are made to mitigation measure MM 4.10.7 on pages 4.10-22 through 4.10-23 of the DEIR:

"MM 4.10.7

The project applicant shall revise the site plan of the Sterling Meadows project to avoid impacts to potential habitat for VELB, if feasible, prior to approval of the tentative final map. If project development is required in areas that may impact elderberry shrubs containing stems measuring 1.0 inch or greater in diameter at ground level (development within 100 feet of shrub dripline), the project applicant shall perform one of the following measures prior to issuance of grading permits or approval of improvement plans, whichever occurs first:

- 1) Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the USFWS, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.

- 2) Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
- 3) Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.
- 4) Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

Restoration and Maintenance

- 1) Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.
- 2) Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding and trash removal are usually appropriate.
- 3) No insecticides, herbicides, fertilizers or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.
- 4) The applicant must provide a written description of how the buffer areas are to be restored, protected and maintained after construction is completed.
- 5) Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., striping away bark through careless use of mowing/trimming equipment).

If the shrub cannot be avoided, then a mitigation plan shall be developed in consultation with USFWS consistent with the conservation guidelines for the valley elderberry longhorn beetle (which likely includes one or more of the following), shall be implemented:

- ~~• Obtain credits at an approved mitigation bank; or~~
- ~~• Implement an onsite mitigation and monitoring plan that includes transplantation of the shrub and planting of elderberry seedlings.~~

The mitigation plan shall be approved by the USFWS prior to acceptance by the City. Any required onsite mitigation shall be incorporated into subsequent improvement and construction plans.

Timing/Implementation: Prior to ~~tentative final~~ map approval, if feasible to avoid, or prior to issuance of grading permits or approval of improvement plans, whichever occurs first.

Enforcement/Monitoring: ~~USFWS and the~~ City of Elk Grove Development Services, Planning and USFWS."

The following revisions are made to pages 4.10-23 and 4.10-24 of the DEIR:

"Impact 4.10.8 The project site contains 0.7396 acre of drainage and seasonal wetland features that are ~~potential~~ jurisdictional waters of the US and 0.3801 acres of non-jurisdictional seasonal wetlands. Impacts to jurisdictional waters of the US and non-jurisdictional seasonal wetlands are considered **potentially significant**.

In 1999, the Army Corps of Engineers verified that there are no jurisdictional waters of the United States, including wetlands on the project site. However, the Army Corps of Engineers verification of the wetland delineation expired in August 2004. Subsequently a new delineation was performed and the project applicant received additional correspondence from the USACE. In a letter dated September 19, 2006, the USACE verified the presence of 0.7396 acre of waters of the United States in the August 2006 South Pointe Property-Revised Jurisdictional Delineation. In addition, 0.3801 acres were identified as non-jurisdictional seasonal wetlands. ~~the detention pond on the project site has been partially filled and the drainage ditches have been piped underground, water continues to collect in the vicinity of these site features providing the potential for wetland habitat and waters of the United States to be present on the project site. In addition, results of a survey conducted in 2005 indicate that there are several depressional wetland features on the project site.~~ Development of the project site would impact these potential wetlands and waters of the United States; therefore, this impact is considered **potentially significant**.

Mitigation Measure

MM 4.10.8a ~~The applicant shall conduct a wetland delineation of the project site. The wetland delineation shall be submitted to the Army Corps of Engineers for verification. If the Army Corps of Engineers determines that the water features on the site are not jurisdictional, no additional mitigation is required. If the Army Corps of Engineers determines that there are jurisdictional waters on the project site, The applicant shall ensure that the project will result in no-net-loss of waters of the US. The project applicant shall provide by providing mitigation through impact avoidance, impact minimization and compensatory mitigation for the remaining impacts any impacts to the 0.7396 acres of waters of the US. Compensatory mitigation shall require purchase of credits in an Army Corps of Engineers approved mitigation bank at a ratio no less than one acre purchased for each are impacted.~~

Timing/Implementation: Prior to project grading permit or approval of improvement plans, whichever occurs first.

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

5.0 ERRATA

Implementation of the above mitigation measure would reduce impacts to wetlands and other waters of the U.S. to **less than significant**.

