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**CEQA FINDINGS OF FACT**

**AND**

**STATEMENT OF OVERRIDING CONSIDERATIONS**

**OF THE**

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**

**FOR THE**

**FORMATION OF COUNTY SERVICE AREA 13 AND**  
**ESTABLISHMENT OF A COTERMINOUS SPHERE OF**  
**INFLUENCE; DETACHMENT FROM COUNTY SERVICE AREA**  
**4B; AND ANNEXATION TO THE SACRAMENTO REGIONAL**  
**COUNTY SANITATION DISTRICT (SRCSD) AND THE**  
**SACRAMENTO AREA SEWER DISTRICT (SASD)**

**FOR THE**

**CORDOVA HILLS PROJECT**

**ENVIRONMENTAL IMPACT REPORT**

**July 2013**

## I. INTRODUCTION

The Final Environmental Impact Report (“FEIR”) prepared for the Cordova Hills Project (the “Project”) as adopted by Sacramento County addresses the environmental effects associated with construction and operation of the proposed Cordova Hills Special Planning Area. As part of the implementation process of the Cordova Hills project, the Sacramento Local Agency Formation Commission (“LAFCo”) would approve the formation of the County Service Area No. 13 (CSA) to serve the Cordova Hills Community, detachment from the Sacramento County Regional Parks Department County Service Area 4B, and annexation to the Sacramento Area Sewer District (SASD) for the collection of wastewater and the Sacramento Regional County Sanitation District (SRCSD) for conveyance and treatment of wastewater. These LAFCo actions are part of the larger Cordova Hills project described below and is the “LAFCo Project” subject to these findings.

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These CEQA Findings of Fact and Statement of Overriding Considerations have been prepared to comply with the requirements of the California Environmental Quality Act (“CEQA”) (Public Resources Code, Section 21000 *et seq.*) and the CEQA Guidelines (Cal. Code of Regulations, Title 14, Section 15000 *et seq.*) These findings refer to the Final EIR (“FEIR”) where the material appears in that document. Otherwise, references are to the Draft EIR (“DEIR”).

CEQA generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project. For the Cordova Hills, the lead agency is Sacramento County. In order to effectively evaluate any potentially significant environmental impacts of a proposed project, an environmental impact report (“EIR”) must be prepared. The EIR is an informational document that serves to inform the agency decision-making body and the public in general of any potentially significant environmental impacts. The preparation of an EIR also serves as a medium for identifying possible methods of minimizing any significant effects and assessing and describing reasonable alternatives to the project.

~~The Cordova Hills EIR has been prepared as a Project EIR pursuant to CEQA Guidelines Section 15161. The purpose of a project level EIR is to provide environmental review of the planning, construction, and operational impacts of a project.~~

~~All other agencies with jurisdiction over aspects of the Cordova Hills project are considered to be “responsible agencies” for purposes of CEQA. As specified by Section 15096 of the CEQA Guidelines, the duties of a responsible agency in using an environmental document prepared by the lead agency include:~~

- ~~•Prior to reaching a decision on the project, the responsible agency must consider the environmental effects of the project as shown in the EIR or Negative Declaration.~~
- ~~•In considering the environmental conclusions of the EIR or Negative Declaration, the responsible agency must evaluate whether any of the conditions set forth in Sections 15162 or 15163 of the CEQA Guidelines requiring preparation of a subsequent or supplemental environmental document exist.~~
- ~~•When considering alternatives and mitigation measures, a responsible agency is more limited than a Lead Agency. A responsible agency has responsibility for mitigating or~~

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~~avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.~~

- ~~•When an EIR has been prepared for a project, the responsible agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.~~
- ~~•The responsible agency shall make the findings required by Section 15091 for each significant effect of the project and shall make the findings in Section 15093 if necessary.~~
- ~~•The responsible agency should file a Notice of Determination in the same manner as a lead agency under Section 15075 or 15094 except that the responsible agency does not need to state that the EIR or Negative Declaration complies with CEQA. The responsible agency should state that it considered the EIR or Negative Declaration as prepared by a lead agency.~~

~~For the proposed formation of CSA No. 13, detachment from the Sacramento County Regional Parks Department County Service Area 4B, and annexation to the SASD and the SRCSD, the responsible agency is LAFCo. As a responsible agency, Project consideration by LAFCo is governed by the requirements of CEQA Guidelines Section 15096 as set forth above.~~

## II. TERMINOLOGY OF FINDINGS

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. As a responsible agency, the Sacramento LAFCo (“LAFCo”) is required to make these findings for the proposed project (CEQA Guidelines Section 15096(h)). Once an EIR has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified area of impact:

1. Changes or alterations which avoid or mitigate the significant environmental effects as identified in the EIR have been required or incorporated into the project; or,
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,
3. Specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR. (Public Resources Code Section 21081)

For purposes of these findings, the terms listed below will have the following definitions:

- The term “mitigation measures” shall constitute the “changes or alterations” discussed above.
- The term “avoid or substantially lessen” will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce the severity of an environmental effect.

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- The term “feasible,” pursuant to the CEQA Guidelines, means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

When LAFCo finds a measure is not feasible, it will provide evidence for its decision and may adopt substitute mitigation that is feasible, and designed to reduce the magnitude of the impact. In other cases, LAFCo may decide to modify the proposed mitigation. Modifications generally update, clarify, streamline, or revise the measure to comport with current engineering practices, budget conditions, market conditions or existing LAFCo or Sacramento County policies, practices, and/or goals. Modifications achieve the intent of the proposed mitigation without reducing the level of protection. Thus, LAFCo may have modified the language of some of the mitigation measures set forth herein for purposes of clarification and consistency, to enhance enforceability, to defer more to the expertise of agencies with jurisdiction over the affected resources, to summarize or strengthen their provisions, and/or make the mitigation measures more precise and effective, all without making any substantive changes to the mitigation measures.

### III. DEFINITIONS

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“APN” means Assessor’s Parcel Number.

“Applicants” collectively means Cordova Hills, LLC; Grant Line, LLC; and Cielo, LLC.

“Board” means the Board of Supervisors of the County of Sacramento.

“CAAQ” means the California Ambient Air Quality Standard.

“CARB” means the California Air Resources Board.

“CEQA” means the California Environmental Quality Act.

“CEQA Findings” means these CEQA Findings of Fact and Statement of Overriding Considerations for the Cordova Hills Project.

“CO<sub>2</sub>e” means carbon dioxide equivalent.

“Commission” means Sacramento Local Agency Formation Commission

“Condition” or “Condition of Approval” means a condition of approval adopted by the County in connection with approval of the Project.

“Cordova Hills LSD” or “Cordova Hills Local Services District” means a county service area formed to provide municipal services to the Project area.

“County” means the County of Sacramento.

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“County Planning Commission” means the County Planning Commission of the County of Sacramento.

“CPAC” means Community Planning Advisory Council.

“CSA” means County Service Area

“dB” means decibels.

“DEIR” or “Draft EIR” means the Draft Environmental Impact Report for the Project (January 9, 2012).

“DERA” means the County of Sacramento Community Development Department’s Planning and Environmental Review Division.

“DOT” means the County of Sacramento Department of Transportation.

“EIR” means Environmental Impact Report, consisting of both the DEIR and FEIR.

“Environmental Coordinator” means the person within the County of Sacramento’s Community Development Department designated to act as the Environmental Coordinator for DERA.

“FEIR” or “Final EIR” means the Final Environmental Impact Report for the Project (November 2012).

“GHG” means greenhouse gases.

“lbs./day” means pounds per day.

“Ldn” means Day-Night Equivalent Noise Level.

“LAFCo” means Sacramento Local Agency Formation Commission

“LOS” means level of service.

“MMRP” means Mitigation Monitoring and Reporting Program.

“MT” means metric tons.

“NOP” means Notice of Preparation.

“NOx” means oxides of nitrogen.

“Planning Department” means the County of Sacramento Department of Community Development.

“PM10” means fine particulate matter 10 microns in diameter or less.

“PM2.5” means fine particulate matter 2.5 microns in diameter or less.

“Project” means the Cordova Hills Project.

“ROG” means reactive organic gases.

“SACOG” means the Sacramento Area Council of Governments.

“SASD” means Sacramento Area Sewer District

“SMAQMD” means the Sacramento Metropolitan Air Quality Management District.

“SRCSD” means Sacramento Regional County Sanitation District

“Staff Report” means the Sacramento County Staff Report to the Board of Supervisors for the Project for the Agenda of December 12, 2012.

“Staff Report Addendum #12” means Addendum #12 to the Sacramento County Staff Report, for the Agenda of January 29, 2013.

“Staff Report Addendum B” means Addendum #B to the Sacramento County Staff Report, for the Agenda of March 12, 2013.

“TAC” means toxic air contaminants.

“USB” means Urban Services Boundary

“U.S. 50” means United States Highway 50.

“V/C” means volume-to-capacity ratio.

“VMT” means vehicle miles travelled.

## **IV. PROJECT DESCRIPTION**

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### **PROJECT LOCATION AND SETTING**

The Project site is located in the southeastern portion of Sacramento County on approximately 2,669 acres, adjacent to the east side of the City of Rancho Cordova. Grant Line Road extends along the Project’s western boundary. The eastern side of the Project site abuts Carson Creek. The northern boundary of the Project site is Glory Lane, an unimproved two-lane gravel road that intersects Grant Line Road just south of Douglas Road. The Kiefer Landfill and the Landfill’s 2,000 ft. buffer zone are southwest of the Project site. The Property that contains the Project site consists of APNs 073-0040-020 through -026, 073-0040-029, 073-0050-023, and 073-0050-052. As identified on the U.S. Geological Survey “Buffalo Creek, California” 7.5’ topographic quadrangle map, the project site consists of portions of Sections 13, 14, and most of Section 23 in Township 8 North, Range 7 East, and the western half of Section 18 in Township 8 North, Range 8 East, Mount Diablo Base and Meridian.

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## PROJECT DESCRIPTION

The Project includes a mix of residential uses from high density residential along the western edge of the Project to low density residential along the eastern boundary approaching the Urban Services Boundary (USB). The Project includes a Town Center commercial area adjacent to Grant Line Road. Just southeast of the Town Center is the proposed location of a university/college campus center. The Project includes mixed uses consisting of residential, office, retail, a university/college campus center, schools, parks, and a trail network. Cordova Hills is organized into six distinct districts/villages (Town Center, University Village, Ridgeline, East Valley, Creekside, and Estates). The proposed Project includes a maximum of 8,000 residential units and 1.3 million square feet of commercial uses, approximately 70 acres of formal parkland and 150 acres of passive recreation land, 26 miles of Community Class II on-street bicycle paths and 22 miles of off-street trails and paths, three designated school sites, and plans for a transit system.

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The Project will require amendments to the Sacramento County General Plan in order to include the site within the Urban Policy Area and recognize the proposed land uses, streets, and bikeways on the Land Use Diagram, Transportation Plan, and Bikeway Master Plan. The entire site will be rezoned from Agriculture (AG-80) to Special Planning Area (SPA). The adopted SPA will then become the primary land use document that stipulates uses and designs allowable within the Project area. There are 485 acres in the southeastern portion of the site that are under Williamson Act contract. The contract is in non-renewal and is expected to expire in 2016. The Project will also require an amendment of the Zone 40 Water Supply Master Plan, as the Project area is not included in the existing planning document, and includes a General Plan Amendment to allow limited water service outside of the Urban Services Boundary.

## PROJECT OBJECTIVES

The proponent's Project objectives are as follows:

- Develop a mixed use community that is designed in a manner that provides compatible land uses and reduces overall internal vehicle trips.
- Develop an economically feasible master planned community that reasonably minimizes its impact on biologically sensitive natural resources with feasible onsite wetland avoidance and preservation.
- Develop a sustainable, multi-service town center that promotes walkability and alternative transit modes including but not limited to Neighborhood Electric vehicles (NEVs), light rail, shuttle bus, and carpool facilities.
- Provide uses for two underserved markets in the southeast Sacramento region:
  - Provide for development of a major private university/college campus center in Sacramento County.
  - Provide residential neighborhoods that are age restricted in order to serve seniors and larger lot sizes for executive housing to serve corporate executives.
- Develop internal Project infrastructure and circulation networks of multiple modes that provide efficient connections to various land use components throughout the Project; specifically, trail opportunities to enhance the integration between the university/college

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campus center, town center, schools, and preserves/open space corridors surrounding the Project.

- Develop recreational and open space opportunities that include neighborhood and community parks that are fully integrated into the Project through adequate trail connections and provide critical regional trail connections associated with adjacent trail systems.
- Allow for the inclusion of alternative energy sources to serve the mixed use community.

The objective of the LAFCo Project is to support orderly and systematic regional development, including adequate provision of services.

### DISCRETIONARY ACTIONS

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCo has the power to approve or disapprove applications, modify boundaries of a proposal, and impose reasonable conditions of approval (Government Code Section 560000, et. seq.). As a responsible agency for the Cordova Hills EIR, LAFCo complies with CEQA by considering the EIR and reaching its own conclusions regarding the environmental effects of the project. As part of the implementation of the Cordova Hills project, LAFCo would take the following actions:

- Approve formation of the County Service Area No. 13 and its coterminous Sphere of Influence
- Approve detachment from the Sacramento County Regional Parks Department County Service Area 4B
- Annex the Project area into the SASD for the collection of wastewater and the SRCSD for conveyance and treatment of wastewater.

The County has taken the following actions as part approval of the Cordova Hills project:

- Certification of the Environmental Impact Report
- Adoption of a Mitigation Monitoring Program for the Project
- Approval of the Cordova Hills project, which includes the following entitlements to permit its physical development:
  - 1) A **General Plan Amendment** to move the Urban Policy Area (UPA) boundary east to include approximately 2,366.3 +/- acres of the Project Area.
  - 2) A **General Plan Amendment** to amend the Land Use Diagram from General Agriculture to Low Density Residential, Medium Density Residential, Commercial and Office, Recreation, Natural Preserve, and Public/Quasi Public for approximately 2,366.3 +/- acres.
  - 3) A **General Plan Amendment** to include a new policy in the Land Use Element to address the provision of limited public water service to serve uses potentially allowed by the Cordova Hills Special Planning Area and currently allowed in the County of Sacramento Permanent Agricultural Zone designation for 251 acres located in proximity to the Kiefer Landfill, and an Amendment to LU-1 to reference this exception.
  - 4) Amend the **General Plan Transportation Diagram** to show new thoroughfares,

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arterials and collectors as shown in the Transportation General Plan Amendment Diagram dated October 17, 2011.

- 5) Amend the **Bikeway Master Plan to add on-street and off-street bikeways** as shown in the Bikeways Master Plan Amendment Diagram dated October 17, 2011.
- 6) A **Zoning Ordinance Amendment** to adopt the Cordova Hills Special Planning Area (SPA) to incorporate the Cordova Hills Master Plan including Design Guidelines and Development Standards. The SPA consists of a total of approximately 2,668.7 +/- acres.
- 7) A **Large Lot Tentative Subdivision Map** to create 155 large lot parcels for the purpose of creating legal parcels corresponding to villages within the Cordova Hills SPA and within the approximately 2,669 +/- acre SPA. Included on the Map are requests for abandonment of easements.
- 8) An **Affordable Housing Plan** with two options as presented in the Plan consisting of on-site construction of multi-family units or land dedication.
- 9) A **Development Agreement** by and between the County of Sacramento and Property Owners.
- 10) Adoption of a **Public Facilities Financing Plan** for the Cordova Hills Project that includes a Capital Improvement Program and Financing Plan.
- 11) A **Street Resolution** to allow certain County streets within the Cordova Hills Land Use Master Plan to be based on less than a 40-foot right-of-way, pursuant to State of California Streets and Highways Code Section 906.
- 12) **Zone 40 Boundary:** Amend Zone 40 boundary to include the 251 +/- acres of the Cordova Hills Project which lies outside of the Urban Services Boundary.
- 13) **Zone 41 Boundary:** Amend Zone 41 boundary to include the 251 +/- acres of the Cordova Hills Project which lies outside of the Urban Services Boundary.
- 14) Adoption of the **Cordova Hills Water Supply Master Plan Amendment:** Amends the existing Zone 40 Water Supply Master Plan to include provision of water service to Cordova Hills.

| The discretionary action required of the Sacramento County Board of Supervisors (Board) to approve the Project was the adoption of all of those requested entitlements in order to allow the development of the Project, with the exception of the Zone 40 and Zone 41 Boundary amendments and the Cordova Hills Water Supply Master Plan Amendment, which are to be adopted by the Board of the Sacramento County Water Agency in connection with the Project.

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## V. BACKGROUND

| On July 1, 2008, the Applicants submitted an application for the Project (Control #2008-GBP-SDP-ZOB-AHP-00142). Previously, on May 14, 2008, the Board of Supervisors voted to accept an application to amend the Urban Policy Area boundary and to accept an application for the future development of the Project.

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| On June 22, 2010, the County issued a Notice of Preparation (NOP) of an EIR for the Project. The NOP for the Project was distributed to the State Clearinghouse, responsible agencies, interested groups and individuals, and surrounding property owners. The NOP was circulated for a 30-day

comment period, which ended on July 22, 2010. Fifteen (15) letters were received in response to the NOP.

- | On August 3, 2010, the County held a public scoping meeting for the Project at the offices of the Sacramento County Department of Transportation, 9630 Conservation Way, Sacramento, California. A notice of the scoping meeting was sent to all individuals and agencies on the NOP mailing list, counties and cities surrounding the area, property owners within 500 feet of the Project site and other interested parties known to the County. The purpose of the scoping meeting was to solicit comments regarding the scope of the EIR.
- | On January 9, 2012, the Draft Environmental Impact Report (DEIR) for the Project was released for public review. The DEIR was circulated through the State Clearinghouse for a 45-day public review period, which ended on February 22, 2012.
- | On March 18, 2010, the Cordova Community Planning Advisory Council (CPAC) considered the Project as an informational item with a Project overview and introduction to the Project given by the Applicants and received public comments regarding the Project. No action was taken.
- | On June 23, 2010, the Cosumnes Community Planning Advisory Council (CPAC) considered the Project as an informational item with a Project overview and introduction to the Project given by the Applicants and received public comments regarding the Project. No action was taken.
- | On January 19, 2012, the Cordova CPAC held a public hearing on the Project. After receiving public comments regarding the Project and DEIR, the CPAC voted in favor of recommending approval of the Applicants' requested General Plan Amendment and all other requested land use entitlements.
- | On January 25, 2012, the Cosumnes CPAC held a public hearing on the Project. After receiving public comments regarding the Project and DEIR, the CPAC voted in favor of recommending approval of the Applicants' requested General Plan Amendment and all other requested land use entitlements.
- | On September 24, 2012, the Planning Commission held a public hearing on the Project and DEIR. After receiving public comments regarding the Project and DEIR, the Planning Commission closed the public comment period, directed staff to prepare the Final EIR and recommended approval of the project to the Board on a 4-0 (with 1 absent) vote.
- | On November 28, 2012, the Final EIR (FEIR) for the Project was released for public review by the County.
- | On December 12, 2012 the Board of Supervisors held a public hearing regarding the Project. After receiving public comments on the Project, the Board closed the public comment period and continued the Project to January 29, 2013.
- | On December 12, 2012 the Board of Supervisors held a public hearing regarding the Project. After receiving public comments on the Project, the Board closed the public comment period and continued the Project to January 29, 2013.

On January 29, 2013 the Board of Supervisors opened the continued hearing regarding the Project. The Board took action on several entitlements associated with the project and continued the Project to March 12, 2013.

On March 12, 2013, the Board of Supervisors opened the continued hearing regarding the Project. The Board approved a Zoning Code Amendment to adopt the Cordova Hills Special Planning Area and Master Plan, a Public Facilities Financing Plan, and an Urban Services and Governance Plan.

LAFCo is making findings that the relevant CEQA issues of the potential environmental impacts from the reorganization actions that have been included in the Cordova Hills project EIR and are described in Section III of these findings. These findings will focus on those impacts and respective mitigation measures that are relevant to LAFCo actions. The impacts not relevant to these actions will be identified.

## VI. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the record of proceedings for the Project consists of the following documents, at a minimum:

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- The Project application package for the Cordova Hills Project (Sacramento County Project Control Number 2008-GPB-SDP-ZOB-AHP-00142, including all written documentation, maps, and subsequent amendments and submittals;
- The Notice of Preparation and other public notices issued by the County in conjunction with the Project;
- The Draft Environmental Impact Report for the Project (January 9, 2012);
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR and responses to those comments;
- The Final EIR prepared for the Project (November 28, 2012), including comments received on the Draft EIR and responses to those comments;
- All comments and correspondence submitted to the County with respect to the Project, in addition to timely comments on the Draft EIR;
- The Mitigation, Monitoring and Reporting Program for the Project;
- All findings and resolutions adopted by LAFCo, Sacramento County, and the Sacramento County Water Agency decision-makers in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, and other planning documents relating to the Project prepared by LAFCo, consultants to LAFCo, Sacramento County, and the Sacramento County Water Agency, and responsible or trustee agencies with respect to LAFCo's, Sacramento County's, and the Sacramento County Water Agency's compliance with the requirements of CEQA and with respect to LAFCo, Sacramento County, and the Sacramento County Water Agency actions on the Project;
- All minutes and verbatim transcripts of all information sessions, public meetings, and public hearings held by LAFCo, Sacramento County, and the Sacramento County Water Agency in connection with the Project;

- Any documentary or other evidence submitted to LAFCo, Sacramento County, and the Sacramento County Water Agency at such information sessions, public meetings and public hearings;
- Matters of common knowledge to LAFCo, Sacramento County, and the Sacramento County Water Agency, including, but not limited to, the following:

- 1) Federal, state, and local laws and regulations;
- 2) The County General Plan (2011);
- 3) The Zoning Code of Sacramento County;
- 4) The Sacramento County Code;
- 5) Other formally adopted policies and ordinances.

- Any documents expressly cited in these CEQA Findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

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The custodian of LAFCo documents comprising the record of proceedings is Peter Brundage, LAFCo Executive Officer, whose office is located at 1112 I Street, Suite 100, Sacramento, CA 95814.

LAFCo has relied on all of the documents listed above in reaching its decision on the Cordova Hills project, even if not every document was formally presented to LAFCo as part of the LAFCo and County files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions with which LAFCo was aware in approving the project. (See City of Santa Cruz v. Local Agency Formation Commission (1978) 76 Cal.App.3d 381, 391-392; Dominey v. Department of Personnel Administration (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice provided to LAFCo or consultants. For that reason, such documents form part of the underlying factual basis for the Commission's decisions relating to the formation of the CSA and concurrent detachment of the project area from the Sacramento County County Service Area 4B and County Service Area 10, and annexation to the SASD and SRCSD. (See Pub. Resources Code, Section 21167.6, subd. (e)(10); Browning-Ferris Industries v. City Council of City of San Jose (1986) 181 Cal.App.3d 852, 866; Stanislaus Audubon Society, Inc. v. County of Stanislaus (1995) 33 Cal.App.4th 144, 153, 155.)

## VII. FINDINGS REQUIRED UNDER CEQA

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects" (emphasis added). The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects" (emphasis added). Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

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| The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required (see Public Resources Code Section 21081, subd. (a); CEQA Guidelines Section 15091, subd. (a)). For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR” (CEQA Guidelines Section 15091, subd. (a)(1)). The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines Section 15091, subd. (a)(2)). The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR” (CEQA Guidelines Section 15091, subd. (a)(3)). Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations (see also Citizens of Goleta Valley v. Board of Supervisors (“Goleta II”) (1990) 52 Cal.3d 553, 565).

| The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417). “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” (Ibid.; see also Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715). Further, alternatives are to be selected based on the “rule of reason”, and there is not an established directive that dictates the scope or nature of the alternative (Citizens for Open Government v. City of Lodi (2012) 205 Cal.App.4th 296).

| The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. LAFCo must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects” (Public Resources Code Section 21002, emphasis added).

| For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 519-527, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant

effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

- | Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] *or* substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.
- | Moreover, although Section 15091 of the CEQA Guidelines, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the EIR.
- | CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency (CEQA Guidelines Section 15091, subd. (a), (b)).
- | With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects” (CEQA Guidelines Sections 15093, 15043, subd. (b); see also Public Resources Code Section 21081, subd. (b)). The California Supreme Court has stated that, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced” (Goleta II, 52 Cal.3d 553, 576).
- | In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental impacts to the extent feasible, a public agency, in adopting findings, need not necessarily address the feasibility of both mitigation measures and environmentally superior alternatives when contemplating approval of a project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the public agency, in drafting its findings, has no obligation to also consider the feasibility of any environmentally superior alternative that could also mitigate or substantially lessen that same impact – even if the alternative would render the impact less severe than would the proposed project as mitigated. (Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515,521, see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731; and Laurel Heights Improvement Association v. Regents of the University of California (“Laurel Heights I”) (1998) 47 Cal.3d 376, 400-403.)
- | These findings reflect the independent judgment of LAFCo and constitute its best efforts to set forth the rationales and support for its decision under the requirements of CEQA.

## VIII. LEGAL EFFECTS OF FINDINGS

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To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, LAFCo hereby finds that such measures are within the jurisdiction of another public agency and not that of LAFCo, and that such other agency has adopted such measures. These measures have been adopted by the County through the preparation and adoption of the MMRP as described below.

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The mitigation measures are referred to in the Mitigation Monitoring and Reporting Plan (MMRP) adopted by the County in conjunction with its own findings, and will be effectuated through the process of constructing and implementing the Project.

## IX. MITIGATION MONITORING AND REPORTING PROGRAM

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A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project and has been adopted in conjunction with Findings made by the Board of Directors of Sacramento County. (See Pub. Resources Code, Section 21081.6, subd. (a)(1).) The County will use the MMRP to track compliance with Project mitigation measures. Implementation of the mitigation measures is outside the jurisdiction of LAFCo.

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## X. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

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The Draft EIR identified several significant environmental effects (or “impacts”) that adoption and implementation of the Cordova Hills project would cause. Many significant effects were avoided altogether because the proposed Project, as adopted, contains requirements that prevent the occurrence of significant effects in the first place. Such provisions are identified as mitigation in the DEIR and FEIR. Some significant impacts of implementation of the Project, however, cannot be avoided by the adoption of feasible mitigation measures or feasible alternatives; these effects are outweighed by overriding considerations set forth in Section XII below. This Section (X) presents in greater detail LAFCo’s findings with respect to the environmental effects of the Project.

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### A. LESS-THAN-SIGNIFICANT IMPACTS/NO MITIGATION.

These CEQA Findings do not address impacts that were determined to be less than significant or beneficial prior to mitigation. Therefore, these Findings do not address the following impacts because they were determined to be either less than significant or beneficial in the Final EIR:

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- **Air Quality / Project Operation Would Generate CO Emissions** – Eighteen intersections would either be subject to degradation of LOS to a level of service E or worse, or add vehicles to an intersection already operating at an LOS of E or worse. Examining these facilities as compared to the SMAQMD screening methodology for CO impacts, Project traffic would not cause threshold exceedance.
- **Geology and Soils** – Multiple topics were examined: soil erosion, expansive soils, naturally occurring asbestos, mineral resources, and geologic hazards. The Project has the potential to increase soil erosion due to disturbance of onsite soils, and some of the

soils in the Project area have a high shrink-swell potential. There are existing regulations in place to address both of these issues, including the Sacramento County Land Grading and Erosion Control Ordinance, the Uniform Building Code, and the California Building Code. The Project site is not considered likely to include asbestos-containing soils, and soil testing found no evidence of naturally occurring asbestos. There are no mapped mineral resources on the site, and furthermore, the Project includes a plan to use whatever suitable rock deposits are found on the site to serve Project construction needs; the Project will not obstruct access to mineral resources. Seismic ground-shaking hazards are low in Sacramento County, and existing building codes require adherence to seismic design standards.

- **Hydrology and Water Quality / Hydrology** – The Project included a Drainage Master Plan which evaluated the on- and off-site floodplains, the potential for hydromodification of stream channels, and the adequacy of existing and planned stormwater infrastructure. The existing floodplains on the site will be within the Avoided Areas where no development will occur, and detention basins have been included to ensure that the post-Project flow rates do not exceed pre-Project rates. Put in general terms, the design to prevent hydromodification is typically a detention basin outlet control structure which retains all stormwater runoff generated up to a 10-year event and slowly releases the runoff through a very small outlet. The Project also includes stormwater infrastructure which is sufficient to handle flows.
- **Hydrology and Water Quality / Water Quality** – Compliance with adopted Ordinances and standards will ensure that future development projects implemented as a result of Project approval will not cause violation of a water quality standard or waste discharge requirement, result in substantial erosion or siltation, and will not result in substantial increases to polluted runoff associated with construction. Compliance with the County Stormwater Ordinance, implementation of Low impact Development Standards, and implementation of the Drainage Master Plan will ensure that development of the site will not alter the course of local waterways in a manner that results in substantial erosion or siltation, will not cause violation of a water quality standard or waste discharge requirement, and will not result in substantial increases to polluted runoff.
- **Land Use / Conflict with Adopted Land Use Plans** – The Project uses are compatible with the surrounding existing and proposed land use plans, and would not result in substantial conflicts with land use plans designed to avoid environmental effects.
- **Land Use / Conflict with General Plan Growth Management Policy** – General Plan Policy LU-120 is intended to reduce impacts of many different types – such as growth inducement, unacceptable operating conditions on roadways, poor air quality, and lack of appropriate infrastructure – by establishing design criteria for all amendments to the Urban Policy Area. A project must be consistent with LU-120 before it may be considered for approval. The Planning Division has reviewed the Project for consistency with LU-120 and has found in the affirmative. The Project has been deemed consistent with criteria PC-1 through PC-10, and has achieved a total of 21 points in the criteria-based standards (CB-1 through CB-5). A total of 18 points is required and 24 points are possible. Given that the Project has been deemed consistent, Project impacts related to conflict with growth management policy are less than significant.



- **Land Use / Conflict with General Plan Policies related to Growth Inducement** – The Project is inconsistent with Policy LU-1, and includes a General Plan Amendment to address this inconsistency. The General Plan Amendment includes language specifically intended to avoid growth-inducing impacts.
- **Land Use / Conflict with General Plan Policies related to Public Services and Utilities** - Compliance with General Plan Policies LU-13, LU-66, LU-110, and LU-123 is intended to ensure that minimum service standards for public services and utilities are met. The Project includes a facilities financing plan that was submitted to all of the applicable service entities for review and approval. Long-term funding sources have been identified for the maintenance of public services. The Project will not result in any substantial environmental impacts related to conflict with General Plan policies that pertain to public services or utilities.
- **Land Use / Conflict with General Plan Policies related to Air Quality and Transportation** – The Project results in significant impacts related to both transportation and air quality, but these impacts are not due to General Plan Policy inconsistency. The Project is consistent with policies intended to alleviate air quality and transportation impacts.
- **Land Use / Division or Disruption of an Established Community - The division or disruption** of an established community is an impact considered by CEQA. Case law has established that a project must create physical barriers within the established community in order to be considered under this impact category. There is no existing development on the project site, nor are there developments north, south, or east of the site that could be divided or disrupted by the project. Furthermore, the Project includes stub streets so that if there ever is development north or south of the site in the future as indicated in the City of Rancho Cordova General Plan, those uses could connect into the Project. The project will not disrupt or divide an established community.
- **Land Use / Displacement of Housing** – There is no existing housing on the Project site that could be displaced by the Project, nor would the Project uses cause the displacement of nearby housing. The site is not included in the affordable housing inventory as part of implementation of the Sacramento County General Plan Housing Element.
- **Noise / Construction Noise** – it is acknowledged that construction related noise could be a nuisance to sensitive receptors; however, this increase in noise is short term, and noise standards are intended to address long term sources of noise. Construction related noise would not result in a permanent increase in ambient noise. Though noise volumes would undergo short term increases, the existing construction ordinance is designed to avoid significant community effects through the restriction of nighttime and weekend disturbance.
- **Noise / Kiefer Landfill Noise** – All sensitive uses are located a sufficient distance from the landfill to avoid substantial noise exposure. Noise at the university/college campus center (the nearest area where residences would be located) would be 44 dB, which is well within standards.
- **Public Services / Fire Protection** – The Project site is located within an area of Sacramento County designated as a State Responsibility Area (SRA) by the California Department of Forestry and Fire Protection (CAL FIRE), and has been assigned a moderate fire hazard severity risk rating (the lowest fire hazard rating applied to SRAs).

The site will be served by the Sacramento Metropolitan Fire District, which will need up to two fire stations on the site. The Project will be subject to the building standards and regulations of the County of Sacramento Building Code, and these regulations will be sufficient to ensure adequate protection.

- **Public Services / Police Protection** – The Project is within the service area of the Sacramento County Sheriff's Department (SSD) and will increase the demand for SSD services. According to SSD, the development of the Project will “not likely necessitate the construction of additional police facilities.” In order to meet staffing ratios, SSD would need to add 16 staff members. Law enforcement services will be funded through the County General Fund and through County Police Services Community Facilities District 2005-1 (CFD 2005-1) annual special tax, which will be levied on each new home. Existing funding mechanisms, policies and regulations will ensure that the Sheriff's Department can adequately serve the new growth.
- **Public Services / Solid Waste** – An annual total of 18,592 tons of waste will require landfill disposal, and a total of 25,241 tons of construction debris will need to be disposed of in the Kiefer Landfill. The Sacramento County Department of Waste Management and Recycling has indicated that landfill capacity is adequate to support the waste disposal needs generated by the Project.
- **Public Services/ Schools** – Student enrollment resulting from the Project will be approximately 4,686 total students, with approximately 2,553 of these in grades K – 6 (elementary school), 748 in grades 7 – 8 (middle school), and 1,384 in grades 9-12 (high school). The Project will generate the need for three elementary schools but only about 63% of a middle/high school; the land use plan includes these school sites. Elk Grove Unified School District (EGUSD) Facilities and Planning Department staff (K. Williams) has indicated that EGUSD has been working with the Project proponents to be sure that adequate school facilities can be accommodated within the Project area and is satisfied with the proposed development and financing plans for the needed schools.
- **Public Services / Parks and Recreation** – The Project area is located within CSA 4b, which is staffed by the Sacramento County Regional Parks Department (Parks Department). The Project area will be detached from CSA 4b, and will be provided park and recreation services under the proposed Cordova Hills LSD; discretionary action by LAFCO is required for the detachment and formation actions. The Project generates a need for approximately 106.9 acres of parkland, and provides 99.1 acres of formal parkland that will be developed. In addition to the formal parks, the Project includes approximately 151 acres of R-2 open space areas that will include trails, informal play areas, picnic areas, and paseos. The informality of these areas precludes full park credit for these areas, but partial Quimby Act credit may be given. If 5% of the R-2 areas received Quimby Act credit, that would be sufficient to achieve the full requirement of 106.9 acres of credited parkland. The Parks Department has reviewed the plans and deemed them adequate.
- **Public Services / Libraries** – The Cordova Hills SPA indicates that a new full service, 15,000 square foot branch library is planned within the proposed Town Center to serve the Cordova Hills community as well as residents in the surrounding area. According to the Sacramento Public Library Authority Facility Master Plan 2007 – 2015 (Library Master Plan), the proposed library size is adequate to serve the demands generated by the Project at buildout. The Project includes a funding mechanism for a new library that

is of sufficient size to accommodate the expected population of the Project, which has been developed in coordination with the Sacramento Public Library System.

- **Public Utilities / Adequacy of Water Supply** – The projected annual water demand for the entire Project is 6,549.9 acre feet per year (AFY), including system losses. The Project will be served by the Sacramento County Water Agency (SCWA) Zone 40, which has a total maximum water supply to Zone 40 of 102,151 AFY. There is sufficient capacity to serve the Project.
- **Public Utilities / Adequacy of Sewage Disposal** – The Project will result in an average dry weather flow of 4.99 million gallons per day (mgd). The peak wet weather flow for Project buildout is 10.41 mgd. The Sacramento Regional Wastewater Treatment Plant has a permitted average dry weather flow (ADWF) design capacity of 181 mgd and wet weather flow (AWWF) of 392 mgd. The plant receives and treats approximately 141 ADWF (Seyfried, 2008). The Project disposal demand can be met by this existing capacity.
- **Public Utilities / Adequacy of Energy Services** – The estimated annual residential and commercial electricity demand for the Project will be 122,903,000 kilowatt hours and that the estimated annual residential and commercial natural gas demand for the Project will be 4,201,494 therms. The California Energy Commission’s Energy Consumption Data Management System reports that 10,691.67 million kilowatt hours of energy and 315.57 million therms were consumed within Sacramento County in the year 2010. The estimated energy usage of the Project is substantially less than the annual energy production for either SMUD or PG&E.
- **Public Utilities / Exceed Sustainable Groundwater Yield** – A long-term average annual yield of 40,900 AFY of groundwater has been identified in both the Water Forum Agreement (WFA) and Water Supply Master Plan for SCWA in the Central Basin. Additionally, as a signatory to the WFA and a member of the Sacramento Central Groundwater Authority (Groundwater Authority), SCWA recognizes the Water Forum-defined long-term sustainable average annual yield of the underlying groundwater basin of 273,000 AFY. The additional groundwater draw caused from implementation of the proposed Project will not result in exceedance of the agreed-upon sustainable yield of 273,000 AFY.
- **Public Utilities – Groundwater Recharge** – The central intermittent drainage on the site is mapped as an area of high groundwater recharge potential. This area is being retained within open space in the Project, and will not be subject to direct impacts.

The Project’s impacts to the above listed environmental issues are less than significant. Therefore, the EIR did not identify or require any mitigation measures to lessen or avoid those environmental impacts.

## **B. LESS-THAN-SIGNIFICANT IMPACTS/ MITIGATION SUGGESTED.**

With regard to impacts that were found by the EIR to be less-than-significant, there were several of them where the EIR nonetheless recommended mitigation to ensure that the impact would remain less-than-significant. These impacts and their suggested mitigation measures were as follows:

- **Agricultural Resources** – The proposed land uses are permitted with approval of the Zoning Ordinance Amendment adopting the Cordova Hills SPA. There are no lands

designated as Prime Farmland on the site, and the land does not support intensive agricultural investment. Though there are soils that are considered prime when irrigated, the site is not irrigated. The Project will result in the loss of 8.6 acres of Unique Farmland (a former eucalyptus grove that has been removed) and 242.4 acres of Grazing Land, which exceeds the 50-acre threshold established by the County; mitigation is required. The Project will not result in substantial conflicts with existing agricultural use of adjacent lands, though mitigation requiring deed notices is recommended. There is one existing Williamson Act contract (72-AP-109) within the Project limits. The landowner initiated the non-renewal process for this contract in February 2007. Under the nonrenewal process the contract will expire in the year 2016, and the land will no longer be subject to Williamson Act contract restrictions. The Project proposal includes a large-lot subdivision map which would create parcels that range from less than an acre in size to approximately 35 acres, and also includes a rezone from an agricultural to an urban designation. In order to approve the subdivision map, the approval action would either need to be deferred until February 2013 (within three years of contract nonrenewal) or the Board of Supervisors would need to make findings that the parcels can maintain agricultural use. In order to approve the rezoning, the approval action would need to stipulate that the zoning agreement will not become effective until 2016. Mitigation is included to ensure agricultural activities are maintained until expiration. Provided these actions take place the Project would be consistent with the provisions of the Williamson Act. Required Mitigation: **AG-1:** “The applicant shall provide all prospective buyers of properties within 500 feet of the northern property boundary with written notice that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the County Right-To-Farm Ordinance and shall include a Note on all final maps disclosing the Right-To-Farm Ordinance.” **AG-2:** “The applicant shall enter into an agreement with an agricultural operator to maintain grazing use, or other more intensive use, on the land which is subject to Williamson Act contract 72-AP-109. Agricultural use shall be maintained until Williamson Act contract expiration. Documentation of this agreement shall be submitted to the Environmental Coordinator prior to approval of the zoning agreement for the Williamson Act contracted property.” **AG-3:** “Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, the applicant shall offset the loss of 8.6 acres of Unique Farmland and 242.6 acres of Grazing Land through 1:1 preservation of farmland within a permanent conservation easement. Preservation land must be in-kind or similar resource value.”

- **Biological Resources – Amphibians.** The Project site contains suitable habitat and suitable upland habitat for the western spadefoot. The latter species has been observed within the site. The Project will result in loss of approximately 19 acres of seasonal wetlands and vernal pools which are potential breeding habitat for the species, for which 1:1 mitigation is required pursuant to County policies regarding wetland loss. Western spadefoot, a Species of Concern, has been observed in several counties across the state, and a number of sites with suitable habitat for western spadefoot are already being protected. Additionally, 23 vernal pool species are federally protected; preservation efforts for those species and associated habitats will contribute to the conservation of the western spadefoot. While a localized population of the western spadefoot may be reduced through development of the Project site, the regional population will not be reduced significantly for the reasons stated above. Required Mitigation: **BR-1:** “To

compensate for the permanent loss of wetlands, the applicant shall perform one or a combination of the following prior to issuance of building permits, and shall also obtain all applicable permits from the Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Central Valley Regional Water Quality Control Board, and the California Department of Fish and Game: A. Where a Section 404 Permit has been issued by the Army Corps of Engineers, or an application has been made to obtain a Section 404 Permit, the Mitigation and Management Plan required by that permit or proposed to satisfy the requirements of the Corps for granting a permit may be submitted for purposes of achieving a no net-loss of wetlands. The required Plan shall be submitted to the Environmental Coordinator, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service for approval prior to its implementation. B. If regulatory permitting processes result in less than a 1:1 compensation ratio for loss of wetlands, the Project applicant shall demonstrate that the wetlands which went unmitigated/uncompensated as a result of permitting have been mitigated through other means. Acceptable methods include payment into a mitigation bank or protection of off-site wetlands through the establishment of a permanent conservation easement, subject to the approval of the Environmental Coordinator. C. The Project applicant may participate in the South Sacramento Habitat Conservation Plan if it is adopted and if the Project area and activities are covered. The applicant shall prepare Project plans in accordance with that Plan and any and all fees or land dedications shall be completed prior to construction.”

- **Land Use / Conflict with General Plan Policies related to Land Use Compatibility.** Policy LU-19 states that appropriate buffers should be placed between incompatible uses, and Policy LU-94 states that new development should be compatible with existing development. The Project is adjacent to two existing uses, the Boys Ranch and Kiefer Landfill, with potential to result in conflicts. For the Boys Ranch, the distance from the majority of the site and the topographical changes between the site and the Boys Ranch acts as a natural barrier. For the Kiefer Landfill, distance from the site combined with existing regulations for landfills will prevent substantial impacts. For both facilities, there remains the potential for nuisance impacts. For this reason, mitigation is included requiring disclosure of the facilities to prospective buyers. **Required Mitigation: LU-1:** “The location and nature of the Sacramento County Boys Ranch facility shall be disclosed to all prospective buyers of estate-residential properties. **LU-2:** The location and nature of the Kiefer Landfill facility shall be disclosed to all prospective buyers of properties within one mile of the ultimate active landfill boundary. The disclosure notice shall include: A. A statement substantially consistent with the following: ‘The landfill will expand in height and land area over time, and thus the visibility and proximity of the landfill from the property at the time of purchase does not reflect how visible or proximate the landfill will be in the future.’ This statement shall be supplemented with relevant facts about ultimate landfill design, including the distance of the property to the ultimate planned edge of the landfill waste disposal area to the nearest 100 feet and the ultimate planned height of the landfill (as set forth in the Solid Waste Facilities Permit). B. Notification that the landfill operates under a Solid Waste Facilities Permit and is required to control pests, vectors, litter, and odor to the extent practicable, but that it is not possible to eliminate all of these nuisances. For this reason, property owners may experience some of these nuisance conditions. C. Notification that the active landfill area is lighted at night.”

- **Noise / Mather Airport.** The Project site is located approximately four miles east of Mather Airport. Although the Project site is located outside the 60 dB CNEL contour of Mather Airport, the Project site is located within the overflight path of approaching and departing aircraft that fly below 3,000 feet above ground level. During an average one-month time period, a very small percentage of total departure (two percent) and arrival (eight percent) flights are passing over the Project site and there are less than 15 percent of the total touch-and-go flights passing over the Project site. Though the Project will not expose people to excessive aircraft noise, continued and future use of Mather Airport has the potential to be a nuisance and generate objections by residents and other sensitive receptors. An Avigation Easement to inform future potential residential buyers will be required to help reduce the impact to Mather Airport from new complaints by future residents or other sensitive receptors of the proposed Project; these various conditions are included as mitigation. Required Mitigation: NO-6: “The following conditions will be required to ensure adequate disclosure of Mather Airport operations: 1. Notification in the Public Report prepared by the California Department of Real Estate shall be provided disclosing to prospective buyers that the parcel is located within the applicable Airport Planning Policy Area and that aircraft operations can be expected to overfly that area at varying altitudes less than 3,000 feet above ground level. 2. Avigation Easements prepared by the Sacramento County Counsel’s Office shall be executed and recorded with the Sacramento County Recorder on each individual parcel contemplated in the development in favor of the County of Sacramento. All Avigation Easements recorded pursuant to this policy shall, once recorded, be copied to the director of Airports and shall acknowledge the property location within the appropriate Airport Planning Policy Area and shall grant the right of flight and unobstructed passage of all aircraft into and out of the appropriate airport.”

**C. SIGNIFICANT AND POTENTIALLY SIGNIFICANT IMPACTS/ MITIGATION REQUIRED.**

The EIR also identified a number of significant or potentially significant environmental effects or impacts that the Project will or may cause. Some of those significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects cannot be avoided or substantially lessened by the adoption of feasible mitigation measures or alternatives and are, therefore, considered significant and unavoidable. However, for the reasons set forth below in Section X.C, LAFCo has determined that those significant, unavoidable effects of the Project are outweighed by overriding economic, social and other considerations.

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It has been found that the Project would result in significant or potentially significant environmental effects that can be fully avoided through the adoption of feasible mitigation measures with respect to the following issues or resources:

- **Air Quality / Construction Activities Would Increase NOx Emissions –** The Project has the potential to result in significant impacts throughout most of the life of the Project, even after implementation of the Basic Construction Emissions Control Practices and Enhanced Construction Emission Control Practices which are required by rule through the Sacramento Metropolitan Air Quality District (SMAQMD). Mitigation is included (which is in addition to the rules) to ensure that all subsequent projects which

occur within the Project area conform to the SMAQMD mitigation and abatement requirements which are in effect at the time. This will offset Project emissions.

- **Air Quality / Project Operation Would result in TAC Emissions** – Using the published California Air Resources Board siting criteria for sources of toxic air contaminants (TAC) and sensitive receptors, there are no off-site TAC sources proximate to the sensitive receptors of the Project, and the Project will not generate TAC that would impact off-site sensitive receptors. The Project could result in exposure of proposed on-site uses to proposed on-site stationary source TAC, but mitigation is included to ensure that the siting of new uses conforms to ARB recommendations.
- **Air Quality / Project Operation May Result in Exposure to Objectionable Odors** – The Project is proximate to both the Boys Ranch and the Kiefer Landfill. The former facility is specifically prohibited from causing a nuisance odor condition, and nuisance odor is fully controllable through maintenance of aerated conditions in the ponds. Though based on historic operation of wastewater facilities in general and of this facility in particular it can be expected that there will be events when aeration fails (a pump malfunctions, for instance), it can also be expected that these will be infrequent events of short duration. Only considering meteorological conditions and the proximity of the Project to the landfill, it would be likely that some significant odor impacts to the Project could occur; however, the SMAQMD Guide does not provide further information regarding factors that can reduce odor impacts, if present. Kiefer Landfill has established an active gas-to-energy system that employs active gas extraction from the landfill for use in electrical generation. As landfill gas is a major source of odor from a landfill, the active extraction of gases for use in generating electricity is an effective form of limiting odors. Given the foregoing and the mitigation incorporated below, odor impacts are not expected to be substantial.
- **Biological Resources / Special Status Species / Bird Species** – The following special status bird species are identified as having potential to occur on or near the Project site: burrowing owl, Cooper’s hawk, ferruginous hawk, golden eagle, grasshopper sparrow, northern harrier, Swainson’s hawk, tricolored blackbird, and white-tailed kite. Excluding the large avoided area and two adjacent smaller avoided areas on the western side of the site, the Project will result in the conversion of 2,120 acres of grassland habitat to urban uses (note that the central linear avoided area is not considered preserved for the purposes of Swainson’s hawk habitat, which is why the mitigation requirement in BR-4 is higher than the total grassland lost). Except the tricolored blackbird, all of the species listed above use grasslands for foraging and/or nesting and will be impacted by Project development. The Swainson’s hawk is the only threatened species, and mitigation is included requiring 1:1 habitat mitigation. Mitigation of habitat for the benefit of the Swainson’s hawk will also provide habitat compensation for other bird species. The Project site does not contain any trees for nesting, but there are offsite trees nearby; pre-construction nesting surveys have been included for tree-nesting raptors. Pre-construction nesting surveys are also included for burrowing owl (which is ground-nesting), and are also included for tricolored blackbird (for those areas which are within 300 feet of suitable habitat, such as cattail or blackberry).
- **Biological Resources / Special Status Species / Plants** – The Project site was surveyed for special status plant species in May 2007, April and June 2008, and May and July 2010 by ECORP Consulting Inc. The special status plant surveys revealed two special status species present on the Project site: legenere and Sacramento Orcutt grass.