Mitigation Measure

MM 4.10.8b The applicant shall ensure that the project will result in no net loss of non-jurisdictional wetlands and seasonal waters. The project applicant shall mitigate for loss or disturbance of these features, including the 0.3801 acres of non-jurisdictional seasonal wetlands present on the site, through impact avoidance, impact minimization and compensatory mitigation. Compensatory mitigation shall require purchase of credits at a City approved mitigation bank at a ratio of no less than one acre purchased for each acre impacted.

Timing/Implementation: Prior to project grading permit or approval of improvement plans, whichever occurs first.

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

Implementation of the above mitigation measure would reduce impacts to wetlands and other waters of the U.S. to **less than significant**."

4.11 CULTURAL RESOURCES

The following revisions are made to mitigation measures MM 4.11.2a and MM 4.11.2b on pages 4.11-6 through 4.11-7 of the DEIR:

"MM 4.11.2a If any prehistoric or historic artifacts or other indications of archaeological or paleontological resources are found once the project construction is underway, all work in the immediate vicinity must stop and the City shall be immediately notified. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the finds and recommend appropriate mitigation measures.

Timing/Implementation: As a condition of project approval, and implemented during construction activities. This measure shall be included as a note on all project construction plans.

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

MM 4.11.2b 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 Native American, the coroner shall notify the Native American Heritage Commission, which in turn shall inform a most likely descendant. The descendant shall then recommend to the landowner appropriate disposition of the remains and any grave goods.

Timing/Implementation: As a condition of project approval, and implemented during construction activities. This measure shall be included as a note on all project construction plans.

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

4.12 PUBLIC SERVICES AND UTILITIES

In November of 2006, a merger between the Elk Grove Community Services District (EGCSD) and the Galt Fire Protection District resulted in the creation of the Cosumnes Community Services District (CSD). References in the DEIR to the EGCSD are now superseded with reference to the Cosumnes Community Services District.

The following revisions are made to mitigation measure MM 4.12.1.1 on page 4.12-5 of the DEIR:

"MM 4.12.1.1 As a condition of development entitlements, all development on the project site shall meet the minimum necessary fire flow and other standard fire protection and life safety requirements identified in the Uniform Fire Code, Uniform Building Code, and other applicable state regulations. Construction sites shall ensure adequate on-site water supply and all-weather access for fire-fighting equipment and emergency vehicles before framing can occur. The applicant shall also pay the Fire Protection Development Fee in effect at the time of building permit issuance. ~~These requirements shall be noted on all construction plans.~~

Timing/Implementation: During construction activities and prior to improvement plan approval. This measure shall be included as a note on all project construction plans.

Enforcement/Monitoring: ~~Cosumnes Community Services District and City of Elk Grove Development Services~~ and Cosumnes Community Services District."

The following revisions are made to mitigation measures MM 4.12.1.2a and on MM 4.12.1.2b page 4.12-6 of the DEIR:

"MM 4.12.1.2a Prior to approval of improvement plans, the project applicant shall demonstrate that all required water mains, fire hydrants, and fire flow requirements necessary to serve the project are provided prior to the existence or storage of any combustible construction material on the project site, and that the installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, meets the standards of the ~~EGCSD Fire Department~~ Cosumnes Community Services District and the water purveyor.

Timing/Implementation: Prior to improvement plan approval.

5.0 ERRATA

Enforcement/Monitoring: ~~Cosumnes Community Services District and City of Elk Grove Development Services~~ and Cosumnes Community Services District.

MM 4.12.1.2b Prior to approval of improvement plans, the water supply system plans for the subdivisions shall be reviewed by the City to ensure adequate fire flows for the project as specified by the ~~EGCSD Fire Department~~ Cosumnes Community Services District.

Timing/Implementation: *Prior to improvement plan approval.*

Enforcement/Monitoring: ~~Cosumnes Community Services District and City of Elk Grove Development Services~~ and Cosumnes Community Services District."

The following revisions are made to mitigation measures MM 4.12.1.4a and MM 4.12.1.4b on pages 4.12-8 and 4.12-9 of the DEIR:

"MM 4.12.1.4a The project developer shall contribute their fair share for improvements and facilities, included in the Laguna South Public Facilities Fee Program (PFFP). The project's fair share of funding for fire services and facilities shall be provided to the satisfaction of the Cosumnes Community Services District (CSD) ~~EGCSD Fire Department.~~

Fair-share funding for fire facilities and services improvements shall be determined concurrent with modification of the Laguna South PFFP. The PFFP will be updated to include the neighboring Laguna Ridge Specific Plan Area into the Fee Program. Project public facility financing plans and/or programs shall establish the timing of these improvements to ensure they are in place to the satisfaction of the Cosumnes CSD ~~EGCSD Fire Department~~. Establishment of the fire facilities and services improvements financing plans and/or programs shall occur prior to recordation of the Final Map. Construction activities may occur prior to approval of the project's financing plans and/or programs only if the project applicant constructs the Cosumnes CSD's ~~EGCSD Fire Department's~~ required improvements and purchases associated facilities concurrent with the development of their specific project.

Timing/Implementation: *Prior to approval of the Project Financing Program and/or Plan.*

Enforcement/Monitoring: ~~EGCSD and City of Elk Grove Development Services~~ and CCSD.

MM 4.12.1.4b All signalized intersections installed by the project developer shall be equipped with traffic pre-emption devices at the time of installation.

Timing/Implementation: *Prior to approval of improvement plans.*

Enforcement/Monitoring: ~~EGCSD and City of Elk Grove Development Services~~ and Cosumnes CSD."

The following revision is made to mitigation measure MM 4.12.2.2 on page 4.12-14 of the DEIR:

“MM 4.12.2.2 Prior to recordation of the Final Map and improvement plans for the site, the project developer shall either lengthen I Drive between A Drive and J Drive; or extend L Way through to A Drive. The revised plans shall be submitted to the City for review and approval.

Timing/Implementation: Prior to the recordation of the final map and improvement plans.

Enforcement/Monitoring: City of Elk Grove Public Works Department and Police Department.

The following revisions are made to mitigation measures MM 4.12.4.2b through MM 4.12.2.2e on pages 4.12-33 through 4.12-34 of the DEIR:

MM 4.12.4.2b Project proponents, future successors or interests shall reserve a minimum 4 Acre net water treatment plant and on site well located on lot numbers 779, 780, 814, 815, 816, 817, 818, & 819 and necessary easements to the satisfaction of the SCWA. Acceptance and approval of the site shall be subject to meeting Department of Health Services (DHS) setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternative site on the Sterling Meadows Subdivision shall be selected and similarly evaluated. Prior to Final Map approval, the project proponent shall grant right-of-entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to Final Map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the Sacramento County Code (City of Elk Grove Code) and Government Code Title 7, Division 2, Article 4.

Timing/Implementation: Prior to approval Final Map.

Enforcement/Monitoring: ~~SCWA and~~ City of Elk Grove Public Works Department and SCWA.

MM 4.12.4.2c Project proponents, future successors or interests shall reserve a minimum 100ft x 100ft water well site located at lot numbers 843 & 844 and a minimum 100ft x 100ft water well site located at lot numbers 865 & 866 and necessary easements to the satisfaction of the SCWA. Acceptance and approval of the site shall be subject to meeting DHS setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternate site on the Sterling Meadows Subdivision shall be selected and similarly evaluated. Prior to Final Map approval, the project proponent shall grant right-of-way entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to final map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the Sacramento County Code (City of Elk Grove Code) and Government Code Title 7, Division 2, Article 4.

Timing/Implementation: Prior to approval Final Map.

Enforcement/Monitoring: ~~SCWA and~~ City of Elk Grove Public Works Department and SCWA.

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MM 4.12.4.2d Require water intensive commercial and industrial building permit applicants to conduct a water use efficiency review and submit the findings in required environmental documentation for the project.

Timing/Implementation: Prior to approval Final Map.

Enforcement/Monitoring: ~~SCWA and City of Elk Grove Public Works Department~~ and SCWA.

MM 4.12.4.2e Require efficient cooling systems, re-circulation pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service.

Timing/Implementation: Prior to ~~provision of water services~~ issuance of building permits.