The wetlands containing those plants are located within Avoided Areas, but given the proximity of these wetlands to development areas, mitigation requires additional measures be implemented to control invasive species and to avoid pollution runoff from urban activities.

- **Cultural Resources** - The Project area contains three historic era sites, and a fourth historical site that is included in a multi-component site. One prehistoric bedrock mortar station site and one prehistoric component of a multi-component site were discovered in the project area. None of the sites are associated with any important persons or events in California or national history. They are not considered to be unique and do not represent the work of a master or possess high artistic values. In all cases, the historic sites lack sufficient cultural material to address research questions. All of the historic sites were evaluated as not eligible under any criteria for the National Register of Historic Places or the California Register of Historical Resources and are not considered a historical resource or unique archeological resource as defined by CEQA. There always remains a potential to encounter buried or as yet undiscovered resources during land clearing and construction work. Mitigation is included to ensure that such resources are treated appropriately if discovered.
- **Hazards and Hazardous Materials** - The site was assessed for on-site hazardous conditions, and this assessment concluded that there is no evidence of any recognized hazardous conditions that may have a significant adverse effect on the development of the Project site. There are three agency-listed contaminated sites within approximately one mile of the Project site. These include the Sacramento County Boys Ranch (a juvenile correction facility within 1,000 feet of the eastern Project boundary), Aerojet (located just over a mile to the northwest), and the Kiefer Landfill (located approximately 2,000 feet to the south). The Boys Ranch hazardous condition was remediated and the case closed. Aerojet remediation activities are ongoing. Contaminated soils from Aerojet would not affect the Project, as these are off-site, while the groundwater contamination plumes are migrating away from the Project area. Groundwater contamination at Kiefer Landfill is likewise migrating away from the Project site. The Project will also be using public water provided through the Sacramento County Water Agency, not groundwater. Landfill gas migration from Kiefer Landfill also appears not to affect the site, but a mitigation measure is nonetheless included for the small portion of the site outside of the Urban Services Boundary that is within the 2,000 foot buffer established around the Kiefer Landfill.
- **Noise / Traffic Noise** – Traffic on the internal Project roadways and on Grant Line Road will generate noise that has the potential to exceed General Plan noise standards related to both residential and non-residential uses. Mitigation is included to ensure that future subdivisions and non-residential developments are constructed in a manner that achieves compliance with General Plan standards.
- **Noise / On-site Stationary and Community Noise** - The Project includes uses which include noise-generating sources such as playing fields, loading docks, a corporation yard, and other uses. Mitigation is included to require that all such uses located adjacent to residential lands be designed so as not to cause the General Plan standards to be exceeded.



#### D. SIGNIFICANT AND UNAVOIDABLE IMPACTS.

The Final EIR identified mitigation measures that would reduce the above significant impacts to a less-than-significant level. The Project was determined in the Final EIR to result in significant and unavoidable environmental effects with respect to the following impacts regardless of whether all feasible mitigation was required:

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- **Aesthetics / Degradation of Existing Views and Visual Quality** – The Project will remove the illusion of continuity – that is, the illusion that the grasslands continue unbroken up to the foothills – both due to the introduction of the structures themselves, and because of the substantial changes in the color and texture of the viewshed. The Project will introduce hard, angled shapes into an area that previously appeared smooth, and will introduce a wider array of color into an area that was previously quite uniform. Though this will increase the diversity of the view, the loss of continuity and the partial obstruction of views of the Sierra Nevada significantly and negatively impacts the quality of the views. These impacts are due to the placement of a large urban development in an area currently dominated by open space; the impact is not due to any particular feature or features that could be changed. The Project will substantially degrade the existing visual character and quality of the site.
- **Aesthetics / New Source of Light or Glare** - Project lighting will not result in sleep disruption or significant wildlife impacts, but will nonetheless introduce a substantial new source of light. This impact is not due to any individual feature or features, but due to the result of introducing a large urban development within a rural landscape. Though the impact cannot be made less than significant, usage of lighting fixtures that minimize glare and light trespass can reduce the impact to some degree.
- **Air Quality / Operational Emissions of Ozone Precursors** - The Project will result in worst-case NOx and ROG emissions of 415.22 pounds per day and 857.40 pounds per day, respectively, which is significantly above the threshold of 65 pounds per day. A mitigation plan is included to reduce emissions by 35%, but emissions will still exceed the threshold.
- **Air Quality / Construction Activities Would Increase Particulate Matter Emissions** – Modeling conducted by SMAQMD has indicated that applying basic construction rules will ensure that impacts will not be significant provided that construction is limited to no more than 15 acres of active grading per day. On a project of this size, it is unreasonable to assume that construction will be limited to such a small area. The Project will generate particulate matter emissions that exceed the SMAQMD thresholds.
- **Air Quality / Conflict With or Obstruct Air Quality Plans** - The current State Implementation Plan (SIP) did not assume that the land east of Grant Line Road would develop, and thus even if the Project's emissions of ozone precursors were not significant, the Project would still conflict with implementation of the SIP.
- **Biological Resources / Wetlands and Surface Waters** – In total, there are approximately 89.11 acres of wetland resources on the Project site. The Project will result in the fill or dredge of 41.37 acres of wetlands on the site, which includes approximately 16 acres of vernal pool; three acres of seasonal wetland; 15 acres of seasonal wetland swale; six acres of intermittent drainage; and less than one acre of seep, stock pond, and creek. Mitigation is required to offset these direct impacts, but given

the extent of wetland loss (46% of the wetlands on the site) and the fact that this is in a Rank 1 Vernal Pool Recovery Plan area the mitigation is not sufficient to reduce impacts. Future development within the SPA could include amendments to the SPA which would modify the Avoided Area boundaries. This could result in additional incremental losses of needed uplands and/or wetlands, increasing the severity of what is already a significant impact in an area noted as vital to the recovery of vernal pool resources. For this reason, mitigation is also included which would require the establishment of a permanent conservation easement over all areas designed as Avoided.

- **Biological Resources / Special Status Species / Invertebrates** - The site contains wetlands suitable for the California linderiella, midvalley fairy shrimp, Ricksecker's water scavenger beetle, vernal pool fairy shrimp, and vernal pool tadpole shrimp. Published protocols for the vernal pool fairy shrimp and vernal pool tadpole shrimp contain survey requirements for determining absence, and mitigation to be applied in case of presence or if presence is being assumed. These same measures are applied to the Species of Concern, California linderiella and midvalley fairy shrimp as well. Mitigation being required for these species will also serve to provide mitigation for the Ricksecker's water scavenger beetle, which uses the same habitats. Though in-kind mitigation will be required for the loss of habitat on the site, the loss of 46% of the wetlands on the site within an area identified as vital to the recovery for vernal pool habitats and their dependent species is significant even with mitigation.
- **Climate Change** - In concert with state and federal activities, the design features of the SPA are intended to offset the Project climate change impact. Ideally, this mitigation would reduce the Project emissions and climate change impacts to levels that are not cumulatively significant, but there are many unknown variables and implementation challenges. Given the substantial emissions which will result from the Project and the uncertainties related to target-setting and the current state of modeling this analysis concludes that Project impacts may remain significant. The effects of climatic changes on the Sacramento region are potentially significant, and can only be mitigated through both adaptation and reduction strategies. By requiring mitigation of projects that may result in significant greenhouse gas emissions, and by adopting County programs and changes in government operations, the County is implementing all feasible strategies to reduce the effects of climate change on the region. Nonetheless, it is probable that these strategies will not be sufficient to offset all of the impacts of climate change, and that some of these impacts will be significant.
- **Land Use / Conflict With the SACOG Blueprint and General Plan Policy** - The Project includes a wide variety of transportation choices, an array of housing choices, a mix of uses, compact community design, and fosters a sense of place. While acknowledging that in terms of internal community design the Project appears to be an excellent example of "smart growth" development and is consistent with relevant General Plan policies, it must also be acknowledged that the Project conflicts with the principles with respect to the preservation of open space and the proximity to existing developed communities. In terms of open space preservation, the analysis is somewhat subjective, and the Project has directed preservation toward the most sensitive vernal pool areas of the site. In terms of directing development toward existing communities, the conflict is more clear. Though projected for future development, the Blueprint envisions growth occurring from the existing city centers outward rather than the

reverse. This is a fundamental underpinning to the Blueprint, and as a result, the Project's inconsistency with this principle is considered substantial.

- **Noise / Substantial Increase in Existing Ambient Noise** - The Project would result in a substantial increase in existing ambient noise for multiple roadway segments, but only two of these include receptors which would be impacted: Sunrise Boulevard and Douglas Boulevard. Noise volumes would be increased by 2 dB on Sunrise Boulevard and by 7 dB and 10 dB along Douglas Boulevard. Based on the existing noise environments, these are substantial increases. On Sunrise Boulevard, a noise barrier is not appropriate because businesses rely on visibility to attract customers, and on Douglas Road a barrier is already present. Thus, no further improvements can be made to reduce impacts.
- **Public Utilities / Construction Impacts** - Water, sewer, and dry utility lines constructed within the Project boundaries would not cause any additional utility-specific construction impacts, as utility construction will occur within areas that will already urbanize as part of the Project. Most of the off-site utility lines are shown within areas already proposed for utility construction as part of service provider master planning documents. There are some improvement areas that have not already been studied or approved, and which are likely to contribute to wetland impacts and impacts to associated species.
- **Traffic and Circulation / Existing Plus Project** - The Project results in significant impacts to six County intersections, ten City of Rancho Cordova intersections, the Zinfandel and US 50 freeway ramp intersection, two County roadway segments, one City of Elk Grove roadway segment, eleven City of Rancho Cordova roadway segments, two US 50 freeway segments, and bicycle and pedestrian facilities. Mitigation is included which will improve operating conditions to acceptable levels for most of these facilities, but there are some impacts for which no feasible mitigation exists. These are: the Zinfandel and US 50 freeway ramp intersection and Sunrise Boulevard from US 50 to White Rock Road. Furthermore, the County does not have land use authority in other jurisdictions, and cannot guarantee that non-County facilities will be constructed.
- **Traffic and Circulation / Cumulative Plus Project** - The Project results in significant impacts to five City of Rancho Cordova intersections, the Zinfandel and US 50 freeway ramp intersection, one new Project roadway segment, four City of Rancho Cordova roadway segments, six Caltrans freeway segments, and four Caltrans freeway ramps. Mitigation is included which will improve operating conditions to acceptable levels for most of these facilities, but there are some impacts for which no feasible mitigation exists. These are: the Zinfandel and US 50 freeway ramp intersection, the intersection of Sunrise Boulevard and International Drive, Grant Line Road from North Loop Road to Douglas Road, eastbound US 50 from Watt Avenue to Bradshaw Road, eastbound US 50 from Rancho Cordova Parkway to Hazel Avenue, westbound US 50 from Hazel Avenue to Rancho Cordova Parkway, westbound US 50 from Mather Field Road to Power Inn/Howe Avenue, eastbound US 50 Exit Ramp to Watt Avenue, eastbound US 50 Slip Ramp Entrance from Watt Avenue, westbound US 50 Exit Ramp to Watt Avenue, and westbound US 50 Slip Ramp Entrance from Watt Avenue.

## E. IMPACTS AND REQUIRED MITIGATION MEASURES:

### AESTHETICS

#### *Impact: Degradation of Existing Views and Visual Quality.*

The Project will remove the illusion of continuity – that is, the illusion that the grasslands continue unbroken up to the foothills – both due to the introduction of the structures themselves, and because of the substantial changes in the color and texture of the viewshed. The Project will introduce hard, angled shapes into an area that previously appeared smooth, and will introduce a wider array of color into an area that was previously quite uniform. Though this will increase the diversity of the view, the loss of continuity and the partial obstruction of views of the Sierra Nevada significantly and negatively impacts the quality of the views. These impacts are due to the placement of a large urban development in an area currently dominated by open space; the impact is not due to any particular feature or features that could be changed. The Project will substantially degrade the existing visual character and quality of the site. (Significant)

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**Finding:** The EIR did not identify any changes or alterations that could be required in, or incorporated into, the Project to substantially reduce the significant environmental effect identified in the EIR. The Project will introduce hard, angled shapes into an area that previously appeared smooth and uniform. The Project's impact on visual quality or character is considered significant and unavoidable because the Project site will no longer present its current natural state. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The EIR determined that no mitigation measures were available to substantially lessen this impact.

**Level of Significance After Mitigation:** Since there is no feasible mitigation, this impact will remain Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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#### *Impact: New Source of Light and Glare.*

Project lighting will not result in sleep disruption or significant wildlife impacts, but will nonetheless introduce a substantial new source of light. This impact is not due to any individual feature or features, but due to the result of introducing a large urban development within a rural landscape. Though the impact cannot be made less than significant, usage of lighting fixtures that minimize glare and light trespass can reduce the impact to some degree. (Significant)

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**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially reduce the significant environmental effect as identified in the EIR. While the proposed aesthetics mitigation measure requires all lighting to be subject to the 2008 Building Efficiency Standards Section 147 and to use only fixtures approved by the International Dark Sky Association to reduce the Project's impact on the nighttime sky, this impact is significant and

unavoidable because the Project site will still be a source of urban nighttime light and glare in an area where there is no other light pollution. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measure has been incorporated into the Project to substantially lessen this impact, but not to a less-than-significant level:

**Mitigation Measure AE-1.** The SPA shall be amended to require all lighting applications subject to the 2008 Building Efficiency Standards Section 107 to use fixtures approved by the International Dark Sky Association.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo additionally finds that the measures are feasible, and could and should be adopted by Sacramento County. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## AIR QUALITY

**Impact:** *Construction Activities Would Increase NOx Emissions.*

The Project has the potential to result in significant impacts throughout most of the life of the Project, even after implementation of the Basic Construction Emission Control Practices and Enhanced Construction Emission Control Practices that are required by rule through the Sacramento Metropolitan Air Quality District (SMAQMD). Mitigation is included (which is in addition to the rules) to ensure that all subsequent projects that occur within the Project area conform to the SMAQMD mitigation and abatement requirements that are in effect at the time. This will offset Project emissions. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially reduce the significant environmental effect as identified in the EIR by requiring all individual development projects in the Project Area to implement SMAQMD rules and mitigation pertinent to construction-related ozone precursor emissions, as defined by the most current version of the SMAQMD Guide to Air Quality Assessment. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measures:** The following mitigation measure has been incorporated into the Project to avoid this impact and reduce it to a less-than-significant level:

**Mitigation Measure AQ-1.** The following language shall be added to the SPA:

All individual development projects shall implement Sacramento Metropolitan Air Quality Management District rules and mitigation pertinent to construction-related ozone precursor

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emissions, as defined by the most current version of the Sacramento Metropolitan Air Quality Management District Guide to Air Quality Assessment.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Operational Emissions of Ozone Precursors.***

The Project will result in worst-case NOx and ROG emissions of 415.22 pounds per day and 857.40 pounds per day, respectively, which is significantly above the threshold of 65 pounds per day. A mitigation plan is included to reduce emissions by 35%, but emissions will still exceed the threshold. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project that substantially lessen the significant environmental effects from operational emissions of ozone precursors identified in the EIR by requiring compliance with the provisions of the Air Quality Management Plan dated June 1, 2011, as updated March 2012 (errata) and as amended January 2013; these measures will reduce the emissions of ozone precursors by requiring the incorporation of the requirements of that plan into the Cordova Hills SPA conditions. However, those measures will not completely avoid this impact or reduce it below the 65 pounds per day threshold, and the impact will still remain significant and unavoidable. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measure:** The following mitigation measure has been incorporated into the Project to substantially lessen this impact, but not to a less-than-significant level:

**Mitigation Measure AQ-2.** Comply with the provisions of the Air Quality Management Plan dated June 1, 2011, as updated March 2012 (errata) and as amended January 2013, and incorporate the requirements of this plan into the Cordova Hills Special Planning Area conditions. Also the following text shall be added to the Cordova Hills SPA:

“All amendments to the Cordova Hills SPA with the potential to result in a change in ozone precursor emissions shall include an analysis which quantifies, to the extent practicable, the effect of the proposed SPA amendment on ozone precursor emissions. The amendment shall not increase total ozone precursor emissions above what was considered in the AQMP for the entire Cordova Hills project and shall achieve the original 35% reduction in total overall project emissions. If the amendment would require a change in the AQMP to meet that requirement, then the proponent of the SPA amendment shall consult with SMAQMD on the revised analysis and shall prepare a revised AQMP for approval by the County, in consultation with SMAQMD.”

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo additionally finds that the measure is feasible, and could and should be adopted by Sacramento County. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Construction activities Would Increase Particulate Matter Emissions.***

Modeling conducted by SMAQMD has indicated that applying basic construction rules will ensure that impacts will not be significant provided that construction is limited to no more than 15 acres of active grading. On a project of this size, it is unreasonable to assume that construction will be limited to such a small area. The Project will generate particulate matter emissions that exceed thresholds. (Significant)

**Finding:** The EIR did not identify any changes or alterations that could be required in, or incorporated into, the Project to substantially reduce the particulate matter emissions from construction activities because it would be unreasonable to expect that construction activities could be limited to 15 acres of active grading per day in a project of this size. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measures:** There were no feasible mitigation measures identified in the EIR that could avoid or substantially lessen this impact.

Level of Significance After Mitigation: Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Conflict With or Obstruct Air Quality Plans.***

The current State Implementation Plan (SIP) did not assume that the land east of Grant Line Road would develop, and thus even if the Project's emissions of ozone precursors were not significant, the Project would still conflict with implementation of the SIP. (Significant)

**Finding:** Aside from requiring compliance with Mitigation Measure AQ-2, the EIR did not identify any other changes or alterations that could be required in, or incorporated into, the Project to substantially reduce this impact. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measure:** The following mitigation measure has been incorporated into the Project to substantially lessen this impact, but not to a less-than-significant level:

**Mitigation Measure AQ-2.** Comply with the provisions of the Air Quality Management Plan dated June 1, 2011, as updated March 2012 (errata) and as amended January 2013, and incorporate the requirements of the amended AQMP into the Cordova Hills Special Planning Area conditions. Also the following text shall be added to the Cordova Hills SPA:

“All amendments to the Cordova Hills SPA with the potential to result in a change in ozone precursor emissions shall include an analysis which quantifies, to the extent practicable, the effect of the proposed SPA amendment on ozone precursor emissions. The amendment shall not increase total ozone precursor emissions above what was considered in the AQMP for the entire Cordova Hills project and shall achieve the original 35% reduction in total overall project emissions. If the amendment would require a change in the AQMP to meet that requirement, then the proponent of the SPA amendment shall consult with SMAQMD on the revised analysis and shall prepare a revised AQMP for approval by the County, in consultation with SMAQMD.”

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Project Operation Would result in TAC Emissions.***

Using the published California Air Resources Board siting criteria for sources of toxic air contaminants (TAC) and sensitive receptors, there are no off-site TAC sources proximate to the sensitive receptors of the Project, and the Project will not generate TAC that would impact off-site sensitive receptors. The Project could result in exposure of proposed on-site uses to proposed on-site stationary source TAC, but mitigation is included to ensure that the siting of new uses conforms to ARB recommendations. (Potentially Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially avoid the potentially significant impacts from the TAC emissions that would result from project operation by requiring buffers to be established on a project-by-project basis between sources that emit TACs or odors and sensitive receptors, such as schools, daycare facilities, congregate care facilities, hospitals, or other places of long-term residency (including single and multi-family). LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measure:** The following mitigation measure has been incorporated into the Project to avoid this impact and reduce it to a less-than-significant level:

**Mitigation Measure AQ-3.** The following language shall be added to the SPA:

Buffers shall be established on a project-by-project basis and incorporated during permit or project review to provide for buffer separations between sensitive land uses and sources of air pollution or odor. The California Air Resources Board’s “Air Quality and Land Use Handbook: A Community Health Perspective”, or more current document, shall be utilized when establishing these buffers. Sensitive uses include schools, daycare facilities, congregate care facilities, hospitals, or other places of long-term residency for people (this includes both single-



and multiple-family). The buffers shall be applied to the source of air pollution or odor, and shall be established based either on proximity to existing sensitive uses or proximity to the property boundary of land designated for sensitive uses. Buffers current at the time of the establishment of this SPA indicate that sensitive uses should be:

- A. A least 500 feet from auto body repair services.
- B. At least 50 feet from existing gasoline dispensing stations with an annual throughput of less than 3.6 million gallons and 300 feet from existing gasoline dispensing stations with an annual throughput at or above 3.6 million gallons.
- C. At least 300 feet from existing land uses that use methylene chloride or other solvents identified as a TAC, including furniture manufacturing and repair services.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Project Operation May Result in Exposure to Objectionable Odors.***

The Project is proximate to both the Boys Ranch and the Kiefer Landfill. The former facility includes wastewater treatment ponds. The Boys Ranch is specifically prohibited from causing a nuisance odor condition, and nuisance odor is fully controllable through maintenance of aerated conditions in the ponds. Though based on historic operation of wastewater facilities in general and of the Boys Ranch facility in particular, it can be expected that there will be events when aeration fails (a pump malfunctions, for instance), but it can also be expected that these will be infrequent events of short duration. Considering the meteorological conditions and the proximity of the Project to the Kiefer Landfill, it would be likely that some significant odor impacts to the Project also could occur; however, the SMAQMD Guide does provide further information regarding factors that can reduce odor impacts, if present. Kiefer Landfill has established an active gas-to-energy system that employs active gas extraction from the landfill for use in electrical generation. As landfill gas is a major source of odor from a landfill, the active extraction of gases for use in generating electricity is an effective form of limiting odors. Given the foregoing and the mitigation incorporated below, odor impacts are not expected to be substantial. (Potentially Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially avoid the potentially significant impacts during Project operation that may arise from exposure to objectionable odors from the Boys Ranch water treatment ponds or the Kiefer Landfill. Those changes include adding a requirement to the SPA that the western perimeter of the Sports Park and University/College Campus Center that are within 2,000 feet of the Kiefer Landfill include a minimum 25-foot wide landscaping area with a dense mix of trees that will grow to at least 40 feet in height to reduce odors and the uses from the Landfill. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation Measure:** The following mitigation measure has been incorporated into the Project to avoid this impact and reduce it to a less-than-significant level:

**Mitigation Measure AQ-4:** Include in the SPA a requirement that the western perimeter of the Sports Park and University/College Campus Center (where these are within 2,000 feet of the Kiefer landfill) include a minimum 25-foot-wide landscaping area. This landscaping area shall include a dense mix of trees and shrubs, to screen the uses from the landfill. Acceptable tree species include those expected to reach minimum heights of 40 feet.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## **BIOLOGICAL RESOURCES**

### ***Impact: Wetlands and Surface Waters.***

In total, there are approximately 89.11 acres of wetland resources on the Project site. The Project could result in the fill or dredge of approximately 39.63 acres of wetlands on the site, which includes approximately 16 acres of vernal pools; three acres of seasonal wetlands; 15 acres of seasonal wetland swales; six acres of intermittent drainages; and less than one acre of seep, stock pond, and creek. However, it is possible that the Project could impact up to a total of approximately 41.37 acres of wetlands if a 50-foot buffer is applied to non-linear wetland impacts, as well as taking into account possible impacts that might arise to off-site wetlands associated with the construction of water tanks and other utilities on adjacent lands. However, the offsite water tanks and associated utilities will not be designed until later Project phases, so it is likely that 41.37 acres is an overestimate of the total Project wetland impacts. Mitigation is required to offset these direct impacts, but given the extent of wetland loss (46% of the wetlands on the site) and the fact that this is in a Rank 1 Vernal Pool Recovery Plan area the mitigation is not sufficient to reduce impacts. Future development within the SPA could include amendments to the SPA that would modify the Avoided Area boundaries. This could result in additional incremental losses of needed uplands and/or wetlands, increasing the severity of what is already a significant impact in an area noted as vital to the recovery of vernal pool resources. For this reason, mitigation is also included which would require the establishment of a permanent conservation easement over all areas designed as Avoided. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project that substantially lessen the potential environmental impacts on wetlands and surface waters identified in the EIR. In order to substantially lessen the impacts, the EIR proposed mitigation measures requiring the Applicants to obtain and comply with the requirements of Clean Water Act Section 404 and Section 401 Permits prior to issuance of any building permits at the Project, and to the extent the required mitigation did not require 1:1 compensation for the loss of wetlands, the mitigation measures will require mitigation to be provided by the Applicants through other means,

such as by the purchase of mitigation credits at a mitigation bank for the shortfall, protecting offsite wetlands via a conservation easement to make up the shortfall, or participation in the South Sacramento Habitat Conservation Plan (if it should be adopted) in order to ensure there is no net loss of wetlands. In addition, the EIR's mitigation measures required all Avoided Areas at the Project site to be placed under a permanent conservation easement in order to protect the wetlands and surface waters in those Avoided Areas. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project as conditions of approval to substantially lessen this impact, but the impact will nonetheless remain significant and unavoidable:

**Mitigation Measure BR-1:** To compensate for the permanent loss of wetlands, the Applicants shall perform one or a combination of the following prior to issuance of building permits and shall also obtain all applicable permits from the Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Central Valley Regional Water Quality Control Board, and the California Department of Fish and Game:

- A. Where a Section 404 Permit has been issued by the Army Corps of Engineers, or an application has been made to obtain a Section 404 Permit, the Mitigation and Management Plan required by that permit or proposed to satisfy the requirements of the Corps for granting a permit may be submitted for purposes of achieving a no net-loss of wetlands. The required Plan shall be submitted to the Environmental Coordinator, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service for approval prior to its implementation.
- B. If regulatory permitting processes result in less than a 1:1 compensation ratio for loss of wetlands, the Project applicant shall demonstrate that the wetlands which went unmitigated/uncompensated as a result of permitting have been mitigated through other means. Acceptable methods include payment into a mitigation bank or protection of off-site wetlands through the establishment of a permanent conservation easement, subject to the approval of the Environmental Coordinator.
- C. The Project applicant may participate in the South Sacramento Habitat Conservation Plan if it is adopted, and if the Project area and activities are covered. The Applicant shall prepare Project plans in accordance with that Plan and any and all fees or land dedications shall be completed prior to construction.