Enforcement/Monitoring: ~~SCWA and City of Elk Grove Public Works Department~~ and SCWA."

The following revision is made to page 4.12-32, second full paragraph, third sentence of the DEIR.

"The first option (~~Alt 1/Alt 1A/Alt 1B~~ A-1 on **Figure 4.12.4-2**) would connect via a proposed 20-inch main in Lotz Parkway and utilize the Laguna Ridge Specific Plan system (which includes the Big Horn Water Treatment Plant and Laguna Ridge Water Treatment Plant)."

The following sentence has been added at the end of the second full paragraph on page 4.12-32, of the DEIR.

"Both options require off-site construction along future Lotz Parkway from the northwest corner of the project site. If this off-site right-of-way cannot be acquired, an optional T-main alignment that extends out to West Stockton Boulevard and south to the project site is available within existing rights-of-way."

The following revision is made to page 4.12-33, first full paragraph, third sentence of the DEIR.

"Two options are available under this alternative: a water system that would supply only the proposed project (Alternative B₋₁); or a water system that would ultimately supply both Sterling Meadows and the approved Lent Ranch Marketplace (Alternative B₋₂)."

The following revision is made to page 4.12-33, second full paragraph, first sentence of the DEIR.

"Alternative B₋₁ would require construction of two wells, treatment for two wells, two 400,000 gallon storage tanks, and a pump station."

The following revision is made to page 4.12-33, third full paragraph, first sentence of the DEIR.

"Alternative B₋₂ involves development of a water supply project to serve both Sterling Meadows and Lent Ranch Marketplace."

The following revision is made to page 4.12-33, fourth full paragraph, first sentence of the DEIR.

"Under Alternative B-2, prior to the approval of any tentative subdivision map, the developer would identify and reserve, per the California Government Code, two well sites and a water treatment/storage site approximately 5 acres in size meeting the approval of SCWA."

The following revision is made to page 4.12-25, Project Site, first paragraph, of the DEIR:

"There is currently no public water service in the area of the project site. Water for agricultural activities on the project site is currently provided by private wells. ~~The closest available public water transmission main is a 14-inch transmission main located within Grant Line Road approximately 3,000 feet east of the project site.~~ For over 60 years, the site has been an ongoing agricultural operation. It is estimated that approximately 1,140 acre-feet per year (AFY) of groundwater is used to irrigate crops on the site. Historical irrigation for the project area has been established to the satisfaction of SCWA as indicated in a letter dated March 27, 1998 (MacKay & Somps, 2004)."

Page 4-12-31, first paragraph following Impact 4.12.4.2, of the DEIR has been revised as follows:

~~"SCWA and City staff have noted the adequacy of the East Elk Grove Water Treatment Plant to provide interim and ultimate service to the project, should development of the project precede development of the Lont Ranch Marketplace."~~

Page 4.12-33, MM 4.12.4.2b, of the DEIR has been revised as follows:

"MM 4.12.4.2b Project proponents, future successors or interests shall reserve a minimum ~~2~~ **4** Acre net water treatment plant and on site well located on lot numbers 779, 780, 814, 815, 816, 817, 818, & 819 and necessary easements to the satisfaction of the SCWA. Acceptance and approval of the site shall be subject to meeting Department of Health Services (DHS) setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternative site on the Sterling Meadows Subdivision shall be selected and similarly evaluated. Prior to Final Map approval, the project proponent shall grant right-of-entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to Final Map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the Sacramento County Code (City of Elk Grove Code) and Government Code Title 7, Division 2, Article 4."

Page 4.12-35, first paragraph following Impact 4.12.4.3, of the DEIR has been revised as follows:

"Fire flows calculated for the project are based on the mix of land uses as shown on the proposed Tentative Subdivision Map (refer to Figure 3.0-8). As shown in **Table 4.12.4-4** ~~4.12.4-1~~ above, the project would require fire flows of 1,750 gpm."

As identified by the commenter, the following revision to the last paragraph on page 4.12-15 of DEIR is made:

"...The EGUSD boundaries encompass the entire City of Elk Grove, portions of the City of Sacramento, portions of the City of Rancho Cordova, and most of southern Sacramento County..."

The following revisions are made to page 4.12-16 of the DEIR:

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~~“Due to the area’s rapid growth, many elementary schools have reached their capacity at some or all grade levels and do not have room for any new students. New students move into the District at a rate sufficient to fill a classroom every three to five days. To keep up with this growth the EGUSD will need to build approximately four schools every year. These schools are needed to accommodate growth and allow the district to lower the enrolments at its middle and high schools. As the district opens new schools, school boundaries will also change. Students who are unable to attend their home school because it is full are “off-loaded” —[bussed] to another school district— until space is available at the child’s home school. Students who are off-loaded are placed on a waiting list to return to their home school based on the date and time of when the student was registered.~~

The EGUSD adopted an amended Facilities Master Plan in February 2002, which identified major issues and detailed information on the EGUSD’s future school needs, funding options, and cost estimates. The 2002 Master Plan updated and amended the 1995-2010 Master Plan. Enough new students moved into the EGUSD in 2004~~+~~ to fill a classroom every three to five days. To keep up with this growth, the EGUSD will need to average nearly four new schools a year (approximately ~~twenty~~~~thirty-one~~ new schools) by 2010, even after opening five new schools for the 2002-2003 school year. These schools are needed to accommodate growth and allow the EGUSD to lower the enrollments at its middle and high schools. As the EGUSD opens new schools, school boundaries will also change.

The EGUSD operates ~~178~~ elementary schools, 5 middle schools, ~~and~~ 5 high schools, and one special education school in the City of Elk Grove. The entire EGUSD, including schools in Sacramento County, the City of Sacramento, and the City of Rancho Cordova, has a California Basic Education Data System (CBEDS) enrollment for 2004-05 of 31,076,339 elementary (grades K-6) school students; 9,375,471 middle (7-8) school students; and 17,186,158 high school (grades 9-12) students, and 1,033 special needs students. This is a total enrollment of 58,670 (EGUSD, 20045).

The proposed project is located in the attendance boundaries of Franklin Elementary School, Toby Johnson Middle School, and Franklin High School. Franklin Elementary School is located at 4011 Hood-Franklin Road in Hood-Franklin. Toby Johnson Middle School is located at 10099 Franklin High Road and the high school is located at 6400 Poppy Ridge Road. Both the middle school and high school are located along Poppy Ridge Road west of Bruceville Road. The number of students in the attendance area for each school and the current capacity/enrollment for each school serving the project site are summarized in Table 4.12.3-2~~+~~ below:

**TABLE 4.12.3-1
CURRENT ATTENDANCE AREA FOR SCHOOLS SERVING THE PROPOSED PROJECT**

	Current School Attendance Area		
	K-6	7-8	9-12
School	Franklin	Johnson MS	Franklin HS
Number of Students	469	104	212

Source: Williams, 2005.

~~Current capacity/enrollment for each school serving the project site is summarized in Table 4.12.3.1-2.~~

**TABLE 4.12.3-12
CURRENT ATTENDANCE AREA FOR SCHOOLS SERVING THE PROPOSED PROJECT**

	K-6	7-8	9-12
	Franklin	Johnson MS	Franklin HS
Current Office of Public School Construction Determined Capacity	550	1,323	2,547
Current Year Enrollment (October, 04) with special education, without continuation high school	601	1,484	2,624
Current Students Residing (10/04) in attendance area with special education and without continuation high school.	487	1,564	2,832
Number of students residing in attendance area who are attending other schools	86	205	590

Source: Williams, 2005."

The following revision is made to page 4.12-17 of the DEIR, under the "State Funding" heading:

"...Development impact fees were also referenced in the ~~1987~~ Leroy Greene Lease-Purchase Program Act (described below), which required schools ~~districts~~ to contribute a matching share of project costs for construction, modernization, or reconstruction."