**Mitigation Measure BR-2:** Prior to issuance of building permits, all areas designated within the SPA as Avoided shall be placed within a permanent conservation easement, which shall be reviewed and approved by the Environmental Coordinator. At a minimum, the permanent conservation easements must cover all areas which are required to be preserved as part of the Section 404 and Section 401 wetland permits.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measures are within the purview of Sacramento County and not that of LAFCo. LAFCo additionally finds that the measures are feasible, and could and should be adopted by Sacramento County. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of

this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Special Status Species / Bird Species.***

The following special status bird species are identified as having potential to occur on or near the Project site: burrowing owl, Cooper's hawk, ferruginous hawk, golden eagle, grasshopper sparrow, northern harrier, Swainson's hawk, tricolored blackbird, and white-tailed kite. Excluding the large avoided area and two adjacent smaller avoided areas on the western side of the site, the Project will result in the conversion of 2,120 acres of grassland habitat to urban uses (note that the central linear Avoided Area is not considered preserved for the purposes of Swainson's hawk habitat, which is why the mitigation requirement in BR-4 is higher than the total grassland lost). Except for the tricolored blackbird, all of the species listed above use grasslands for foraging and/or nesting and will be impacted by Project development. The Swainson's hawk is the only Threatened Species, and mitigation is included requiring 1:1 habitat mitigation. Mitigation of habitat for the benefit of the Swainson's hawk will also provide habitat compensation for other bird species. The Project site does not contain any trees for nesting, but there are offsite trees nearby; pre-construction nesting surveys have been included for tree-nesting raptors. Pre-construction nesting surveys are also included for burrowing owl (which is ground-nesting), and are also included for tricolored blackbird (for those areas which are within 300 feet of suitable habitat, such as cattail or blackberry). (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the EIR to a less than significant level. The mitigation measures will require a focused tree survey by a qualified biologist within 14 days prior to the start of any construction work between March 1 and September 15 to detect active raptor nests. If active nests are found, protective measures determined by the California Dept. of Fish and Game will be implemented to protect the nests. Mitigation for the loss of Swainson's hawk foraging habitat will also be required in the form of placing permanent conservation easements over agricultural lands providing foraging habitat to the satisfaction of the California Dept. of Fish and Game, complying with the County's Swainson's Hawk Impact Mitigation Program, or complying with a new Swainson's Hawk mitigation policy/program adopted by the County Board of Supervisors. Mitigation must be provided prior to the approval of improvement plans, building permits or the recordation of final maps, whichever occurs first. The foraging habitat provided must consist of grassland or similar habitat, not cropland, because this mitigation measure also compensates for impacts to species that do not use cropland habitat. The total mitigation habitat area required is 2,267 acres, but may be reduced to 2,231 acres if the areas designated for continued agricultural uses on the eastern and southeastern sides of the Project outside of the Urban Services Boundary are placed under a permanent conservation easement to preserve their availability as foraging habitat. Further adjustments in the amount of replacement foraging habitat may be made at the discretion of the Environmental Coordinator if the avoided area on the western plateau at the Project is increased in size as a result of the Section 404 Permit's requirements. Significant impacts to burrowing owls will also be avoided because the mitigation requires focused burrowing owl surveys within 500 feet of a construction area by a qualified biologist prior to any construction activities. Surveys must be conducted between 14 and 30 days prior to the commencement of construction and be in accordance with the "Burrowing Owl Survey Protocol and Mitigation

Guidelines” of the DFG. If no burrows are found, then a letter report shall be submitted to the County and no further mitigation will be necessary. If an occupied burrow is found, then the applicants shall contact the Environmental Coordinator and consult with DFG to determine if burrow avoidance is possible or if burrow relocation is necessary. If burrows are to remain, then a minimum of 6.5 acres of foraging habitat per burrow must be permanently preserved and all construction activity within 160 feet of an occupied burrow will be prohibited between September 1 and January 31, and prohibited within 250 feet between February 1 and August 31. Protective fencing must also be placed around active burrows to protect those buffer zones, and any permanent improvements located at least 250 feet from an occupied burrow being avoided. All mitigation for impacts to burrowing owls, whether they are relocated or their burrows are preserved onsite, must be conducted in accordance with the DFG’s “Staff Report on Burrowing Owl Mitigation (October 17, 1995)”, and any current updates. In order to avoid significant impacts to tricolored blackbird and their nesting habitat, the Applicants will be required to have a qualified biologist conduct preconstruction surveys for any work undertaken between March 1 and July 31 for nesting tricolored blackbirds. Such surveys will include the construction site and 300 ft., surrounding the site, and will be performed between 14 days and 30 days before work begins. A written report of survey results must be submitted to the Environmental Coordinator prior to any ground disturbing activity taking place. If nesting tricolored blackbird are present, then further mitigation will be required that includes consultation with the DFG to implement avoidance and impact minimization measures as directed by the DFG. Impacts to tricolored blackbirds are to be avoided by establishing a 300 foot temporary fenced setback from any nesting colony until the nesting colony is no longer dependent on the nesting habitat, as determined by a qualified biologist. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project as conditions of approval to avoid this impact to special status bird species:

**Mitigation Measure BR-3.** If construction, grading, or Project-related improvements are to occur between March 1 and September 15, a focused survey for tree- or ground-nesting raptors within 500 feet of the construction site (1/2 mile for Swainson’s hawk) and for ground-nesting grasshopper sparrow shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

**Mitigation Measure BR-4.** Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the options below to mitigate for the loss of Swainson’s hawk foraging habitat on the Project site; based on current Project designs this is 2,267 acres. Based on current designs, this can be reduced to 2,231 acres of mitigation if the Applicant establishes a permanent conservation easement over the areas designated Agriculture on the eastern and southeastern sides of the site (these are areas outside of the Urban Services Boundary). Foraging habitat preserved shall consist of grassland or similar habitat open habitat, not cropland, because this mitigation measure also offsets impacts to other species that do not use cropland habitat.

A. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County’s Swainson’s Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).

- B. The Project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- C. Should the County Board of Supervisors adopt a new Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the Project proponent may be subject to that program instead.  
If the design of the primary Avoided Area on the western plateau (currently 382 acres in size) is increased in size in response to Section 404 wetland permitting requirements, the total amount of mitigation land required may be adjusted downward to reflect this increased avoidance, at the discretion of the Environmental Coordinator.

**Mitigation Measure BR-5.** Prior to construction activity (including site improvements, and building construction) focused surveys shall be conducted by a qualified biologist for burrowing owls in the construction area and within 500 feet of the construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with "Burrowing Owl Survey Protocol and Mitigation Guidelines" published by The California Burrowing Owl Consortium (April 1993). The following shall also apply:

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Division of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to California Department of Fish and Game guidelines. In addition, no activity shall take place within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas. Permanent improvements shall be a minimum of 250 feet from an occupied burrow.
- D. Any impact to active owl burrows, relocation of owls, or mitigation for habitat loss shall be done in accordance with the Fish and Game "Staff Report on Burrowing Owl Mitigation" (October 17, 1995) or the version current at the time of construction. Written evidence from Fish and Game staff shall be provided to the Environmental Coordinator attesting to the permission to remove burrows, relocate owls, or mitigate for lost habitat, and shall include a plan to monitor mitigation success.

**Mitigation Measure BR-6.** If construction occurs between March 1 and July 31 pre-construction surveys for nesting tricolored blackbirds shall be performed by a qualified biologist. Surveys shall include the construction site and areas of appropriate habitat within 300 feet of the construction site. The survey shall occur no longer than 14 days prior to the start of construction work (including clearing, grubbing or grading). The biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor and survey

results) to the Environmental Coordinator prior to ground disturbing activity. If no tricolored blackbird were found during the pre-construction survey, no further mitigation would be required. If an active tricolored blackbird colony is found on-site or within 300 feet of the construction site the project proponent shall do the following:

- A. Consult with the California Department of Fish and Game to determine if project activity will impact the tricolored blackbird colony(s), and implement appropriate avoidance and impact minimization measures if so directed. Provide the Environmental Coordinator with written evidence of the consultation or a contact name and number from the California Department of Fish and Game.
- B. The applicant may avoid impacts to tricolored blackbird by establishing a 300-foot temporary setback with fencing that prevents any project activity within 300 feet of the colony. A qualified biologist shall verify that setbacks and fencing are adequate and will determine when the colonies are no longer dependent on the nesting habitat (i.e. nestlings have fledged and are no longer using habitat), which will determine when the fencing may be removed. The breeding season typically ends in July.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measures are within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

***Impact: Special Status Species – Invertebrates.***

The site contains wetlands suitable for the California linderiella, midvalley fairy shrimp, Ricksecker's water scavenger beetle, vernal pool fairy shrimp, and vernal pool tadpole shrimp. Published protocols for the vernal pool fairy shrimp and vernal pool tadpole shrimp contain survey requirement for determining absence, and mitigation to be applied in case of presence or if presence is being assumed. These same measures are applied to the Species of Concern, California linderiella and midvalley fairy shrimp as well. Mitigation being required for these species will also serve to provide mitigation for the Ricksecker's water scavenger beetle, which uses the same habitats. Though in-kind mitigation will be required for the loss of habitat on the site, the loss of 46% of the wetlands on the site within an area identified as vital to the recovery for vernal pool habitats and their dependent species is significant even with mitigation. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially lessen the significant environmental impacts as identified in the EIR, but not to a less-than-significant level. The presence of California linderiella, midvalley fairy shrimp, vernal pool shrimp and vernal pool tadpole shrimp will be assumed, unless USFWS protocol surveys are performed to determine that those species are not present. If those species are absent, then the Ricksecker's water scavenger may also be presumed to be absent, and no further mitigation will be required. If the species are present or their presence is being assumed, then the vernal pools to be avoided shall have a 250 ft. buffer established where no construction will be allowed. Where vernal pools are being filled, then all applicable permits must be obtained from the USFWS, Army Corps

of Engineers, DFG and Central Valley California Regional Water Quality Control Board and mitigation provided as required by the permits. At a minimum, the mitigation ratios shall be consistent with County General Plan Policy of no net loss of wetland resources. Any vernal pool loss not mitigated for through the permit process shall be mitigated for by purchase of credits at a mitigation bank or by the protection of offsite wetlands with a permanent conservation easement approved by the Environmental Coordinator. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project as conditions of approval to lessen and reduce the Project's significant and unavoidable impacts on the identified special status invertebrates:

**Mitigation Measure BR-7:** Presence of California linderiella, midvalley fairy shrimp, vernal pool fairy shrimp and vernal pool tadpole shrimp shall be assumed unless determinate surveys that comply with U.S. Fish and Wildlife protocols conclude that the species are absent. If the protocol surveys are performed and all listed crustacean species are absent, Ricksecker's water scavenger beetle may also be presumed absent, and no further mitigation shall be required for listed vernal pool invertebrates. If species are found, one or a combination of the following shall apply:

- A. *Total Avoidance: Species are present or assumed to be present.* Unless a smaller buffer is approved through formal consultation with the Fish and Wildlife Service, construction fencing shall be installed a minimum of 250 feet from all delineated vernal pool margins. All construction activities are prohibited within this buffer area. For all vernal pools where total avoidance is achieved, no further action is required.
- B. *Compensate for habitat removed.* Obtain all applicable permits from the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board for any proposed modifications to vernal pools and mitigate for habitat loss in accordance with the Biological Opinion and Section 404 permits obtained for the Project. At a minimum, mitigation ratios shall be consistent with County General Plan Policy, which requires no net loss of wetland resources. Any vernal pool loss not mitigated through the permitting process shall be mitigated for by payment into a mitigation bank or protection of off-site wetlands through the establishment of a permanent conservation easement, subject to the approval of the Environmental Coordinator.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measures are within the purview of Sacramento County and not that of LAFCo. LAFCo additionally finds that the measures are feasible, and could and should be adopted by Sacramento County. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.



**Impact: Special Status Species – Plants.**

The Project site was surveyed for special status plant species in May 2007, April and June 2008, and May and July 2010 by ECORP Consulting Inc. The special status plant surveys revealed two special status species present on the Project site: legenere and Sacramento Orcutt grass. The wetlands containing these plants are located within Avoided Areas, but given the proximity of these wetlands to development areas, mitigation requires additional measures be implemented to control invasive species and to avoid pollution runoff from urban activities. (Potentially Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which avoid the potentially significant environmental impacts to the identified special status plant species identified in the EIR and will make the impact less-than-significant. In order to ensure that the potentially significant impact is reduced to a less-than-significant level, the mitigation measures require the Applicants to prepare a pesticide and pollution prevention plan for any construction activities that might encroach within the 250 ft. buffer around vernal pools 358, 363, 370, 426 or 511 in order to reduce pollution run-off, pesticide drift and other similar contaminants from impacting those vernal pools and their plants, and to protect the preserve areas from urban contaminants. Such a plan will have to be incorporated into the Operations and Management Plan for the preserves required by the Section 404 Permit process. In addition, to further protect the special status plant species in the preserve areas, the Applicants will be required to prepare an invasive species removal and prevention plan to remove invasive species from preserve areas and to restore the affected wetland features. This plan will also have to be incorporated into the operations and Management Plan required as part of the Section 404 permit process and thereby protect the special status plant species from harm by invasive species. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project to substantially lessen the Project's significant and unavoidable impacts to the special status plant species identified in the EIR:

**Mitigation Measure BR-8:** If construction activities encroach within the 250-foot buffer for vernal pools 358, 363, 370, 426 or 511 the applicant shall prepare a pesticide and pollution prevention plan. The plan shall include measures to reduce pollution run-off, pesticide drift, and other similar potential contaminates, to protect surrounding preserve areas from urban contaminates. Measures shall include the implementation of best management practices (e.g. straw wattles, silt fencing, and soil stabilization) for stormwater control. The plan shall be incorporated in the Operations and Management Plan, which is a requirement of the Section 404 permit process.

**Mitigation Measure BR-9:** The project applicant shall prepare an invasive species removal and prevention plan. The plan shall provide methods to remove invasive species from preservation areas and to restore the affected wetland features. The plan shall include methods for the prevention of the introduction of new invasive species from landscapes associated with the development. Minimum components of such a plan shall include: mapping of existing invasive plant populations within the avoided areas, with the map being updated a minimum of every five years; a description of acceptable methods for removing invasive species, examples of which include hand removal or biological controls (e.g. natural parasites); and a prohibition on the use of non-native plants within either the avoided areas or the Recreation-2 areas. The plan shall be

incorporated in the Operations and Management Plan, which is a requirement of the Section 404 permit process.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measures are within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## CLIMATE CHANGE

### *Impact: Climate Change.*

In concert with state and federal activities, the design features of the SPA are intended to offset the Project climate change impact. Ideally, this mitigation would reduce the Project emissions and climate change impacts to levels that are not cumulatively significant, but there are many unknown variables and implementation challenges. Given the substantial emissions which will result from the Project and the uncertainties related to target-setting and the current state of modeling the analysis in the EIR concluded that the Project impacts on climate change may remain significant. The effects of climatic changes on the Sacramento region are potentially significant, and can only be mitigated through both adaptation and reduction strategies. By requiring mitigation of projects that may result in significant greenhouse gas emissions, and by adopting County programs and changes in government operations, the County is implementing all feasible strategies to reduce the effects of climate change on the region. Nonetheless, it is probable that these strategies will not be sufficient to offset all of the impacts of climate change, and that some of these impacts will continue to be significant. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which substantially lessen the significant environmental impact as identified in the EIR, but not to a less-than-significant level. While climate change mitigation measure CC-1 will reduce and lessen the climate change impacts generated by the Project by requiring all amendments to the SPA to include an analysis of the effect of the amendment on greenhouse gas emissions so as not to exceed an average of 5.80 metric tons per capita (including emissions from building energy usage and vehicles) the cumulative contribution to greenhouse gas emissions will nonetheless remain significant and unavoidable. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measure has been incorporated into the Project to substantially lessen the Project's significant and unavoidable impacts on climate change:

**Mitigation Measure CC-1.** The following text shall be added to the Cordova Hills SPA:

“All amendments to the SPA with the potential to change the SPA-wide GHG emissions shall include an analysis which quantifies, to the extent practicable, the effect of the Amendment on SPA-wide greenhouse gas emissions. The Amendment shall not increase SPA-wide greenhouse gas emissions above an average 5.80 metric tons per capita (including emissions from building energy usage and vehicles). If the SPA amendment would require a change in the approved GHG Reduction Plan in order to meet the 5.80 MT CO<sub>2</sub>e threshold, then the proponent of the SPA amendment shall consult with the SMAQMD on the revised analysis and shall prepare a revised GHG Reduction Plan for approval by the County, in consultation with SMAQMD.”

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo additionally finds that the measure is feasible, and could and should be adopted by Sacramento County. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA

Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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## CULTURAL RESOURCES

### *Impact: Cultural Resources.*

The Project area contains three historic era sites, and a fourth historical site that is included in a multi-component site. One prehistoric bedrock mortar station site and one prehistoric component of a multi-component site were discovered in the Project area. None of the sites are associated with any important persons or events in California or national history. They are not considered to be unique and do not represent the work of a master or possess high artistic values. In all cases, the historic sites lack sufficient cultural material to address research questions. All of the historic sites were evaluated as not eligible under any criteria for the National Register of Historic Places or the California Register of Historical Resources and are not considered a historical resource or unique archeological resource as defined by CEQA. There always remains a potential to encounter buried or as yet undiscovered resources during land clearing and construction work. Mitigation is included to ensure that such resources are treated appropriately if discovered. (Potentially Significant)

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**Finding:** Mitigation measures require that the Applicants halt all work within a 200 ft. radius of the discovery and have a qualified archeologist evaluate the significance of the find. If a resource is found that is potentially eligible for listing on the National Register or California Register or is cultural in origin, then the Applicants shall either arrange for total avoidance or test excavations or total data recovery as mitigation. A determination of how to treat the resource shall be made by the archeologist, DERA and the Applicants, and shall be documented in writing and submitted to DERA. If human remains are discovered, then work will stop and the County Coroner shall be notified. If the remains are determined to be Native American in origin, then the guidelines of the Native American Heritage Commission shall be followed in the treatment and disposition of the remains. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measure has been incorporated into the Project to avoid the potentially significant impacts to cultural resources identified in the EIR:

**Mitigation Measure CR-1.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 200-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained at the Applicant's expense to evaluate the significance of the find. If it is determined due to the types of deposits discovered that a Native American monitor is required, the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites as established by the Native American Heritage Commission shall be followed, and the monitor shall be retained at the Applicant's expense. Work cannot continue within the 200-foot radius of the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially eligible for listing on the National Register of Historic Places or California Register of Historical Resources. If a potentially-eligible resource is encountered, then the archaeologist, the Environmental Coordinator, and project proponent shall arrange for either 1) total avoidance of the resource, if

possible; or 2) test excavations or total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the Environmental Coordinator as verification that the provisions of CEQA for managing unanticipated discoveries have been met. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## HAZARDS AND HAZARDOUS MATERIALS

### *Impact: Hazards and Hazardous Materials*

The Project area was assessed for on-site hazardous conditions, and this assessment concluded that there is no evidence of any recognized hazardous conditions that may have a significant adverse effect on the development of the Project. There are three agency-listed contaminated sites within approximately one mile of the Project. These include the Sacramento County Boys Ranch (a juvenile correction facility within 1,000 feet of the eastern Project boundary), Aerojet (located just over a mile to the northwest), and the Kiefer Landfill (located approximately 2,000 feet to the south). The Boys Ranch hazardous condition was remediated and the case closed. Aerojet remediation activities are ongoing. Contaminated soils from Aerojet would not affect the Project, as these are off-site, while the groundwater contamination plumes are migrating away from the Project area. Groundwater contamination at Kiefer Landfill is likewise migrating away from the Project. The Project will also be using public water provided through the Sacramento County Water Agency, not groundwater. Landfill gas migration from Kiefer Landfill also appears not to affect the site, but a mitigation measure is nonetheless included for the small portion of the site outside of the Urban Services Boundary that is within the 2,000 foot buffer established around the Kiefer Landfill. (Potentially Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effects of hazardous materials on the Project area from landfill gas generated by buried waste at the Kiefer Landfill. Those measures require any structure within the Project area that is within 1,000 feet of buried waste at Kiefer Landfill to be continuously monitored for the landfill gas and designed and constructed to prevent landfill gas accumulation within the structure in order to prevent adverse impacts from the landfill gas. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measure has been incorporated into the Project to avoid the potentially significant impacts arising from landfill gas generated by buried waste at the Kiefer Landfill on people and structures in the Project area identified in the EIR:

**Mitigation Measure HM-1.** Any structure within the Project boundaries (including but not limited to, buildings, subsurface vaults, utilities, or any other areas where potential landfill gas buildup may cause adverse impacts to the public health or safety or the environment) within 1,000 feet of buried waste or proposed buried waste at Kiefer Landfill (refer to Plate HM-2 of the EIR) shall be continuously monitored by the owner/operator of said structure for landfill gas and be designed and constructed to prevent landfill gas accumulation in those structures.

**Level of Significance After Mitigation:** Less-than-Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## LAND USE

**Impact: Conflict with SACOG Blueprint and General Plan Policy.**

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The Project includes a wide variety of transportation choices, an array of housing choices, a mix of uses, compact community design, and fosters a sense of place. While acknowledging that in terms of internal community design the Project appears to be an excellent example of “smart growth” development and is consistent with relevant General Plan policies, it must also be acknowledged that the Project conflicts with the principles with respect to the preservation of open space and the proximity to existing developed communities. In terms of open space preservation, the analysis is somewhat subjective, and the Project has directed preservation toward the most sensitive vernal pool areas of the site. In terms of directing development toward existing communities, the conflict is more clear. Though projected for future development, the Blueprint envisions growth occurring from the existing city centers outward rather than the reverse and did not forecast growth taking place in the Project area until the Year 2050. This is a fundamental underpinning to the Blueprint, and as a result, the Project’s inconsistency with this principle is considered substantial. (Significant and Unavoidable)

**Finding:** There are no mitigation measures that would lessen the Project’s conflict with the SACOG Blueprint. While the Project is adjacent to areas within the City of Rancho Cordova that are zoned and fully entitled for urban development, the nearest developed area with housing and infrastructure is approximately one mile away from the Project site. As stated in the SACOG Blueprint, it is not intended to be applied or implemented in a literal, parcel-level manner and was not intended to indicate that a specific parcel should or should not be developed in a particular manner. That level of planning is the responsibility of local governments and is beyond the specificity appropriate for regional scale, long-term scenario planning. (See, SACOG, *Blueprint Growth Principles*, 2004.) The Project’s conflict with the SACOG Blueprint is one of timing and differences in principle interpretation, insofar as the Blueprint did not estimate growth taking place

in the Project area until the Year 2050. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** There is no mitigation available.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## **NOISE**

### ***Impact: Traffic Noise.***

Traffic on the internal Project roadways and on Grant Line Road will generate noise that has the potential to exceed General Plan noise standards related to both residential and non-residential uses. Mitigation is included to ensure that future subdivisions and non-residential developments are constructed in a manner that achieves compliance with General Plan standards. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project that will avoid the potentially significant environmental effects arising from traffic noise that could exceed General Plan noise standards related to residential uses and non-residential uses. Those measures require any residential uses that would be exposed to a noise level greater than 65 dB Ldn at the property line to be designed to reduce noise levels for exterior activity areas in compliance with the standards stated in the General Plan's Noise Element. Residential projects exposed to noise levels greater than 70 dB Ldn at the property line must be designed and constructed to achieve an interior noise level of 45 dB Ldn or less. Non-residential development projects, such as churches, libraries, meeting halls, and schools exposed to greater than 60 dB Ldn, and all non-residential development projects such as transient lodging, hospitals and nursing homes, and office buildings exposed to greater than 65 dB Ldn at the property line must demonstrate that the interior noise level will not exceed the standards in the General Plan's Noise Element. Those standards may be satisfied by use of noise barriers, increased setbacks, enhanced building construction techniques, or the strategic placement of structures. Non-residential projects may demonstrate compliance by documenting that the location of the noise contours and assuming a standard exterior-to-interior noise attenuation of 25 dB. In all other cases the noise reduction must be substantiated by an acoustical analysis performed by a qualified acoustical consultant that is submitted to and verified by DERA prior to the issuance of any building permits for residential areas. All parks exposed to noise levels in excess of 70 dB Ldn must be designed and constructed to reduce noise levels in park activity areas to comply with General Plan Noise Element standards by means of noise barriers, setbacks and strategic placement of play structures, and substantiate the reduction by way of an acoustical analysis prepared by a qualified acoustical consultant and verified by DERA prior to issuance of building permits for the park sites in order to demonstrate compliance with the mitigation requirements. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project to avoid the significant impacts from noise on residential uses, non-residential uses and park sites within the Project, as identified in the EIR:

NO-1. All residential development projects exposed to greater than 65 dB  $L_{dn}$  (as identified in Appendix NO-1) at the property line shall be designed and constructed to reduce noise levels to within General Plan Noise Element standards for exterior activity areas. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, and/or strategic placement of structures. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Environmental Coordinator prior to the issuance of any building permits for affected sites.

NO-2. All residential development projects exposed to greater than 70 dB  $L_{dn}$  (as identified in Appendix NO-1) at the property line shall be designed and constructed to achieve an interior noise level of 45 dB  $L_{dn}$  or less. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, strategic placement of structures and/or enhanced building construction techniques. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Environmental Coordinator prior to the issuance of any building permits for the site.

NO-3. Non-residential development projects such as churches, libraries, meeting halls, and schools exposed to greater than 60 dB  $L_{dn}$ , and all non-residential development projects such as transient lodging, hospitals and nursing homes, and office buildings exposed to greater than 65 dB  $L_{dn}$  (as identified in Appendix NO-1) at the property line shall demonstrate that interior noise volumes will not exceed General Plan Noise Element standards for non-residential uses exposed to traffic noise. This may be accomplished by providing documentation that the type of use is within acceptable limits based on the location of the identified noise contours and assuming standard exterior-to-interior attenuation of 25 dB. If this cannot be demonstrated, an acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Environmental Coordinator prior to the issuance of any building permits for affected sites. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, strategic placement of structures and/or enhanced building construction techniques. The measure does not apply to commercial uses.

NO-4. All parks exposed to noise volumes in excess of 70 dB (as identified in Appendix NO-1) at the property line shall be designed and constructed to reduce noise levels within park activity areas (benches, play structures, etc.) to within General Plan Noise Element standards for parks. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, and/or strategic placement of structures. For barrier and other structural options, an acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Environmental Coordinator prior to the issuance of any building permits for affected sites.

**Level of Significance After Mitigation:** Less than Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines,



Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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***Impact: Onsite Stationary and Community Noise.***

The Project includes uses that include noise-generating sources such as playing fields, loading docks, a corporation yard, and other uses. Mitigation is included to require that all such uses located adjacent to residential lands be designed so as not to cause the General Plan standards to be exceeded. (Significant)

**Finding:** Changes or alterations have been required in, or incorporated into, the Project which will avoid the significant environmental effects arising from noise generated from onsite stationary and community sources that could exceed General Plan noise standards by requiring non-residential development adjacent to residential properties to be constructed so as to ensure that noise levels generated by the non-residential use does not exceed the standards in the General Plan Noise Element and requiring the noise level reduction is substantiated by an acoustical analysis prepared by a qualified acoustical consultant and submitted to the Environmental Coordinator prior to issuance of any building permits for the non-residential uses that have the potential to generate substantial noise levels if located adjacent to residential uses. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures have been incorporated into the Project to avoid the significant impacts from noise generated from onsite stationary sources and community noise sources on residential uses at the Project, as identified in the EIR:

NO-5. All non-residential development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Environmental Coordinator prior to the issuance of any building permits for the non-residential projects with the potential to generate substantial noise (e.g. car wash, auto repair, or buildings with heavy-duty truck loading docks) if those uses are adjacent to residentially designated properties. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Outdoor playing fields;
- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

**Level of Significance After Mitigation:** Less than Significant.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County and not that of LAFCo. LAFCo further finds that the above measure is appropriate and feasible; would substantially lessen or avoid the adverse impacts

with the Cordova Hills project to a less than significant level; and that Sacramento County could and should adopt the above mitigation. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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**Impact: Substantial Increase in Existing Ambient Noise.**

The Project would result in a substantial increase in existing ambient noise for multiple roadway segments, but only two of these include receptors which would be impacted: Sunrise Boulevard and Douglas Boulevard. Noise volumes would be increased by 2 dB on Sunrise Boulevard and by 7 dB and 10 dB along Douglas Boulevard. Based on the existing noise environments, these are substantial increases. On Sunrise Boulevard, a noise barrier is not appropriate because businesses rely on visibility to attract customers, and on Douglas Road a barrier is already present. Thus, no further improvements can be made to reduce impact. (Significant and Unavoidable)

**Finding:** There are no mitigation measures that would lessen the substantial increase in the ambient noise level that would result from the noise generated on Sunrise Boulevard and Douglas Boulevard by Project-generated traffic. A noise barrier is already present on Douglas Road and there is no other feasible mitigation possible. A noise barrier would not be appropriate and feasible mitigation along Sunrise Boulevard because the commercial uses along it depend on visibility from the roadway to attract their customers. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** There is no mitigation available.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## **PUBLIC UTILITIES**

**Impact: Construction Impacts.**

Water, sewer, and dry utility lines constructed within the Project boundaries would not cause any additional utility-specific construction impacts, as utility construction will occur within areas that will already urbanize as part of the Project. Most of the off-site utility lines are shown within areas already proposed for utility construction as part of service provider master planning documents. There are some improvement areas which have not already been studied or approved, and which are likely to contribute to wetland impacts and impacts to associated species. (Significant and Unavoidable)

**Finding:** There are no mitigation measures that would lessen the impacts from construction related to providing public utilities to the project site to a less-than-significant level. While mitigation measures AQ-1, BR-1, BR-3, BR-4, BR-5, BR-7, BR-8, and CR-1 described above all would apply to the construction of public utilities at the Project site, they would not reduce the construction

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impacts to a less than significant level. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** There is no mitigation available in addition to Mitigation Measures AQ-1, BR-1, BR-3, BR-4, BR-5, BR-7, BR-8, and CR-1 that have already been required at the Project to lessen its environmental impacts.

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation.** LAFCo finds that this impact remains significant and unavoidable. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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## TRAFFIC AND CIRCULATION

### Mitigation Measures in the EIR being implemented through Conditions of Approval.

The Board considered each of the proposed Mitigation Measures in the EIR for the Project's Traffic and Circulation impacts. In most circumstances, the Board determined that it would be appropriate to implement the proposed Mitigation Measures with Conditions of Approval that were adopted for the Project in order to better accomplish the mitigation. In the instances when the Board has done so, it was determined that the Condition of Approval was more specific and better designed to implement the mitigation for the identified impact described in the FEIR.

With regard to Mitigation Measure TR-1.B, it was determined in the FEIR that due to the completion of construction of the Zinfandel Drive extension project and the installation of a new traffic signal at the Douglas Road and Zinfandel Drive/Eagles Nest Road intersection, Mitigation Measure TR-1.B is no longer needed. Mitigation Measure TR-1.F was deleted because the County is currently constructing this improvement. Mitigation Measure TR-5.H was deleted because the improvement has been constructed by others. The timing for the implementation of Condition of Approval #61 that is being used to implement Mitigation Measure TR-2.D has also been changed by Condition of Approval No. 61 to require them at 500 DUEs, instead of at 3,200 DUEs.

Also note that the language of Mitigation Measure TR-2.D has changed. The reasoning for the change was dual: the Board desired a measure which would succeed in reducing the impact while also improving the north-south flow conditions at this intersection (though not necessary due to a Project impact) and because Measure TR-2.D. would have required more extensive roadway work. County DOT performed further analysis of the mitigation measure and found that there was an alternative reconfiguration which would reduce the amount of reconstruction needed, which would improve north-south flow, and would also result in an equivalent LOS as measure TR-2.D. The revised lane reconfigurations consist of the following: two eastbound through lanes, an eastbound right turn lane, and an eastbound left turn lane; a northbound left turn lane, two northbound through lanes and a northbound right turn lane; a westbound through lane, a westbound right turn lane and a westbound left turn lane; a southbound through lane, a southbound left turn lane, and a southbound right turn lane. The threshold for construction of the above intersection improvements has also been changed by Condition of Approval No. 61 to require them at 500 DUEs, instead of at 3,200 DUEs.

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LAFCo finds that the Conditions of Approval identified below will implement the roadway and intersection improvements needed by the corresponding Mitigation Measure for the identified impacts and therefore implements the revised Mitigation Measures in the FEIR with the identified Conditions of Approval. LAFCo further finds that while those referenced Conditions of Approval would substantially lessen the Project's significant and unavoidable impacts on transportation and circulation arising from the Project in the "Cumulative Plus Project" scenario, they would not reduce the impacts to a less than significant level. In addition, the Board determined that because many of the traffic improvements would be needed in jurisdictions beyond the County's control and authority, the traffic impacts on those roadway segments and intersections identified in the EIR to be significant and unavoidable. Within the Cordova Hills Project Area, the impacts to North Loop Road from Street D to Street F would not be addressed by any of those Conditions of Approval, so Mitigation Measure TR-10 proposed in the EIR will continue to be required to substantially reduce the Cumulative Plus Project traffic impact, although it would not do so to a less than significant level. As noted in the EIR, because the County does not have exclusive jurisdiction over roadways and intersections situated partly or wholly within the boundaries of another government jurisdiction, the County cannot be assured that the recommended improvements situated wholly or partly in those other jurisdictions will be constructed, and must therefore conclude that the below identified impacts would remain significant and unavoidable for purposes of CEQA.

***Impact: Existing Plus Project.***

The Project results in significant impacts to six County intersections, ten City of Rancho Cordova intersections, the Zinfandel and US 50 freeway ramp intersection, two County roadway segments, one City of Elk Grove roadway segment, eleven City of Rancho Cordova roadway segments, two US 50 freeway segments, and bicycle and pedestrian facilities. Mitigation is included which will improve operating conditions to acceptable levels for most of these facilities, but there are some impacts for which no feasible mitigation exists. These are: the Zinfandel and US 50 freeway ramp intersection and Sunrise Boulevard from US 50 to White Rock Road. Furthermore, the County does not have land use authority in other jurisdictions, and cannot guarantee that non-County facilities will be constructed. The following intersections and roadway segments would be significantly impacted under the "Existing Plus Project" scenario:

- Bradshaw Road and Jackson Road – intersection.
- Mather Boulevard and Douglas Road – intersection.
- Eagles Nest Road and Jackson Road – intersection.
- Grant Line Road and Sunrise Boulevard – intersection.
- Grant Line Road and White Rock Road – intersection.
- Prairie City Road and White Rock road – intersection.
- School Access and North Loop Road – intersection.
- Zinfandel Drive and White Rock Road – intersection.
- Sunrise Boulevard and White Rock Road – intersection.
- Sunrise Boulevard and Douglas Road – intersection.
- Sunrise Boulevard and Jackson Road – intersection.
- Grant Line Road and Jackson Road – intersection.
- Grant Line Road and Kiefer Boulevard – intersection.
- Grant Line Road and Douglas Road – intersection.

- Grant Line Road and North Loop Road – intersection.
- Grant Line Road and Chrysanthy Boulevard – intersection.
- Grant Line Road and University Boulevard – intersection.
- Prairie City Road from US 50 to White Rock Road – roadway.
- Grant Line Road from Sheldon Road to Calvine Road – roadway.
- Grant Line Road from Jackson Road to Kiefer Boulevard – roadway.
- Grant Line Road from Kiefer Boulevard to University Boulevard – roadway.
- Grant Line Road from University Boulevard to Chrysanthy Boulevard – roadway.
- Grant Line Road from Chrysanthy Boulevard to North Loop Road – roadway.
- Grant Line Road from North Loop Road to Douglas Road – roadway.
- Grant Line Road from Douglas Road to White Rock Road – roadway.
- Jackson Road from Sunrise Boulevard to Grant Line Road – roadway.
- Douglas Road from Sunrise Boulevard to Rancho Cordova Parkway – roadway.
- Douglas Road from Rancho Cordova Parkway to Grant Line Road – roadway.
- Westbound US 50 from Hazel Avenue to Sunrise Boulevard – freeway.
- Eastbound US 50 from Sunrise Boulevard to Hazel Avenue – freeway.

**Finding:** Specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the EIR. There are a number of mitigation measures that would avoid the impacts from traffic generated by the Project in the “Existing Plus Project” scenario to a less than significant level, but due to the fact that many of the mitigation measures described in the EIR would need to be implemented in adjacent jurisdictions, the County cannot guarantee that the suggested traffic improvements would ever get funded and constructed. Consequently, LAFCo must find that because many of the traffic improvements would be needed in jurisdictions beyond the County’s control and authority, LAFCo must find that the Project’s traffic impacts on those roadways segments and intersections identified in the EIR to be significant and unavoidable. In other cases, even if the suggested traffic mitigation improvement were to get built, it would still not result in a level of service that would allow LAFCo to reach a conclusion that the Project’s impacts are less-than-significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures or agency recommendations/requirements have been incorporated into the Project as conditions of approval to substantially lessen the Project’s traffic and circulation impacts, but not to a less than significant level:

**Mitigation Measure TR-1.** The applicant shall construct or fund, as set forth in the phasing and financing plan approved by the Sacramento County Department of Transportation, the below mitigation measures. The phasing and financing plan shall ensure commencement of construction of traffic improvements prior to degradation of LOS below applicable County standards. This mitigation recognizes that should any of the measures below benefit other projects, a reimbursement agreement and/or a fee credit to the applicant may be considered.

- A. *Bradshaw Road and Jackson Road* – Provide a second westbound through lane.
- B. *Mather Boulevard and Douglas Road* – Deleted because a traffic signal at Douglas Road/Zinfandel Drive was constructed during preparation of the Final EIR and additional analysis showed that another signal is no longer needed.

- C. *Eagles Nest Road and Jackson Road* – Construct a new traffic signal. Provide a left turn lane and a through-right turn shared lane on the northbound and southbound approaches.
- D. *Grant Line Road and Sunrise Boulevard* – Provide a separate southbound right turn lane so the southbound approach has one left turn lane, one through lane and one right turn lane.
- E. *Grant Line Road and White Rock Road* – Modify the intersection and traffic signal To provide dual left turn lanes and two through lanes on the northbound approach; provide two through lanes and a separate right turn lane on the southbound approach; and provide two left turn lanes and a separate right turn lane on the eastbound approach. On the western leg of the intersection, two westbound departure lanes are required.
- F. *Prairie City Road and White Rock Road* – Deleted because this improvement is in the process of being completed by a County DOT project.
- G. *School Access and North Loop Road* – Provide dual eastbound left turn lanes. The applicant shall be responsible for a focused access study addressing the internal circulation of the Cordova Hills project to finalize the design of intersection geometries and length of left turn pockets. The scope of work for the analysis shall be submitted to the Sacramento County DOT staff. Upon completion, the analysis shall be submitted to the Sacramento County DOT for approval and recommendations.

**Implementation of Mitigation Measure TR-1 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

- Condition 41. As part of intersection improvements, provide dual eastbound left turn lanes at the intersection of North Loop Road and the proposed school access pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (Mitigation Measures TR-1.G and TR-8.A)
- Condition 59. Modify the existing intersection of Bradshaw Road and Jackson Road (State Route 16) to provide a second westbound through lane pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation and Caltrans. Note: The additional westbound through lane shall be carried through the intersection. (Mitigation Measure: TR-1.A) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 2,000 DUEs within the Cordova Hills SPA)
- Condition 60. Commence reconstruction and widening of the existing intersection of Grant Line Road and White Rock Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. Improvements shall include dual northbound left turn lanes and two northbound through lanes; two southbound through lanes and one southbound right turn lane; two eastbound left turn lanes, and one eastbound right turn lane. On the western leg of the intersection, two westbound departure lanes are required. Note: A project to widen White Rock Road from two lanes to four lanes between Grant Line Road and Prairie City Road is currently (2012) under construction. (Mitigation Measure: TR-1.E) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)
- Condition 67. Commence reconstruction and widening of the existing intersection of Eagles Nest Road at Jackson Road (State Route 16) to a signalized intersection pursuant to the

Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation and Caltrans. Improvements shall include a left turn lane and a through-right turn shared lane on the all approaches. (Mitigation Measure: TR-1.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 4,500 DUEs within the Cordova Hills SPA)

Condition 68. Commence reconstruction and widening of the existing intersection of Grant Line Road at Sunrise Boulevard to provide a separate southbound right turn lane so the southbound approach has one left turn lane, one through lane, and one right turn lane pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (DEIR Mitigation Measure: TR-1.D) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 5,800 DUEs within the Cordova Hills SPA)

**Mitigation Measure TR-2.** The applicant shall construct or fund, as set forth in the phasing and financing plan approved by the Sacramento County Department of Transportation, and in consultation with the City of Rancho Cordova, the below mitigation measures. The phasing and financing plan shall ensure commencement of construction of traffic improvements prior to degradation of LOS below the applicable County or City standards. This mitigation recognizes that should any of the measures below benefit other projects, a reimbursement agreement may be considered.

- A. *Zinfandel Drive and White Rock Road* – The applicant shall be responsible for a fair share of this measure. Provide separate dual right turns on the westbound approach so the westbound approach has two left turn lanes, two through lanes and two right turn lanes. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation and may be up to 100% of the cost of the improvements.
- B. *Sunrise Boulevard and White Rock Road* – Provide overlap phasing on the eastbound and westbound approaches.
- C. *Sunrise Boulevard and Douglas Road* – Provide overlap phasing on the westbound approach.
- D. *Sunrise Boulevard and Jackson Road* – Provide an eastbound through lane, an eastbound through-right turn shared lane, and an eastbound left turn lane; a northbound left turn lane, two northbound through lanes, and a right turn lane; one westbound through lane, a westbound right turn lane, and a westbound left turn lane; a southbound through lane, a southbound left turn lane, and a southbound right turn lane.
- E. *Grant Line Road and Jackson Road* – The applicant shall be responsible for a fair share of this measure. Provide a left turn lane and a through-right shared turn lane on the eastbound and westbound approaches. Provide a separate left turn lane, a through lane and a separate right turn lane on the northbound and southbound approaches. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation and may be up to 100% of the cost of the improvements.
- F. *Grant Line Road and Kiefer Boulevard* – Construct a new traffic signal. Provide a left turn lane, a through lane and a through-right turn shared lane on the northbound and southbound approaches; provide a left turn lane and a through-right turn shared lane on the eastbound and westbound approaches.
- G. *Grant Line Road and Douglas Road* – Construct a new traffic signal. Provide dual left turn lanes and a separate through lane on the northbound, a through lane and a through-right turn shared lane on the southbound approach, and a separate left turn lane and a free-right turn lane on the eastbound approach. Also an extra southbound departure lane is

needed for the eastbound free-right movement. To be consistent with the segment mitigations a second northbound through lane is included.

- H. *Grant Line Road and North Loop Road* – Construct a new traffic signal. Provide two through lanes and a separate right turn lane on the northbound approach, dual left turn lanes and one through on the southbound approach, and one left turn lane and one free-right turn lane on the westbound approach. Also an extra northbound departure lane is needed for the westbound free-right movement. To be consistent with the segment mitigations a second southbound through lane is included.
- I. *Grant Line Road and Chrysanthy Boulevard* – Construct a new traffic signal. Provide a through lane and a separate right turn lane on the northbound approach, dual left turn lanes and a through lane on the southbound approach, and dual left turn lanes and one right turn lane on the westbound approach. To be consistent with the segment mitigations a second northbound and southbound through lane is included. Also provide two westbound through lanes for when Chrysanthy Boulevard is connected through Rancho Cordova.
- J. *Grant Line Road and University Boulevard* – Construct a new traffic signal. Provide a through lane and a separate free-right turn lane on the northbound approach, dual left turn lanes and one through lanes on the southbound approach, and dual left turn lanes and a right turn lane on the westbound approach. Also an extra eastbound departure lane is needed for the northbound free-right movement. To be consistent with the segment mitigations a second northbound and southbound through lane is included.

**Implementation of Mitigation Measure TR-2 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 49. Commence reconstruction and widening of the intersection of University Boulevard and Grant Line Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of such improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include modification of the existing traffic signal, providing a u-turn lane, two through lanes, and a free right turn lane on the northbound approach; two left turn lanes and two through lanes on the southbound approach; and two left turn lanes and a right turn lane on the westbound approach. Note: The two westbound left turn lanes shall be extended to a length based on the queuing analysis and to the satisfaction of the Department of Transportation. For the free-right turn movement, provide sufficient acceleration lane and taper length and grant the right of direct vehicular access to the County of Sacramento along the acceleration/taper lane length to the satisfaction of the Department of Transportation. Bus turnouts will be required on Grant Line Road and University Boulevard. (Mitigation Measures TR-2.J and TR-9.D) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

Condition 51. Commence reconstruction and widening of the intersection of North Loop Road and Grant Line Road pursuant to the latest Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached an agreement for construction of the portion of such improvements within the City's jurisdiction. Performance of this condition shall be held in



abeyance pending such agreement and development may continue. Improvements shall include modification to the traffic signal, providing a u-turn lane, three through lanes, and a right turn lane on the northbound approach; two left turn lanes and a free right turn lane on the westbound approach; and two left turn lanes and three through lanes on the southbound approach. Note: The two southbound left turn lanes shall be extended to a length based on the queuing analysis and to the satisfaction of the Department of Transportation. For the free-right turn movement, provide sufficient acceleration lane and taper length and grant the right of direct vehicular access to the County of Sacramento along the acceleration/taper lane length to the satisfaction of the Department of Transportation. Bus turnouts will be required on Grant Line Road and North Loop Road. (Mitigation Measures TR-2.H and TR-9.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

| Condition 52. Commence reconstruction and widening of the intersection of Chrysanthy Boulevard and Grant Line Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of such improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include modification to the traffic signal, providing a u-turn lane, two through lanes, and a right turn lane on the northbound approach; two left turn lanes and two through lanes on the southbound approach; and two left turn lanes, pavement for two future through lanes, and a right turn lane on the westbound approach. Note: The two southbound left turn lanes shall be extended to a length based on a queuing analysis and to the satisfaction of the Department of Transportation. Bus turnouts will be required on Grant Line Road and Chrysanthy Boulevard. (Mitigation Measure TR-2.I) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 7,500 DUEs within the Cordova Hills SPA)

| Condition 54a. Commence reconstruction and widening of the existing intersection of Sunrise Boulevard at Jackson Road (State Route 16) pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation and Caltrans, provided that the County, Caltrans and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Improvements shall include an eastbound through lane, an eastbound through-right turn shared lane,, and an eastbound left turn lane; a northbound left turn lane, two northbound through lanes and a right turn lane; one westbound through lane, a westbound right turn lane and a westbound left turn lane; a southbound through lane, a southbound left turn lane, and a southbound right turn lane. Note: The two eastbound and northbound through lanes shall be carried through the intersection. (Mitigation Measure: TR-2.D) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 500 DUEs within the Cordova Hills SPA).

| Condition 62. Commence reconstruction and widening of the existing intersection of Grant Line Road at Jackson Road (State Route 16) pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation and Caltrans, provided that the County, Caltrans and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue.