The following revisions are made to page 4.12-18 of the DEIR:

"The EGUSD operations are primarily funded through local property tax, personal income taxes and sales tax revenues that ~~are~~ is first accrued in a common statewide pool, and then allocated to each school district on the basis of average daily attendance. State law also permits the charging of development fees to assist the EGUSD in funding capital acquisition and improvements to programs for school facilities, based on documented justification that residential and non-residential development projects generate students. The EGUSD School Facilities Needs Analysis (~~December 1999~~ May 2005) provides this justification and allows the imposition of fees that can be adjusted periodically, consistent with SB 50. Adjusted school impact developer fees are currently ~~\$3.95~~ \$4.32 per square foot of new residential space and \$0.36 per square foot of commercial/industrial space, as adjusted by the Board of Education on June 21, 2005. ~~school board on July 7, 2004 (Williams, 2005).~~

The District also collects a special Mello-Roos tax, with the taxes applied at various stages during project review and development. The project site is presently charged the lowest rate, which is applied to agricultural land. When the land is rezoned for the proposed uses, it will be charged at the appropriate rate at the time City Council approval is given to a rezone.

4.12.3.2 PUBLIC SCHOOLS REGULATORY FRAMEWORK

STATE

Leroy F. Greene School Facilities Act of 1998 (SB 50)

The "Leroy F. Greene School Facilities Act of 1998," also known as Senate Bill No. 50 (Stats. 1998, Ch.407), governs a school district's authority to levy school impact fees.

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Senate Bill (SB) 50 and Proposition 1A provide a comprehensive school facilities financing and reform program by primarily authorizing a \$9.2 billion school facilities bond issue, school construction cost containment provisions, and an eight-year suspension of the Mira, Hart, and Murrieta court cases. Specifically, the bond funds are to provide \$2.9 billion for new construction and \$2.1 billion for reconstruction/modernization needs. The provisions of SB 50 prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate and reinstate the school facility fee cap for legislative actions (e.g., general plan amendments, specific plan adoption, zoning plan amendments). According to Government Code Section 65996, the development fees authorized by SB 50 are deemed to be full and complete school facilities mitigation. These provisions are in effect until 2006 and will remain in place as long as subsequent state bonds are approved and available.

SB 50 establishes three levels of developer fees:

- 1) Level One fees are the base statutory fees of ~~\$2.24~~ ~~\$2.05~~ per square foot of assessable space for residential development and ~~\$0.36~~ ~~\$0.31~~ per square foot of chargeable, covered and enclosed commercial/industrial development. These are the current statutory fees allowed under Education Code 17620, which provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction of facilities. These fees were increased in January 2004 and will be increased every two years thereafter in accordance with the statewide cost index for Class B construction as determined by the State Allocation Board.
- 2) Level Two fees, outlined in Government Code Section 65995.5, allow the school district to impose developer fees above the statutory levels, up to 50 percent of certain costs under designated circumstances and if the school district has completed a Fee Justification Study. The State would match the 50 percent funding if funds are available.
- 3) Level Three fees, outlined in Government Code Section 65995.7, apply if the State runs out of bond funds after 2006, and allowing the school district to impose 100 percent of the cost of the school facility or mitigation minus any local dedicated school monies. This fee is equal to twice the amount of Level Two Fees. However, if a school district eventually receives State funding, this excess fee may be reimbursed to the developers or subtracted from the amount of State funding."

The following revisions are made to Table 4.12.3-3 (row 2, column 3) on page 4.12-19 of the DEIR.

"The EGUSD School Facilities Needs Analysis (~~May 2005~~ ~~December 1999~~) provides this justification and allows the imposition of fees that can be adjusted periodically, consistent with SB 50. EGUSD's developer fees are currently \$4.32 ~~\$3.95~~ per square foot of new residential construction space and \$0.36 per square foot of commercial/industrial space, as adjusted by the school board on June 21, 2005 ~~July 7, 2004.~~"

The following revisions are made to Table 4.12.3-4 (renumbered Table 4.12.3-3) on page 4.12-20 of the DEIR:

**"TABLE 4.12.3-34
ANTICIPATED STUDENT GENERATION FOR THE STERLING MEADOWS PROJECT**

	Generation	Students
Single Family ¹	<u>0.5214</u> 0.4489	<u>417</u> 359
Multi-Family ²	<u>0.3000</u> 0.2900	<u>114</u> 110
Franklin Elementary School (K-6)		<u>531</u> 469
Single Family ¹	<u>0.1038</u> 0.1084	<u>83</u> 87
Multi-Family ²	<u>0.0625</u> 0.0475	<u>24</u> 18
Toby Johnson Middle School		<u>107</u> 105
Single Family ¹	<u>0.1718</u> 0.2100	<u>137</u> 168
Multi-Family ²	<u>0.1275</u> 0.1175	<u>48</u> 45
Franklin High School		<u>186</u> 213
Total Students Generated		<u>824</u> 787

Source: Williams, 2004. Elk Grove Unified School District, 2005

Notes:

¹ Single Family calculation based on 799 dwelling units.