Improvements shall include a traffic signal modification to accommodate dual eastbound left turn lanes, an eastbound through lane, and an eastbound through-right turn shared lane; a westbound left turn lane, westbound through lane and a westbound through-right turn shared lane; a northbound left turn lane, a northbound through lane, and a northbound through-right turn shared lane; and a southbound shared through-right turn lane, a southbound through lane and a southbound left turn lane. (Mitigation Measure: TR-2.E) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA).

Condition 63. Commence reconstruction and widening of the existing intersection of Grant Line Road at Kiefer Boulevard to a signalized intersection pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include a northbound left turn lane, a northbound through lane, and a northbound through-right turn shared lane; a westbound left turn shared lane and a westbound through-right turn shared lane; a southbound left turn lane and a southbound through-right turn shared lane; and an eastbound left turn lane and an eastbound through-right turns shared lane. (Mitigation Measure: TR-2.F) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA).

Condition 56. Commence reconstruction and widening of the Grant Line Road at Douglas Road intersection to modify a signalized intersection pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include a southbound u-turn lane, two southbound through lanes and a southbound right turn lane; an eastbound left turn lane and an eastbound free right turn lane; and dual northbound left turn lane and two through lanes. For the free-right turn movements, provide sufficient acceleration lane length and grant the right of direct vehicular access to the County of Sacramento along the acceleration lane length to the satisfaction of the Department of Transportation. Note: Bus turnouts will be required on Grant Line Road and Douglas Road. The through lanes in the northbound and southbound directions shall be carried through the intersection. Prior to the time of issuance of the first building permit, and again before the issuance of the building permit for the 1,000<sup>th</sup> DUE, updated intersection analyses shall be performed by County that include this intersection. The timing of this intersection improvement may be revised to preserve the County's LOS E standard, and may increase or decrease the DUE trigger for the construction of this improvement, but shall not require the improvement any sooner than 250 DUEs. If the DUE trigger for the construction of the foregoing intersection improvements is lowered, then Developer shall make commercially reasonable efforts to commence the improvements prior to the lower DUE being exceeded; however, the development of the Cordova Hills Project shall not be suspended or delayed so long as Developer has made reasonable efforts to commence construction prior to exceeding the lower DUE trigger. Developer shall make a contribution to the costs of each updated intersection analyses to be conducted for this and three other intersections in an amount not to exceed \$2,000, with the total Developer contribution for both exceed \$4,000. (Mitigation

Measure TR-2.G) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 1,800 DUEs within the Cordova Hills SPA)

| Condition 55. Commence reconstruction and widening of the Grant Line Road at Douglas Road intersection to modify a signalized intersection pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include dual northbound left turn lanes and a northbound through lane; a southbound u-turn lane, a southbound through lane and an eastbound right turn lane. Note: Bus turnouts will be required on Grant Line Road and Douglas Road. The through lanes in the northbound and southbound directions shall be carried through the intersection. Prior to the time of issuance of the first building permit, and again before the issuance of the building permit for the 1,000<sup>th</sup> DUE, updated intersection analyses shall be performed by County that include this intersection. The timing of this intersection improvement may be revised to preserve the County's LOS E standard, and may increase or decrease the DUE trigger for the construction of this improvement, but shall not require the improvement any sooner than 250 DUEs. If the DUE trigger for the construction of the foregoing intersection improvements is lowered, then Developer shall make commercially reasonable efforts to commence the improvements prior to the lower DUE being exceeded; however, the development of the Cordova Hills Project shall not be suspended or delayed so long as Developer has made reasonable efforts to commence construction prior to exceeding the lower DUE trigger. Developer shall make a contribution to the costs of each updated intersection analyses to be conducted for this and three other intersections in an amount not to exceed \$2,000, with the total Developer contribution for both exceed \$4,000. (Mitigation Measure TR-2.G) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 850 DUEs within the Cordova Hills SPA)

| Condition 81. Pay a fair share (18%) contribution towards the modification and associated improvements to the intersection of Sunrise Boulevard and White Rock Road pursuant to the City of Rancho Cordova Improvement Standards to provide overlap phasing on the eastbound and westbound approaches. (Mitigation Measure TR-2.B)

| Condition 84. Pay a fair share (16%) contribution towards the modification and associated improvements at the intersection of Zinfandel Drive and White Rock Road pursuant to the City of Rancho Cordova Improvement Standards and to the satisfaction of the Department of Transportation in order to provide separate dual right turns on the westbound approach so the westbound approach has two left turn lanes, two through lanes and two right turn lanes. (Mitigation Measure TR-2.A)

| Condition 85. Pay a fair share (16%) contribution towards the modification and associated improvements at the intersection of Sunrise Boulevard and Douglas Road pursuant to the City of Rancho Cordova Improvement Standards and to the satisfaction of the Department of Transportation to provide overlap phasing on the westbound approach. (Mitigation Measure TR-2.C)

| **Mitigation Measure TR-3.** The applicant shall construct or fund, as set forth in the phasing and financing plan approved by the Sacramento County Department of Transportation, the below

mitigation measures. The phasing and financing plan shall ensure commencement of construction of traffic improvements prior to degradation of LOS below applicable County standards. This mitigation recognizes that should any of the measures below benefit other projects, a reimbursement agreement and/or a fee credit to the applicant may be considered.

| *A. Prairie City Road from US 50 to White Rock Road* – Increase roadway capacity by upgrading the capacity class for this segment from a rural highway without shoulders to a rural highway with shoulders.

| **Implementation of Mitigation Measure TR-3 will be accomplished by satisfaction of the following Condition of Approval requiring the identified transportation improvements:**

| Condition 70. Commence reconstruction and widening of Prairie City Road from a rural highway without shoulders to a rural highway with shoulders from U.S. 50 to White Rock Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Folsom have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measure: TR-3.A) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

| **Mitigation Measure TR-4.** The applicant shall construct or fund, as set forth in the phasing and financing plan approved by the Sacramento County Department of Transportation, and in consultation with the City of Elk Grove, the below mitigation measures. The phasing and financing plan shall ensure commencement of construction of traffic improvements prior to degradation of LOS below the applicable County or City standards. This mitigation recognizes that should any of the measures below benefit other projects, a reimbursement agreement may be considered.

| *A. Grant Line Road from Sheldon Road to Calvine Road* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.

| **Implementation of Mitigation Measure TR-4 will be accomplished by satisfaction of the following Condition of Approval requiring the identified transportation improvements:**

| Condition 80. Pay a fair share (9%) contribution towards the reconstruction and widening of Grant Line Road from an existing two-lane road section to a four-lane thoroughfare center road section from Sheldon Road to Calvine Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (Mitigation Measure TR-4.A)

| **Mitigation Measure TR-5.** The applicant shall construct or fund, as set forth in the phasing and financing plan approved by the Sacramento County Department of Transportation, and in consultation with the City of Rancho Cordova, the below mitigation measures. The phasing and financing plan shall ensure commencement of construction of traffic improvements prior to degradation of LOS below the applicable County or City standards. This mitigation recognizes that should any of the measures below benefit other projects, a reimbursement agreement may be considered.

- A. *Grant Line Road from Jackson Road to Kiefer Boulevard* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- B. *Grant Line Road from Kiefer Boulevard to University Boulevard* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- C. *Grant Line Road from University Boulevard to Chrysanthy Boulevard* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- D. *Grant Line Road from Chrysanthy Boulevard to North Loop* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- E. *Grant Line Road from North Loop to Douglas Road* – Increase roadway capacity by widening this segment to 6 lanes and upgrading the capacity class to an arterial with moderate access control.
- F. *Grant Line Road from Douglas Road to White Rock Road* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- G. *Jackson Road from Sunrise Boulevard to Grant Line Road* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- H. *Douglas Road from Sunrise Boulevard to Rancho Cordova Parkway* – Deleted because this improvement was constructed by others.
- I. *Douglas Road from Rancho Cordova Parkway to Grant Line Road* – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control. Construct interim sidewalk improvements (typically a detached asphaltic concrete path) and bicycle lanes.

**Implementation of Mitigation Measure TR-5 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 64. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to a four-lane thoroughfare center section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Jackson Road (State Route 16) to Kiefer Boulevard based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City’s jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measure: TR-5.A) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

Condition 65. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to a four-lane thoroughfare center section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Kiefer

Boulevard to University Boulevard based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Note: Bus turnouts will be required on Grant Line Road. Refer to Condition 49 that requires improvements to the intersection of University Boulevard and Grant Line Road. (Mitigation Measure: TR-5.B) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

| Condition 66. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to four-lane thoroughfare center section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Douglas Road to White Rock Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measures: TR-5.F and TR-7.A) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

| Condition 71. Commence reconstruction and widening of Grant Line Road from a four-lane road section to a six-lane thoroughfare section from North Loop Road to Douglas Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Note: Bus turnouts will be required on Grant Line Road. Condition number 51 requires improvements to the intersection of North Loop Road and Grant Line Road and Condition number 69 requires improvements to the intersection of Douglas Road and Grant Line Road.) (Mitigation Measures TR-5.E and TR-11.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

| Condition 72. Commence reconstruction and widening of Jackson Road (State Route 16) from an existing two-lane road section to four-lane thoroughfare center section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Sunrise Boulevard to Grant Line Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measure: TR-5.G) (Prior to the recordation of the final

maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,900 DUEs within the Cordova Hills SPA)

Condition 73. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to a four-lane thoroughfare center road section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from University Boulevard to Chrysanthy Boulevard based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measure: TR-5.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 7,500 DUEs within the Cordova Hills SPA)

Condition 74. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to a four-lane thoroughfare center road section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Chrysanthy Boulevard to North Loop Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measure: TR-5.D) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 7,500 DUEs within the Cordova Hills SPA)

Condition 83. Pay a fair share (58%) contribution towards the reconstruction and widening of Douglas Road from an existing two-lane road section to a four-lane arterial section from Americanos Boulevard to Grant Line Road, including a raised center median, interim AC paths and six-foot bike lanes pursuant to the City of Rancho Cordova Improvement Standards. Also, pay a fair share (58%) contribution towards construction of a landscape median, two westbound travel lanes (any turn lanes at major intersections as applicable), a westbound six foot bike lane, and a westbound interim AC path for 5,030 feet on Douglas Road from Rancho Cordova Parkway to Americanos Boulevard. (Mitigation Measures TR-5.I and TR-7.A)

**Mitigation Measure TR-6.** The applicant shall be responsible for funding a fair share of the construction costs of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation, in consultation with Caltrans.

- A. Westbound US 50 from Hazel Avenue to Sunrise Boulevard – Add an auxiliary lane.
- B. Eastbound US 50 from Sunrise Boulevard to Hazel Avenue – Add an auxiliary lane.

**Implementation of Mitigation Measure TR-6 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 78. Pay a fair share (4%) contribution towards the addition of an auxiliary lane on westbound U.S. 50 from Hazel Avenue to Sunrise Boulevard. (Mitigation Measure TR-6.A)

Condition 79. Pay a fair share (9%) contribution towards the addition of an auxiliary lane on eastbound U.S. 50 from Sunrise Boulevard to Hazel Avenue. (Mitigation Measure TR-6.B)

**Mitigation Measure TR-7.** The applicant shall be responsible for a fair share of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation and may be up to 100% of the cost of the improvements.

A. Construct interim sidewalk improvements (typically a detached asphaltic concrete path) and bicycle lanes along Grant Line Road from Douglas Road to White Rock Road and on Douglas Road from Rancho Cordova Parkway to Grant Line Road, to the satisfaction of the Sacramento County Department of Transportation.

**Implementation of Mitigation Measure TR-7 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 66. Commence reconstruction and widening of Grant Line Road from an existing two-lane road section to four-lane thoroughfare center section with an interim raised center median (with Type 4 curbs, but no root barrier), interim AC paths (refer to Standard Detail 4-5 for separation requirements of AC path from right-of-way) and six-foot bike lanes from Douglas Road to White Rock Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Mitigation Measures: TR-5.F and TR-7.A) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

Condition 83. Pay a fair share (58%) contribution towards the reconstruction and widening of Douglas Road from an existing two-lane road section to a four-lane arterial section from Americanos Boulevard to Grant Line Road, including a raised center median, interim AC paths and six-foot bike lanes pursuant to the City of Rancho Cordova Improvement Standards. Also, pay a fair share (58%) contribution towards construction of a landscape median, two westbound travel lanes (any turn lanes at major intersections as applicable), a westbound six foot bike lane, and a westbound interim AC path for 5,030 feet on Douglas Road from Rancho Cordova Parkway to Americanos Boulevard. (Mitigation Measures TR-5.I and TR-7.A)

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measures are within the purview of Sacramento County or other agencies and not that of LAFCo. LAFCo additionally finds that the measures are feasible, and could and should be adopted by said agencies. LAFCo further finds that the impacts would still be considered significant, even with the imposition of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.



***Impact: Cumulative Plus Project.***

The Project results in significant impacts to five City of Rancho Cordova intersections, the Zinfandel and US 50 freeway ramp intersection, one new Project roadway segment, four City of Rancho Cordova roadway segments, six Caltrans freeway segments, and four Caltrans freeway ramps. Mitigation is included which will improve operating conditions to acceptable levels for most of these facilities, but there are some impacts for which no feasible mitigation exists. These are: the Zinfandel and US 50 freeway ramp intersection, the intersection of Sunrise Boulevard and International Drive, Grant Line Road from North Loop Road to Douglas Road, eastbound US 50 from Watt Avenue to Bradshaw Road, eastbound US 50 from Rancho Cordova Parkway to Hazel Avenue, westbound US 50 from Hazel Avenue to Rancho Cordova Parkway, westbound US 50 from Mather Field Road to Power Inn/Howe Avenue, eastbound US 50 Exit Ramp to Watt Avenue, eastbound US 50 Slip Ramp Entrance from Watt Avenue, westbound US 50 Exit Ramp to Watt Avenue, and westbound US 50 Slip Ramp Entrance from Watt Avenue. The following intersections and roadway segments would be significantly impacted under the “Cumulative Plus Project” scenario:

- School Access and North Loop Road – intersection.
- Sunrise Boulevard and Douglas Road – intersection.
- Grant Line Road and Douglas Road – intersection.
- Grant Line Road and North Loop Road – intersection.
- Grant Line Road and University Boulevard – intersection.
- North Loop Road from Street D to Street F – roadway.
- Grant Line Road from Rancho Cordova Parkway to Kiefer Boulevard – roadway.
- Grant Line Road from Kiefer Boulevard to University Boulevard – roadway.
- Grant Line Road from North Loop Road to Douglas Road – roadway.
- Grant Line Road from Douglas Road to White Rock Road – roadway.

**Finding:** Specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the EIR. There are a number of mitigation measures that would avoid the impacts from traffic generated by the Project in the “Cumulative Plus Project” scenario to a less than significant level, but due to the fact that many of the mitigation measures described in the EIR would need to be implemented in adjacent jurisdictions, the County cannot guarantee that the suggested traffic improvements would ever get funded and constructed. Consequently, LAFCo must find that because many of the traffic improvements would be needed in jurisdictions beyond the County’s control and authority, LAFCo must find that the traffic impacts on those roadways segments and intersections identified in the EIR to be significant and unavoidable. In other cases, even if the suggested traffic mitigation improvement were to get built, it would still not result in a level of service that would allow LAFCo to reach a conclusion that the Project’s impacts are less-than-significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

**Mitigation:** The following mitigation measures or agency recommendations/requirements have been incorporated into the Project as conditions of approval to substantially lessen the Project’s traffic and circulation impacts, but not to a less than significant level:

**Mitigation Measure TR-8.** The applicant shall be responsible for a fair share of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation and may be up to 100% of the cost of the improvements.

*A. School Access and North Loop Road* – Provide dual eastbound left turn lanes.

**Implementation of Mitigation Measure TR-8 will be accomplished by satisfaction of the following Condition of Approval requiring the identified transportation improvements:**

Condition 41. As part of intersection improvements, provide dual eastbound left turn lanes at the intersection of North Loop Road and the proposed school access pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (Mitigation Measures TR-1.G and TR-8.A)

**Mitigation Measure TR-9.** The applicant shall be responsible for a fair share of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation, in consultation with the City of Rancho Cordova, and may be up to 100% of the cost of the improvements.

*A. Sunrise Boulevard and Douglas Road* – Provide overlap phasing on the eastbound and westbound right turns.

*B. Grant Line Road and Douglas Road* – Provide a third southbound through lane and overlap phasing on the eastbound right turn lane. To be consistent with the segment mitigations a third northbound through lane is included.

*C. Grant Line Road and North Loop Road* – Provide a westbound free-right turn lane. Also an extra northbound departure lane is needed for the westbound free-right movement.

*D. Grant Line Road and University Boulevard* – Provide a northbound free-right turn lane. Also an extra eastbound departure lane is needed for the northbound free-right movement.

**Implementation of Mitigation Measure TR-9 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 49. Commence reconstruction and widening of the intersection of University Boulevard and Grant Line Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of such improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include modification of the existing traffic signal, providing a u-turn lane, two through lanes, and a free right turn lane on the northbound approach; two left turn lanes and two through lanes on the southbound approach; and two left turn lanes and a right turn lane on the westbound approach. Note: The two westbound left turn lanes shall be extended to a length based on the queuing analysis and to the satisfaction of the Department of Transportation. For the free-right turn movement, provide sufficient acceleration lane and taper length and grant the right of direct vehicular access to the County of Sacramento along the acceleration/taper lane length to the satisfaction of the Department of Transportation. Bus turnouts will be required on Grant Line Road and University Boulevard. (Mitigation Measures TR-2.J and TR-9.D) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 3,200 DUEs within the Cordova Hills SPA)

Condition 51. Commence reconstruction and widening of the intersection of North Loop Road and Grant Line Road pursuant to the latest Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached an agreement for construction of the portion of such improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include modification to the traffic signal, providing a u-turn lane, three through lanes, and a right turn lane on the northbound approach; two left turn lanes and a free right turn lane on the westbound approach; and two left turn lanes and three through lanes on the southbound approach. Note: The two southbound left turn lanes shall be extended to a length based on the queuing analysis and to the satisfaction of the Department of Transportation. For the free-right turn movement, provide sufficient acceleration lane and taper length and grant the right of direct vehicular access to the County of Sacramento along the acceleration/taper lane length to the satisfaction of the Department of Transportation. Bus turnouts will be required on Grant Line Road and North Loop Road. (Mitigation Measures TR-2.H and TR-9.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

Condition 69. Commence reconstruction and widening of the Grant Line Road at Douglas Road intersection to a signalized intersection pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City's jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. Improvements shall include dual northbound left turn lanes (length of northbound left turn lanes to be determined based on future analysis) and three northbound through lanes; a southbound u-turn lane, three southbound through lanes and a southbound right turn lane; and an eastbound left turn lane and an eastbound free right turn lane. For the free-right turn movements, provide sufficient acceleration lane length to the satisfaction of the Department of Transportation. Note: The through lanes in the northbound and southbound directions shall be carried through the intersection. (Mitigation Measures TR-2.G and TR-9.B) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

Condition 82. Pay a fair share (16%) contribution towards the modification and associated improvements at the intersection of Sunrise Boulevard and Douglas Road pursuant to the City of Rancho Cordova Improvement Standards and to the satisfaction of the Department of Transportation to provide overlap phasing on the eastbound and westbound right turns. (Mitigation Measure TR-9.A)

**Mitigation Measure TR-10.** The applicant shall be responsible for a fair share of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County Department of Transportation and may be up to 100% of the cost of the improvements.

*A. North Loop Road from Street D to Street F – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with low access control.*

**Mitigation Measure TR-11.** The applicant shall be responsible for a fair share of the below mitigation measures. The fair share shall be calculated to the satisfaction of Sacramento County

Department of Transportation, in consultation with the City of Rancho Cordova, and may be up to 100% of the cost of the improvements.

- A. *Grant Line Road from Rancho Cordova Parkway to Kiefer Boulevard* – Increase roadway capacity by widening this segment to a 6 lane arterial with moderate access control.
- B. *Grant Line Road from Kiefer Boulevard to University Boulevard* – Increase roadway capacity by widening this segment to a 6 lane arterial with moderate access control.
- C. *Grant Line Road from North Loop to Douglas Road* – Increase roadway capacity by widening this segment to a 6 lane arterial with moderate access control.
- D. *Grant Line Road from Douglas Road to White Rock Road* – Increase roadway capacity by widening this segment to a 6 lane arterial with moderate access control.

**Implementation of Mitigation Measure TR-11 will be accomplished by satisfaction of the following Conditions of Approval requiring the identified transportation improvements:**

Condition 71. Commence reconstruction and widening of Grant Line Road from a four-lane road section to a six-lane thoroughfare section from North Loop Road to Douglas Road based on a 96-foot standard thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation, provided that the County and the City of Rancho Cordova have reached agreement for construction of the portion of the improvements within the City’s jurisdiction. Performance of this condition shall be held in abeyance pending such agreement and development may continue. (Note: Bus turnouts will be required on Grant Line Road. Condition number 51 requires improvements to the intersection of North Loop Road and Grant Line Road and Condition number 69 requires improvements to the intersection of Douglas Road and Grant Line Road.) (Mitigation Measures TR-5.E and TR-11.C) (Prior to the recordation of the final maps for residential land uses or issuance of building permits for non-residential land uses (including the University) for 6,500 DUEs within the Cordova Hills SPA)

Condition 75. Pay a fair share (21%) contribution towards the reconstruction and widening of Grant Line Road from an existing four-lane thoroughfare center road section to a six-lane thoroughfare section from Douglas Road to White Rock Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (Mitigation Measure: TR-11.D)

Condition 76. Pay a fair share (34%) contribution towards the reconstruction and widening of Grant Line Road from an existing four-lane thoroughfare center road section to a six-lane thoroughfare section from Rancho Cordova Parkway to Kiefer Boulevard. (Mitigation Measure: TR-11.A)

Condition 77. Pay a fair share (54%) contribution towards the reconstruction and widening of Grant Line Road from an existing four-lane thoroughfare center road section to a six-lane thoroughfare section from Kiefer Boulevard to University Boulevard. (Mitigation Measure: TR-11.B)

**Level of Significance After Mitigation:** Significant and Unavoidable.

**Findings on Adopted Mitigation:** LAFCo finds that the adoption of the above-stated measure is within the purview of Sacramento County or other agencies and not that of LAFCo. LAFCo additionally finds that the measure is feasible, and could and should be adopted by said agencies. LAFCo further finds that the impacts would still be considered significant, even with the imposition

of measures identified above. Implementation of the foregoing mitigation measures would reduce the severity of this impact, but not to a less than significant level. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15091, 15126.4, subd. (a)(2).) LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## **XI. PROJECT ALTERNATIVES**

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Where an agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. As noted earlier, in Sections II and VII of these Findings, an alternative may be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. Thus, “ ‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project. (City of Del Mar, *supra*, 133 Cal.App.3d at 417; see also Sequoiah Hills, *supra*, 23 Cal.App.4th at 715.)

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The detailed discussion in Section X demonstrates that many significant environmental effects of the Project have been either substantially lessened or avoided through the imposition of existing policies or regulations or by the adoption of additional, formal mitigation measures recommended in the FEIR.

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However, even with mitigation in the form of the application of existing policies and, where feasible, the addition of formal mitigation measures, the Project will cause unavoidable significant environmental effects to aesthetics, air quality, biological resources, climate change, land use, noise, public utilities, and traffic and circulation, though they have been substantially lessened.