² Multi-Family calculation based on 380 dwelling units."

The following revisions are made to page 4.12-21, paragraph 3, of the DEIR:

"For example, the approved Laguna Ridge Specific Plan includes ~~three two~~ elementary school sites, ~~one high school site~~ and one combined middle/high school site."

- a. The following revisions to the Draft EIR in paragraph 2 of Impact 4.12.3.2 on page 4.12-22 have been made:

~~"The adoption of all or some A combination of Mello-Roos taxes, school impact fees and SB 50 funding fully mitigates the potential cumulative impacts on schools and related facilities, according to California Government Code Section 65996. On March 2, 2004, voters in California passed Proposition 55, a statewide bond authorizing 12.3 billion dollars for new K-12 school constructions and 2.25 billion dollars for K-12 reconstruction/modernization needs. The remaining 2.3 billion were reserved for community college, California State University, and University of California facilities. At this time state funding is still available from these bonds. Funding is currently available from statewide school bonds as a result of the passage of Proposition 1A on November 4, 1998. The current bond provides 9.2 billion dollars over the next four years to help fund public school facility needs. Specifically, the bond funds are to provide 2.9 million dollars for new construction and 2.1 million dollars for reconstruction/modernization needs. The existing funding mechanisms, bond measures within the school district and compliance with the General Plan policies would reduce the cumulative impacts on school facilities. Also, the presence of new schools provides additional capacity to accommodate existing and future enrollment. Therefore, cumulative impacts to schools are considered less than significant."~~

The following revision is made to mitigation measure MM 4.12.8.1 on page 4.12-58 of the DEIR:

"MM 4.12.8.1 No building permits shall be issued for more than 100 single family homes or any mixture of uses demanding 500 KW or more, as determined by SMUD, until the Lent Ranch Substation has been constructed, or other system

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improvements are made, as determined by SMUD, to accommodate the proposed project.

Timing/Implementation: *Prior to issuance of building permit for the 101st single family home, or for any mixture of uses demanding 500 KW or more of electricity, as determined by SMUD.*

Enforcement/Monitoring: *~~SMUD,~~ City of Elk Grove Development Services and SMUD."*

4.13 VISUAL RESOURCES/LIGHT AND GLARE

The following revisions are made to mitigation measures MM 4.13.1a and MM 4.13.1b on pages 4.13-4 and 4.13-5 of the DEIR:

"MM 4.13.1a Where solid fences and walls are used, the color and material used shall blend with the features of the surrounding area. Continuous fences and walls shall be softened with landscaping. Solid fence and wall designs shall be included in all landscaping plans.

Timing/Implementation: *Prior to approval of improvement plans and landscape plans.*

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

MM 4.13.1b Taller-growing trees and/or shrubs shall be planted along the borders of the project site where the project will interface with planned development in the Lent Ranch Marketplace project and existing agricultural uses. The use of this material shall screen the project from these uses and minimize the potential for light and glare impacts.

Timing/Implementation: *Prior to approval of improvement plans or landscape plans.*

Enforcement/Monitoring: *City of Elk Grove Development Services Department, Planning."*

The following revisions are made to mitigation measure MM 4.13.2b on page 4.13-6 of the DEIR:

"MM 4.13.2b Exterior building materials on nonresidential structures shall be composed of at least 50 percent low-reflectance non-polished surfaces. All bare metallic surfaces shall be painted with flat finishes to reduce reflected glare.

Timing/Implementation: *Prior to design review and issuance of building permits.*

Enforcement/Monitoring: *City of Elk Grove Development Services Department, Planning."*