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LAFCo can fully satisfy its CEQA obligations by determining whether any alternatives identified in the EIR are both feasible and environmentally superior with respect to these impacts. (Laurel Hills, *supra*, 83 Cal.App.3d at pp. 520-521 and pp. 526-527); Kings County Farm Bureau v. City of Hanford, *supra*, 221 Cal.App.3d at pp. 730-731; and Laurel Heights I, *supra*, 47 Cal.3d at pp. 400-403; see also Pub. Resources Code, § 21002.) As the succeeding discussion will show, no identified alternative is both feasible and environmentally superior with respect to the unmitigated impacts.

To fully account for these unavoidable significant effects, and the extent to which particular alternatives might or might not be environmentally superior with respect to them, these Findings will not focus solely on these impacts, but instead will address the environmental merits of the alternatives with respect to all impacts. The Findings will also assess whether each alternative is feasible in light of the proponent’s objectives for the Project.

The degree of specificity required in an EIR “will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.” (Guidelines, § 15146.) Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners (1993) 18 Cal. App. 4th 729, 746.) LAFCo’s evaluation of alternatives is limited to those alternatives within LAFCo’s statutory ability to approve or implement

pursuant to CEQA Guidelines §15096. In LAFCo's case, these would be limited to approving or disapproving the proposed reorganization actions.

As noted above in these CEQA Findings, the Project will result in significant and unavoidable environmental effects with respect to aesthetics, air quality, biological resources, climate change, land use, noise, public utilities, and traffic and circulation. The EIR examined alternatives to the Project to determine whether an alternative could meet the Project's objectives, while avoiding or substantially lessening the significant unavoidable impacts of the Project. The EIR examined in detail the following alternatives to the Project:

- No Project Alternative
- Expanded Preserves Alternative
- Expanded Footprint Alternative

LAFCo's review of project alternatives is guided primarily by the need to reduce potential impacts associated with the Project, while still achieving the basic objectives of the Project. As stated in the EIR, the Project has the following objectives, as provided by the Applicant for the Project (DEIR, page 1-38):

- Develop a mixed use community that is designed in a manner that provides compatible land uses and reduces overall internal vehicle trips.
- Develop an economically feasible master-planned community that reasonably minimizes its impact on biologically sensitive natural resources with feasible onsite wetland avoidance and preservation.
- Develop a sustainable, multi-service town center that promotes walkability and alternative transit modes including but not limited to Neighborhood Electric Vehicles (NEVs), light rail, shuttle bus, and carpool facilities.
- Provide uses for two underserved markets in the southeast Sacramento region:
  - Provide for the development of a major private university facility in Sacramento County.
  - Provide residential neighborhoods that are age restricted in order to serve seniors and larger lot sizes for executive housing to serve corporate executives.
- Develop internal Project infrastructure and circulation networks of multiple modes that provide efficient connections to various land use components throughout the Project; specifically, trail opportunities to enhance the integration between the university/college campus center, town center, schools, and preserves/open space corridors surrounding the Project.
- Develop recreational and open space opportunities that include neighborhood and community parks that are fully integrated into the project through adequate trail connections and provide critical regional trail connections associated with adjacent trail systems.
- Allow for inclusion of alternative energy sources to serve the mixed use community.

## A. NO PROJECT ALTERNATIVE

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### DESCRIPTION OF NO PROJECT ALTERNATIVE

With respect to the analysis of a “no project” alternative, Section 15126.6(e)(2) of the CEQA Guidelines provides:

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The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Consistent with that direction, the EIR’s analysis of the No Project Alternative assumes no changes to the site’s existing land use designation and zoning. The No Project Alternative would continue the existing agricultural use for cattle grazing or other uses allowed under the existing General Plan land use designation and zoning. The site is zoned AG-80 (Agriculture – 80 acre minimum lot size). Some of the allowed uses other than the existing uses include single family dwellings and farm employee housing. The No Project Alternative was analyzed as if up to ten (10) homes would be constructed under the AG-80 zoning, and conservatively assumed that each home would involve taking one acre of land out of agricultural uses. That assumption included access roads, the homes, and appurtenant improvements.

### ENVIRONMENTAL IMPACTS OF NO PROJECT ALTERNATIVE

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Aesthetics. The No Project Alternative would avoid any significant and unavoidable aesthetic impacts. While the project site would continue in agricultural uses, up to ten (10) houses could be built on it but they would have minimal visual impacts. There would be no significant impacts associated with glare or nighttime lighting. Consequently, there would be no contribution to cumulative aesthetic impacts by the No Project Alternative.

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Agricultural Resources. Under the No Project Alternative, the Project site would continue in agricultural uses; therefore, all impacts to agricultural uses would be less than significant. However, because of its AG-80 zoning, the site could be subdivided into with up to ten lots of 80-acres each that could each contain a single family dwelling. The No Project Alternative would not conflict with the existing agricultural designations or use, conflict with a Williamson Act contract, or convert agricultural lands to a non-agricultural use.

Air Quality. There could be an increase in construction NOx emissions over the existing agricultural activities with the potential construction of up to ten homes under the No Project Alternative. However, that construction would be regarded as less than significant under SMAQMD thresholds. Operational impacts from ozone precursors (NOx and ROG) would also be considered less than significant from ten homes under SMAQMD guidelines. While the construction of up to ten homes would generate increased particulate matter emissions, it would not be likely to disturb more than 15 acres at the same time. Consequently, the No Project Alternative is not considered to exceed the screening threshold for particulate matter emissions and would have less than significant impacts. The No Project Alternative would not exceed the SMAQMD thresholds of 65 lbs./day of NOx or ROG during operational activities, so it would conflict or obstruct implementation of an Air Quality

Plan. While the No Project Alternative would generate CO emissions, they would not exceed ambient standards and would have a less than significant impact. The No Project Alternative would not expose sensitive receptors to toxic air contaminants (TACs). Although three of the parcels under the No Project Alternative are situated within one mile of Kiefer Landfill and one parcel is proximate to the Sacramento County Boys Ranch, this Alternative would not expose a substantial number of people to objectionable odors.

- | Biological Resources. Under the No Project Alternative, agricultural activities would continue at the site, but the construction of up to ten homes could result in some minimal losses of habitat if each home was on a one acre site. Existing regulations for the protection of wetlands and special status species prohibit direct impacts without obtaining appropriate permits and satisfying applicable permit mitigation requirements. Thus, while some impacts to wetlands might occur, these would be minimal and most of the site's approximately 89 acres of wetlands would be retained. It was also assumed that no take of special status species would occur in the No Project Alternative.
- | Climate Change. Under the No Project Alternative the current agricultural land use would not significantly contribute to greenhouse gas emissions. Even if the site were developed with ten homes, the total emissions from the No Project Alternative would only be a tiny fraction (0.005%) of total County emissions. In sum, the No Project Alternative's climate change impacts were determined to be less than significant.
- | Cultural Resources. Under the No Project Alternative, there would not be any impacts to cultural resources. There are no known historical resources on the site as defined by CEQA. Because the Alternative has a much smaller construction footprint than the proposed Project, there is a much lower probability of discovering unknown subsurface deposits. The EIR determined that the impacts on cultural resources would be less than significant.
- | Geology and Soils. There are existing regulations in place to assure that construction on the site does not cause soil erosion, and will avoid substantial risk to life and property associated with expansive soils or geological hazards, such as seismicity. The site is not likely to have asbestos-containing soils and soil testing found no evidence of naturally occurring asbestos. There are no mapped mineral resources on the site, and the construction of up to ten homes would not preclude the site's future mining. Impacts to soils and geology were therefore found to be less than significant.
- | Hazards and Hazardous Materials. While the No Project Alternative would involve the use of wells as a source of potable water, the groundwater contamination from the Aerojet facility and the Kiefer Landfill properties is migrating away from the site, so the wells would not be negatively impacted by contamination. Impacts from hazards and hazardous materials are less than significant.
- | Hydrology and Water Quality. The No Project Alternative would impact less than 1% of the watershed area on the site. This would not result in substantial hydrologic changes to the site. County regulations and ordinances would preclude building any homes in the 100-year floodplain or impeding or redirecting flood flows. The No Project Alternative either would require appropriate erosion controls through permitting requirements, or would be too small to generate substantial polluted runoff. Consequently, the No Project Alternative would have less than significant impacts on hydrology and water quality.



Land Use. There would be no change in the land use designations under the No Project Alternative. The site would remain AG-80 and be consistent with the SACOG Blueprint, inasmuch as urbanization of the site was not contemplated under the Blueprint until the cumulative planning horizon. This Alternative would not displace an existing community or displace housing elsewhere. The Land Use impacts are less than significant.

Noise. The construction of up to ten homes would not have significant construction noise impacts. The homes would not generate significant traffic noise, nor be sources of significant stationary source noise. Since the Alternative would not result in the exposure of people to a substantial noise source or exceed a noise standard, the noise impacts are less than significant.

Public Services. The addition of up to ten new homes with this Alternative would not result in substantial demands for public services, increased staffing or additional facilities. The impacts to public services from the No Project Alternative would be less than significant.

Public Utilities. The No Project Alternative would not have a public water or public sewer, but would rely on private wells and septic systems that have to be installed in compliance with County ordinances and requirements. Electrical and gas lines would have to be extended to home sites, but SMUD and PG&E have the ability to supply services. Impacts from public utilities would be less than significant.

Traffic and Circulation. Traffic volumes generated by up to ten new homes under the No Project Alternative would be too low to require a traffic impact analysis. This Alternative would not cause any level of significance threshold to be exceeded, nor would the existing deficiencies in bicycle and pedestrian facilities on Grant Line and Douglas Road be significantly impacted. The Alternative would not conflict with any adopted transit plan or non-automotive master plan. Impacts to traffic and circulation would be less than significant.

### **RELATIONSHIP TO PROJECT OBJECTIVES**

The No Project Alternative would not meet any of the Project objectives because the Project would not be constructed.

### **FINDING**

LAFCo rejects the No Project Alternative as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible.

- (a) The No Project Alternative would not develop a mixed use community that was designed with compatible land uses to reduce overall internal vehicle trips when compared to a “business-as-usual” development;
- (b) The No Project Alternative would not result in an economically feasible master-planned community;
- (c) The No Project Alternative would not create a sustainable, multi-service town center that promotes walkability and alternative transit modes, including but not limited to Neighborhood Electric Vehicles, light rail, shuttle bus, and carpool facilities.
- (d) The No Project Alternative would not provide for land uses that would allow for the development of a major private university in Sacramento County or provide for land uses that

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allow residential neighborhoods that are age restricted in order to serve seniors, nor would the No Project Alternative create large lot sizes suitable for executive housing to serve corporate executives;

- (e) The No Project Alternative would not create any internal Project infrastructure and circulation networks of multiple modes that provide efficient connections to various land use components in the Project;
- (f) The No Project Alternative would not develop any neighborhood and community parks or provide connections to adjacent trail systems or regional trail systems; and
- (g) The No Project Alternative would not provide any alternative energy sources to serve a mixed use community.

In light of the foregoing, the LAFCo further finds that the No Project Alternative would not meet any of the Project Objectives. To the extent that any environmental impacts might be less significant under the No Project Alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## **B. EXPANDED PRESERVES ALTERNATIVE**

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### **DESCRIPTION OF EXPANDED PRESERVES ALTERNATIVE**

Under the Expanded Preserves Alternative, the Project would be significantly changed by placing approximately 1,142 acres into preserves, primarily by expanding the preserve on the western plateau of the site, compared to the Project that would avoid only 493 acres. The expanded preserve size would remove any development along Grant Line Road north of the University Boulevard intersection. Overall, it would reduce the non-residential square footage to only 382,640 sq.ft. compared to the Project's 1,349,419 sq.ft. of non-residential uses. It would also reduce the area of urban development at the site to only 1,527 acres. These changes are highlighted on Plate ALT-5 in the Draft EIR. An Expanded Preserves Alternative would remove the Town Center from the western side of the site and result in the loss of its mixed use retail and commercial center along a major roadway. No replacement of the Town Center land use was included in this Alternative.

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The Expanded Preserves Alternative would avoid nearly all impacts to vernal pools by significantly expanding the avoidance areas to 1,142 acres, although impacts would still occur due to construction of access roads across the expanded preserve at the western side of the site. Expansion of the preserves would not only result in the loss of the Town Center area, but also result in reducing the size of other land uses, such as removing 23 acres of the Academic Zone at the University/College Campus Center, losing 20 acres of the Sports Park, 9 acres of medium density residential in Ridgeline Village, 10 acres of high density residential in Ridgeline Village, 3 acres of low density residential in Ridgeline Village, 29 acres of medium density residential in University Village, 31 acres of low density residential in East Valley Village, and 39 acres of public/quasi-public uses in East Valley Village. As a result of the losses in developed area the Expanded Preserves Alternative would contain only 6,845 housing units compared to the Project's 9,010 total units.

### **ENVIRONMENTAL IMPACTS OF EXPANDED PRESERVES ALTERNATIVE**

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Aesthetics. The Expanded Preserves Alternative would preclude any development of the western plateau area along Grant Line Road, and allow development in portions of the site that area not

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currently visible from Grant Line Road or by the Douglas Road/Rancho Cordova viewer groups. This would maintain the continuity of most of the existing views. Consequently, the degradation of views and visual quality would be less than significant for those viewer groups.

| The impacts to viewers along Kiefer Road and Latrobe Road would be similar to the impacts from the Proposed Project, but due to distance from the site and the intervening landforms, the impacts to these existing views would be less than significant as well. However, the existing views for the viewer group north of the Project site would still have their visual quality reduced from moderately high to moderately low by the Expanded Preserved Alternative, resulting in aesthetic impacts from the Expanded Preserves Alternative that would be significant and unavoidable. This Alternative would also introduce new sources of light and glare at the site from the more than 6,000 new homes and nearly 400,000 square feet of commercial uses it would create. That would be a substantial new source of nighttime lighting, and while application of Mitigation Measure AE-1 could lessen this impact, the impact would remain significant and unavoidable for this Alternative.

| Agricultural Resources. While the Expanded Preserves Alternative would result in less urbanization of the existing grazing lands at the site, its impacts would be similar to that of the Proposed Project. Mitigation Measure AG-1 would reduce conflicts with neighboring offsite agricultural uses. This Alternative's impacts on Williamson Act contracts would be the same as those for the Proposed Project, and would require Mitigation Measure AG-2 in order to reduce them to a less than significant level. In the Expanded Preserve Alternative, the 8.6 acres of Unique Farmland would be situated within a Preserve, as would some of the grazing land now situated outside of the USB. Placing existing farmland within a preserve would preclude unrestricted farming activities. Consequently, those 255.6 acres of impacted farmland also would require mitigation by Mitigation Measure AG-3 in order to reduce this Alternative's impact on agricultural resources to a less than significant level.

| Air Quality. Changes made by the Expanded Preserves Alternative would be unlikely to reduce the impact of the worst-case NOx emissions scenario from construction activities. Its impacts would be similar to the proposed Project, and require implementation of Mitigation Measure AQ-1 in order to reduce the impact of construction period NOx emissions to a less than significant level. Operational emissions of ozone precursors (NOx and RPG) would be less, but would still exceed the SMAQMD's thresholds and therefore require preparation and implementation of an air quality mitigation plan. However, even with an air quality mitigation plan that required a 35% reduction in ozone precursor emissions, the operational emissions impacts of the Expand Preserves Alternative would remain significant and unavoidable.

| Construction of the Expanded Preserves Alternatives would generate particulate matter emissions of PM2.5 and PM10. While compliance with existing rules and regulations would be required, construction is likely to exceed 15 acres per day at any given time, and this Alternative would have significant and unavoidable impacts relating to PM2.5 and PM10 from construction activities. Because the Expanded Preserves Alternative would be expected to have construction emissions that exceeded 85 lbs./day of NOx and ROG and operational activities that would exceed 65 lbs./day of NOx and ROG, the Alternative has the potential to conflict with or obstruct the implementation of the regional ozone attainment plan and would have a significant and unavoidable impact on Air Quality. CO emissions from this Alternative are not expected to exceed ambient standards or create any CO hotspots, so its impacts on CO emissions would be less than significant.

- | The Expanded Preserves Alternative has the same potential for producing toxic air contaminants (TACs) as does the proposed Project. However, with implementation of Mitigation Measure AQ-3, the siting of new uses would conform with CARB recommendations and the impact from exposure to TACs would be less than significant. This Alternative would place sensitive land uses in close proximity to the Kiefer Landfill and the Sacramento County Boys' Ranch, and the same mitigation would apply in order to reduce this impact from odors they generate to a less than significant level.
- | Biological Resources. The Expanded Preserves Alternative would create 1,142 acres of preserves to protect 72 acres of wetlands and place an additional 37.3 acres of agricultural lands under a conservation easement. Thus, 81% of the site's wetlands would be in a preserve. Mitigation Measure BR-1 would apply to reduce the impacts on wetlands to an estimated 17 acres, and with mitigation the impact would be considered less than significant since 99% of the vernal pools would be preserved and 81% of the total wetlands preserved.
- | As a result of the increased preserves and agricultural areas protected from future development by way of conservation easements, the area where impacts to special status species are avoided increases to 1,179 acres and the impacted areas are reduced to 1,490 acres. Mitigation Measures BR-3, BR-5 and BR-6 would reduce impacts to birds to a less than significant level. Impacts to amphibians, such as the western spadefoot, would be less than significant since more wetlands and more upland areas are being preserved. Impacts to invertebrates, such as the listed species of shrimp, would be less than significant once mitigation is provided as required by the state and federal permits and the County's requirement for no net loss of wetlands. Similarly, impacts to special status plants, such as those found around vernal pools, would similarly be reduced to a less than significant level due to the increased preservation and mitigation requirements of existing regulations and ordinances that assure no net loss of wetlands.
- | Climate Change. With the Expanded Preserves Alternative, the reduction in size of the developed area is not expected to alter the per capita and per square foot energy sector GHG emissions from those of the proposed Project which were 1.18 MT per capita for residential uses and 5.75 MT per 1,000 sq.ft. of commercial uses. Total GHG emissions from the energy usage of the Expanded Preserves Alternative was estimated as 8,460 MT annually. Transportation GHG emissions for this Alternative were estimated at 4.48 MT per capita annually, that would be reduced to 3.77 MT per capita with implementation of the GHG Reduction Plan. Because the Expanded Preserves Alternative would have transportation sector GHG emissions that are above the current County thresholds now in effect, the Alternative's GHG emissions would be considered to have significant and unavoidable impacts.
- | Cultural Resources. There are no known historic resources on the site. There would be a slightly reduced likelihood of discovering unknown subsurface cultural resources when compared to the proposed Project because this Alternative has a smaller construction footprint. Mitigation Measure CR-1 would apply and reduce this Alternative's impacts on cultural resources to a less than significant level.
- | Geology and Soils. As with the proposed Project, the observance of existing regulations would ensure that construction does not cause substantial soil erosion and will avoid substantial risk to life and property associated with expansive soils or geological hazards. The site is not likely to have asbestos-containing soils and there is no naturally occurring asbestos. There are no mapped mineral

resources on the site. Consequently, the Expanded Preserves Alternative would have less than significant impacts on geology and soils.

| Hazards and Hazardous Materials. The Expanded Preserves Alternative would have the same less-than-significant impacts from hazards and hazardous materials as would the proposed Project and the No Project Alternative. Mitigation Measure HM-1 would assure that no impacts arise.

| Land Use. The impacts of the Expanded Preserves Alternative are the same as the proposed Project with regard to conflicts with adopted land use plans, and are therefore less than significant. The Expanded Preserves Alternative has similar conflicts with the SACOG Blueprint as does the proposed Project, and they are therefore significant and unavoidable. This Alternative would have less than significant impacts related to General Plan policies regarding growth inducement, public services and utilities, transportation and air quality, land use compatibility, disruption of an existing community, and displacement of housing.

| Noise. The noise impacts of the Expanded Preserves Alternative are similar to the proposed Project with regard to construction noise levels, onsite traffic noise, onsite community and stationary noise, Mather Airport noise, and noise due to Kiefer Landfill activities, all of which are less-than-significant. There would be significant and unavoidable noise impacts from this Alternative due to the substantial increase it would cause in the ambient noise level at the site.

| Public Services. The Expanded Preserves Alternative would result in an estimated population of 19,690 residents including the university/college campus center. The demand for public services is reduced as a result of the smaller population, with only an additional 13 Sheriff's Department staff members being needed, only 14,292 tons of waste being produced annually and 19,436 tons of construction waste, only 79 acres of parkland being needed, library remaining the same, and schools remaining the same. As a result, the impacts to public services would remain less-than-significant.

| Public Utilities. As with the proposed Project, the Expanded Preserves Alternative would have similar impacts to those of the proposed Project. Impacts from the construction of infrastructure would be significant and unavoidable since the regional and offsite improvements are still needed to serve the site. Energy efficiency impacts would remain less than significant, as would water demand and sewer disposal demand. Impacts to groundwater yield and groundwater recharge would be less-than-significant.

| Traffic and Circulation. A reduction in the number of access points along Grant Line Road would result from the Expanded Preserves Alternative from three to two points, and a number of internal roadways also would be eliminated. Six offsite intersections would experience significant impacts in the absence of any mitigation to add improvements to them: Bradshaw Road and Jackson Road; Mather Boulevard and Douglas Road; Eagles Nest Road and Jackson Road; Grant Line Road and Sunrise Boulevard; Grant Line Road and White Rock Road; and Prairie City Road and White Rock Road. There will be no adverse impacts to any intersections in the City of Elk Grove with this Alternative. In the City of Rancho Cordova, the Expanded Preserves Alternative would have significant impacts to the following intersections if no mitigation improvements are provided: Sunrise Boulevard and White Rock Road; Sunrise Boulevard and Douglas Road; Sunrise Boulevard and Jackson Road; Grant Line Road and Jackson Road; Grant Line Road and Kiefer Boulevard; Grant Line Road and Douglas Road; Grant Line Road and North Loop Road; and Grant Line Road and University Boulevard. No Caltrans state freeway intersection impacts would arise from this

Alternative. Impacts to Sacramento County roadway segments would be less than significant. In the City of Elk Grove, roadway impacts to Grant Line Road between Sheldon Road and Calvine Road would be significant without the implementation of Mitigation Measure TR-4 that would reduce them to less-than-significant if it were to be implemented. Ten roadway segments in the City of Rancho Cordova would be impacted by the Expanded Preserves Alternative, and all but one of them could be reduced to less-than-significant if Mitigation Measure TR-5 could be implemented. However the roadway segment on Sunrise Boulevard from Folsom Boulevard to White Rock Road would remain at an unacceptable LOS of E even with Mitigation Measure TR-5's implementation. Caltrans freeway segments impacted by this Alternative are those on Westbound US 50 from Hazel to Sunrise and Eastbound US 50 from Sunrise to Hazel that would remain significant and unavoidable impacts, even with Mitigation Measure TR-6. With the implementation of Mitigation Measure TR-7, impacts to bicycles and pedestrians would be less-than-significant from the Expanded Preserves Alternative.

In the Cumulative Plus Project scenario, the Expanded Preserves alternative would have less-than-significant impacts on County intersections, City of Folsom intersections, City of Elk Grove intersections and Caltrans freeway intersections. In the City of Rancho Cordova, this Alternative would have significant and unavoidable impacts to the intersections of Sunrise Boulevard and Douglas Road that could not be mitigated to achieve a level of service above LOS E; Grant Line Road and Douglas Road that could be mitigated to LOS C; Grant Line Road and North Loop Road that could be mitigated to LOS C; and Sunrise Boulevard and International Drive that could not be mitigated above LOS E. Even where mitigation could improve some of the intersections in Rancho Cordova, there is no guarantee that it would be implemented, so the impacts must be considered significant and unavoidable. Under the Cumulative Plus Project scenario, roadway segment impacts in Sacramento County and the City of Elk Grove with the Expanded Preserves Alternative would be less than significant. Impacts to roadway segments in the City of Rancho Cordova could be improved by Mitigation Measures TR-10.C. and TR-10.D. to less than significant levels if implemented, otherwise the impacts would be significant and unavoidable. Impacts of this Alternative in the Cumulative Plus Project scenario on Caltrans freeway segments and ramp junctions would be significant and unavoidable at the following locations: Eastbound US 50 from Watt Avenue to Bradshaw Road; Eastbound US 50 from Rancho Cordova Parkway to Hazel Avenue; Westbound US 50 from Hazel to Rancho Cordova Parkway; Westbound US 50 from Bradshaw Road to Watt Avenue; Westbound US 50 from Watt Avenue to Power Inn Road/Howe Avenue; Eastbound US 50 Slip Ramp Entrance from Watt Avenue; Westbound US 50 Exit Ramp to Watt Avenue; and Westbound US 50 Slip Ramp Entrance from Watt Avenue. Impacts to bicycles, pedestrians and transit with the Expanded Preserves Analysis would be less-than-significant.

## RELATIONSHIP TO PROJECT OBJECTIVES

The Expanded Preserves Alternative would meet most of the basic Project objectives, but not all of them. It would not provide any land along Grant Line Road for a sustainable, multi-service Town Center. It would substantially reduce the square footage of non-residential land uses to only 382,640 sq.ft. when compared to the Project's 1,349,419 sq.ft, and would remove the ability to locate any of those types of non-residential uses along Grant Line Road. The ability to create a sustainable, multi-service town center is questionable. In addition, it would reduce the number of dwelling units to only 6,845 compared to the 9,010 dwelling units the Project could provide.

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## FINDING

LAFCo finds that the Expanded Preserves Alternative is the environmentally superior alternative because it will result in fewer significant and unavoidable impacts in several categories, most notably in wetland loss due to the larger preserves/avoided areas and in impacts to invertebrate species. It will result in the least amount of land being urbanized at 1,490 acres, the lowest water demand at 5,484 AFY, the least amount of pollutants such as NOx at 319.72 tons and 660.20 tons of ROG, the least amount of impacts to wetlands and other habitat losses due to placing 43% of the site in preserves and avoided areas, and would have lower utility demands for electricity of 72,003,00 kWh and 2,988,810 therms of natural gas when compared to the proposed Project.

LAFCo rejects the Expanded Preserves Alternative as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible.

- (a) The Expanded Preserves Alternative would not create a sustainable, multi-service town center that promotes walkability and alternative transit modes, including but not limited to Neighborhood Electric Vehicles, light rail, shuttle bus, and carpool facilities
- (b) The Expanded Preserves Alternative would substantially reduce land uses that would allow for the development of a major private university in Sacramento County or provide for land uses that allow residential neighborhoods that are age restricted in order to serve seniors, or create large lot sizes suitable for executive housing to serve corporate executives
- (c) The Expanded Preserves Alternative would substantially reduce neighborhood and community parks and would interfere with connections to adjacent trail systems or regional trail systems

In light of the foregoing, the LAFCo further finds that the Expanded Preserves Alternative would not meet any of the Project Objectives. To the extent that any environmental impacts might be less significant under the Expanded Preserves Alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

## C. EXPANDED FOOTPRINT ALTERNATIVE

### DESCRIPTION

The Expanded Footprint Alternative is composed of the Expanded Preserves Alternative together with another 862 acres of land added to the north of the Project site referred to as "Grant Line Pilatus." The total area of this Alternative is 3,531 acres. It would designate 2,016 acres for development and preserve 1,515 acres. Plate ALT-8 in the Draft EIR shows a potential land use plan for the Expanded Footprint Alternative. Within this Alternative, a modified Town Center could be relocated into the Ridgeline Village area, while the displaced housing from Ridgeline Village could be moved to the Grant Line Pilatus property on the north. This still creates a problem, since the Town Center would not be directly accessible from Grant Line Road. The Town Center would be smaller than the proposed Project, and the ability to support a viable commercial land use with 1,032,640 sq.ft. of non-residential uses would be questionable since reduced vehicle access and reduced visibility from Grant Line Road would result in less traffic at the site. However, the commercial and residential land uses of this Alternative would be more in balance than with the Expanded Preserves Alternative, which had only 382,640 sq.ft. of non-residential land uses. The

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Grant Line Pilatus property contains wetlands and linear waterways; as a result, a system of preserves for it was created based upon the standard 250 ft. buffer. This resulted in 373 acres of the total 862 acre Grant Line Pilatus property being placed into preserves, only leaving 489 acres for potential development.

The Town Center use that could be provided in the Expanded Footprint Alternative is only 150 acres, versus over 200 acres at the proposed Project. In addition, the smaller Town Center of this Alternative could not serve as a significant retail/commercial center because of its location in the Project site's interior, rather than along Grant Line Road, a major regional transportation corridor. Access and exposure to the traffic along Grant Line Road for the commercial uses would be significantly compromised. This Alternative would result in approximately 8,045 dwelling units, a reduction to 1,032,640 sq.ft. of non-residential uses, and have an estimated population of 22,850 persons.

## **ENVIRONMENTAL IMPACTS OF THE EXPANDED FOOTPRINT ALTERNATIVE**

Aesthetics. Under the Expanded Footprint Alternative, there would be similar views and visual quality for the Grant Line Road and Douglas Road / Rancho Cordova viewer groups as there would be for the proposed Project, which was a less than significant impact. View and visual quality impacts to the Kiefer Road and Latrobe Road viewer groups would also be less than significant. There would be no impacts to the residents to the north, because the residences would exist on land that would be developed. A new viewer group on Scott Road would be impacted, but that impact would be less than significant. As with the proposed Project, this Alternative would introduce new nighttime light and glare into the area, and such an impact would be significant and unavoidable.

Agricultural Resources. The added northern properties in the Expanded Footprint Alternative have the same AG-80 zoning and uses as the proposed Project area. Mitigation Measure AG-1 would be applied to reduce any impacts to adjacent agricultural uses to a less than significant level.

Impacts to lands under Williamson Act contracts would be similar to the proposed Project. Since the lands in the added northern area are now in a Williamson Act contract non-renewal status, approval of a subdivision map for the northern area would need to be deferred until February 2013 (within 3 years of nonrenewal). A rezone of the northern area would need to specify that the rezoning was not effective until 2016, and Mitigation Measure AG-2 would be included to ensure the continued agricultural use of the northern area until 2016. These actions would make the Expanded Footprint Alternative consistent with the Williamson Act.

The Expanded Footprint Alternative would convert 255.6 acres of protected farmland to non-agricultural uses. Mitigation Measure AG-3 would require mitigation for that conversion, and thereby reduce this impact to a less than significant level.

Air Quality. Although the number of residential units and size of the commercial development that would be constructed with the Expanded Footprint Alternative is less than with the proposed Project, the production of NOx emissions by construction activities would still exceed significance thresholds. Mitigation Measure AQ-1 would need to be implemented in order to make these impacts less than significant.

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- | Operational emissions of ozone precursors, such as NO<sub>x</sub> and ROG, would be less than for the proposed Project, they would still exceed the thresholds of significance. An air quality mitigation plan would be required, and the same plan as used for the proposed Project could be implemented to reduce emissions by 35%. However, the reduction in emissions would still be above the threshold, so this impact would be significant and unavoidable.
- | The northern area of the Expanded Footprint Alternative has the potential to expose people to offsite emissions of particulate matter due to the existence of an active aggregate mining operation on adjacent property. However, the area of the mine nearest the northern area is scheduled to be the deposit that is mined first, while the northern area is the one assumed to be developed last due to the need to extend infrastructure to serve it. Consequently, this impact could be reduced to a less than significant level by requiring mitigation that would prohibit development within 2,500 feet of an active or approved and planned mining operation, as suggested in the Draft EIR.
- | Construction activities at the Expanded Footprint Alternative would increase particulate matter emissions of PM<sub>2.5</sub> and PM<sub>10</sub>. Because those construction activities are likely to involve more than 15 acres per day at any given time, it will result in significant emissions. In spite of the mitigation measures that would be imposed by existing rules and regulations to reduce this particulate matter impact, the Expanded Footprint Alternative will result in significant and unavoidable PM<sub>2.5</sub> and PM<sub>10</sub> emissions.
- | The Expanded Footprint Alternative would exceed SMAQMD thresholds of 85 lbs./day for NO<sub>x</sub> during construction and 65 lbs./day of NO<sub>x</sub> or ROG during its operation. That would have the potential for interfering with the success of regional ozone attainment plans, and would be a significant and unavoidable impact of this Alternative. Traffic would increase on a cumulative basis with this Alternative, but to a lesser degree than with the proposed Project. Since localized CO concentrations near major vehicular access routes were not found to exceed ambient standards with the proposed Project's traffic, this Alternative's CO emissions would have a less than significant impact.
- | As with the proposed Project, there are no existing sources of toxic air contaminants (TACs) in proximity to the Expanded Footprint Alternative. Mitigation Measure AQ-3 would apply to ensure that new uses in the Alternative would not expose sensitive receptors to TACS from the new uses, such as gasoline stations. Impacts of this Alternative relating to exposure to TACs would therefore be less than significant. The Expanded Footprint Alternative will result in the placement of sensitive uses in proximity to the Kiefer Landfill and the Sacramento County Boys' Ranch, with the same potential for exposure to objectionable odors. Implementation of the same mitigation as required for the proposed Project would result in this being a less than significant impact.
- | Biological Resources. The Expanded Footprint Alternative would have a total of 1,552 acres of preserves and avoided areas, and 1,979 acres of development. 89 acres of vernal pools and other wetlands would be placed in preserves, resulting in 81% of the total wetland acres being preserved. Of the 54.09 acres of vernal pools onsite, a total of 51.44 acres would be preserved, which results in the preservation of 95% of all vernal pools. The impacts from roadways on the preserves for this Alternative would be increased due to three crossings of the central preserve on the Grant Line Pilatus property in the northern area. In addition, there would be unknown impacts to offsite wetlands on adjacent properties through which the northern access road to the Project site would have to travel. That offsite area contains dense concentrations of vernal pools, but no jurisdictional

wetland delineation has been performed. Nonetheless, the wetland impacts of the Expanded Footprint Alternative would be less than significant for the same reasons as stated above for the Expanded Preserves Alternative. With the implementation of Mitigation Measures BR-3, BR-4, BR-5 and BR-6, impacts to special status bird species would be reduced to less than significant. Impacts to special status amphibians, such as the western spadefoot, would also be less than significant, just as they were for the proposed Project. Impacts to vernal pool crustaceans would be less than significant due to compliance with the County's no net loss of wetlands policy and the permitting requirements of other agencies when a wetland area is filled. The Grant Line Pilatus property contains a single elderberry plant that could provide habitat for the valley elderberry longhorn beetle. That plant would be placed within a preserve area, so impacts would be less than significant. Surveys for special status plants were not conducted at the Grant Line Pilatus property. However, with the implementation of mitigation requiring a rare plant survey and mitigation if any rare plants are found, the impacts of this Alternative would be reduced to less than significant.

| Climate Change. While there would be fewer homes and businesses with the Expanded Footprint Alternative, the per capita and per square foot energy emissions of GHGs would be essentially unchanged at 1.18 MT per capita for residential and 5.75 MT per 1,000 sq.ft. for commercial. Total GHG emissions from energy usage in this Alternative were estimated at 10,526 MT annually. GHG emissions from the transportation sector for this Alternative were estimated at 3.78 MT per capita. Because these emissions, even with mitigation, are above current County GHG thresholds, this Alternative would have significant and unavoidable climate change impacts.

| Cultural Resources. The cultural resources impacts for that portion of this Alternative that is the same as the Expanded Preserves Alternative would be the same. The northern area has not had a cultural resources survey conducted, but a record search showed six historical isolates within or adjacent to it that consisted of miscellaneous farming equipment, a tractor, and an oil can. Isolates lack historical context and are not considered significant historical resources. Thus, there are no known significant cultural resources at the northern area. Because there has never been a survey of the northern area and because it is unknown what subsurface resources may exist, a mitigation measure requiring a survey by a qualified professional should be adopted that in combination with Mitigation Measure CR-1 will ensure that any impacts to cultural resources would be less than significant.

| Geology and Soils. The impacts to geology and soils would be the same as for the Expanded Preserves Alternative and be less than significant. The northern area has the same geologic characteristics as the proposed Project.

| Hazards and Hazardous Materials. Under the Expanded Footprint Alternative, the impacts related to this topic would be virtually the same as for the proposed Project. Mitigation Measure HM-1 would apply and reduce any impacts to a less than significant level.

| Hydrology and Water Quality. While the Expanded Footprint Alternative includes more land overall, it results in the conversion of less land to urban development than does the proposed Project. It also includes the same watershed areas, though its drainage master plan would have to be revised to take in the northern area. It is expected that this will still result in the Alternative's development having a less than significant impact. Construction related and operational water quality impacts of this Alternative would be the same as those for the proposed Project, and with observance of existing regulations, the impacts are expected to be less than significant.

Land Use. The Expanded Footprint Alternative would not conflict with any adopted County or city land use plans that avoids environmental impacts, consequently its impact in this regard is less than significant. This Alternative uses the same basic internal designs as the proposed Project, so the conclusions as to providing a variety of transportation choices, compact building and community design, a range of housing, as well as fostering a sense of place apply. While it provides more open space than the proposed Project, it still conflicts with the SACOG Blueprint because it does not direct growth toward an existing urban core. The portion of the Expanded Footprint Alternative north of the proposed Project does not have frontage on Grant Line Road in contrast to the proposed Project which abuts actively planned urban development in the City of Rancho Cordova along the Grant Line Road frontage. Consequently, this portion of the alternative does not have direct contact with existing urban development or land currently in planning by the City of Rancho Cordova. This is a significant and unavoidable impact of the Alternative. Its growth inducing impacts are less than significant. Impacts related to General Plan policies concerning public services and utilities are similar to those for the proposed Project and are less than significant. Impacts related to the General Plan policies for air quality are also less than significant, just as for the proposed Project. General Plan policies require new development to be compatible with existing development. The proposed mitigation for reducing this Alternative's particulate matter exposure impacts that would require a 2,500 ft. buffer from active mining operations at the nearby Teichert mining company property would reduce any land use compatibility impacts to a less than significant level. This Alternative would not divide or disrupt an existing community, and would not displace any housing, so its impacts in these areas are less than significant.

Noise. Construction of the Expanded Footprint Alternative would increase noise levels, but remain less than significant, just as for the proposed Project. With implementation of mitigation measures, impacts from onsite traffic would be less than significant. Onsite sources of community and stationary noise would have less than significant impacts, just as for the proposed Project. Noise impacts from the Kiefer Landfill would be less than significant, just as for the proposed Project. Ambient noise levels at the site of this Alternative would increase and be a significant and unavoidable impact, just as they would be for the proposed Project. Mather Airport noise would have a less than significant impact on this Alternative.

Public Services. The estimated population for this Alternative is 22,850 persons, which is about 90% of the population of the proposed Project. Existing regulations, ordinances, codes and fee mechanisms would ensure that the necessary facilities are constructed and funded to provide the public services needed for this Alternative's population. Impacts on public services would be less than significant.

Public Utilities. The water supply master plan and sewer master plan would all need to be amended to serve this Alternative, as fewer supply lines would be needed on the main Cordova Hills section and new lines would be needed to serve the northern area added by this Alternative. The same regional and offsite improvements would be needed, so the impacts are similar to the infrastructure construction impacts of the proposed Project and would therefore be significant and unavoidable. In terms of energy efficiency, this Alternative will not result in the wasteful, inefficient and unnecessary consumption of energy, and its demand for energy will not exceed the available supply, so its impacts in this regard are less than significant. Its demand for water and sewer services will also be less than significant. The Alternative will not use groundwater to the extent that it would exceed the sustainable yield, so its impacts are less than significant. Nor will it adversely impact groundwater recharge.

Traffic and Circulation. The Expanded Footprint Alternative would reduce the number of access points at Grant Line Road to only two points, and the inclusion of larger preserves would also eliminate several internal roadways from the proposed Project. Under existing plus project conditions, the implementation of Mitigation Measure ALT -5 in the Draft EIR would ensure that the Expanded Footprint Alternative has less than significant impacts on the intersections situated in Sacramento County. Impacts of this Alternative on intersections in the City of Elk Grove would be less than significant as well. However, impacts to intersections in the City of Rancho Cordova would be significant and unavoidable because the County cannot ensure that Mitigation Measure ALT-6 in the Draft EIR and any other mitigation improvements to roadways suggested in the EIR would be implemented by the City of Rancho Cordova. Any Caltrans state highway intersection impacts from this Alternative would be less than significant.

Implementation of Mitigation Measures TR-3A and TR-4 for the proposed Project would result in the roadway segment impacts from the Expanded Footprint Alternative being less than significant in Sacramento County. Impacts to roadway segments in the City of Rancho Cordova, City of Folsom and City of Elk Grove from the Expanded Footprint Alternative would be significant and unavoidable because the County cannot be certain that the suggested roadway segment improvements proposed as mitigation would be implemented by the cities. In addition, in some cases within Rancho Cordova there is no mitigation available to restore the LOS to an acceptable level on certain roadway segments, such as along Sunrise Boulevard from US 50 to White Rock Road. Along the Caltrans US 50 freeway, implementation of Mitigation Measure TR-6 would reduce traffic impacts of the Expanded Footprint Alternative to a less than significant level in the existing plus project scenario. There would be less than significant impacts to Caltrans ramp junctions with this Alternative in the existing plus project scenario. Impacts of this Alternative on bicycles and pedestrians would be the same as those of the proposed Project. Implementation of Mitigation Measure TR-7 would reduce impacts of this Alternative to less than significant in the existing plus project condition. This Alternative would have less than significant impacts on transit service in the existing plus project condition, assuming the same internal transit system is adopted as would be used for the proposed Project.

In the cumulative plus project scenario, the Expanded Footprint Alternative requires the implementation of Mitigation Measure ALT-7 in the Draft EIR in order to reduce impacts on Sacramento County intersections to a less than significant level. In this scenario, the Alternative would not require any mitigation in order for its impacts on intersections in the City of Elk Grove and in the City of Folsom to be less than significant. However, under the cumulative plus project condition, impacts to intersections in the City of Rancho Cordova would be significant and unavoidable, because the County cannot be certain that the suggested mitigation would be implemented in the City. In addition, in some cases there is no mitigation available to reduce impacts on Rancho Cordova intersections to an acceptable level of service. With regard to Caltrans intersections, this Alternative does not have any significant impacts in the cumulative plus project condition.

With implementation of Mitigation Measure ALT-9 suggested in the Draft EIR, the Expanded Footprint Alternative's impacts on Sacramento County roadway segments in the cumulative plus project condition would be reduced to a less than significant level. Impacts to roadway segments in the City of Elk Grove for this Alternative in the cumulative plus project scenario would also be less than significant. However, impacts to a number of roadway segments in the City of Rancho Cordova and City of Folsom would be significant and unavoidable in the cumulative plus project

condition with this Alternative. That conclusion was reached because the County cannot be certain that the City of Rancho Cordova and City of Folsom would implement the suggested mitigation in order to improve the LOS to acceptable levels. Significant impacts from the Expanded Footprint Alternative would also be caused to a number of freeway segments along US 50 in the cumulative plus project condition. Caltrans has no plans or funding to make further improvements to those segments of US 50 and to the impacted US 50 ramp junctions, so there is no feasible mitigation available to lessen the impacts of this Alternative on US 50.

In the cumulative plus project scenario, the Expanded Footprint Alternative would have nearly identical impacts as would the proposed Project on bicycles, pedestrians and the transit system. All of those impacts would be less than significant and would not require any additional mitigation for this scenario.

### RELATIONSHIP TO PROJECT OBJECTIVES

The Expanded Footprint Alternative would only partially meet the basic Project objectives for the same reasons as the Expanded Preserve Alternative fails to meet them. It would not provide any land along Grant Line Road for a sustainable, multi-service Town Center. Relocating the Town Center uses into the interior of the Project site would deny them any visibility to the users on Grant Line Road.

### FINDING

While the Expanded Footprint Alternative results in one fewer significant impact to Aesthetics compared to the Expanded Preserves Alternative, the Expanded Preserves Alternative results in the least amount of land being urbanized, the least amount of pollutants such as NOx and ROGs, the least amount of impacts to wetlands and other habitat loss, and the least utility demand. When the expanded Footprint Alternative is compared to the proposed Project, the Expanded Footprint Alternative results in fewer impacts to Aesthetics, and fewer significant impacts to wetlands and invertebrate species when mitigation is performed. Consequently, the Expanded Footprint Alternative would not be the environmentally superior alternative when compared to the Expanded Preserves Alternative. However, it would have fewer significant and unavoidable impacts than the proposed Project. LAFCo rejects the Expanded Footprint Alternative as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible.

(a) The Expanded Footprint Alternative would not create a sustainable, multi-service town center that promotes walkability and alternative transit modes, including but not limited to Neighborhood Electric Vehicles, light rail, shuttle bus, and carpool facilities

In light of the foregoing, the LAFCo further finds that the Expanded Footprint Alternative would not meet one of the Project Objectives. To the extent that any environmental impacts might be less significant under the Expanded Footprint Alternative, the rejection of this alternative is appropriate for the reason stated above and in the statement of overriding considerations. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

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## D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The Draft EIR concluded that the Expanded Preserves Alternative would be the environmentally superior alternative. Although this alternative does not reduce many of the identified significant and unavoidable impacts of the Project to a less-than-significant level, it does reduce the impacts on wetlands and on invertebrate species (vernal pool crustaceans) to a less than significant level with mitigation when compared to the proposed Project. The proposed Project's impacts on wetland loss and on invertebrate species are significant and unavoidable, even with mitigation. As a result, the LAFCo finds the Expanded Preserves Alternative to be the environmentally superior alternative.

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## XII. STATEMENT OF OVERRIDING CONSIDERATIONS

### A. INTRODUCTION

As set forth in the preceding sections, LAFCo's approval of the Project will result in significant adverse impacts that cannot be substantially lessened or avoided even with the adoption of all feasible mitigation measures or Project alternatives. Despite these impacts, however, LAFCo chooses to approve the Project because, in its view, the economic, social, and other benefits that the Project will produce will render the significant effects acceptable. To do so, LAFCo must first adopt this Statement of Overriding Considerations. (Pub. Resources Code Section 21081; CEQA Guidelines, Section 15093.)

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LAFCo recognizes that approval of the Project will result in significant adverse environmental impacts on: aesthetics; air quality; biological resources; climate change; land use; noise; public utilities; and traffic and circulation that cannot be avoided or reduced to a less-than-significant level even with the adoption of all feasible mitigation measures. In LAFCo's judgment and acting pursuant to Section 15093 of the CEQA Guidelines, LAFCo finds that the project and its benefits outweigh its unavoidable significant effects.

The following statement identifies the reasons why, in LAFCo's judgment, the benefits of the Project as approved outweigh its unavoidable significant effects and remaining residual impacts. The EIR described certain environmental impacts that cannot be avoided if the Project is implemented. In addition, the EIR described certain impacts that, although substantially mitigated or lessened, are potentially not mitigated to a point of being less than significant.

This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable, as well as to any residual impacts. Such significant impacts include, but are not limited to:

- Aesthetics: Degradation of existing views and visual quality.
- Aesthetics: New source of light or glare.
- Air Quality: Operational emissions of ozone precursors.
- Air Quality: Construction activities would increase particulate matter emissions.
- Air Quality: Conflict with or obstruct air quality plans.
- Biological Resources: Wetlands and surface waters.
- Biological Resources: Special status species – invertebrates

- Climate Change: Given the substantial emissions which will result from the Project and the uncertainties related to target-setting and the current state of modeling this analysis concludes that Project impacts may remain significant.
- Land Use: Conflict with the SACOG Blueprint and General Plan Policy.
- Noise: Substantial increase in existing ambient noise.
- Public Utilities: Construction impacts.
- Traffic and Circulation: Existing Plus Project. The project results in significant impacts to six County intersections, ten City of Rancho Cordova intersections, one City of Folsom intersection, one City of Folsom intersection, the Zinfandel and US 50 freeway ramp intersection, two County roadway segments, one City of Elk Grove roadway segment, eleven City of Rancho Cordova roadway segments, two US 50 freeway segments, and bicycle and pedestrian facilities.
- Traffic and Circulation: Cumulative Plus Project. The Project results in significant impacts to five City of Rancho Cordova intersections, the Zinfandel and US 50 freeway ramp intersection, one new Project roadway segment, four City of Rancho roadway segments, six Caltrans freeway segments, and four Caltrans freeway ramps.

In addition to the above impacts, this Statement of Overriding Considerations applies to any residual impacts that have been substantially lessened or avoided, but not necessarily to a level of less than significant.

LAFCo believes that many of the unavoidable and irreversible environmental effects, as well as many of the environmental effects which have not been mitigated to a less than significant level, will be substantially reduced by the mitigation measures for the Project. LAFCo recognizes that the implementation of the Project will result in certain potentially irreversible environmental effects.

In reaching LAFCo's decision to approve the Project and all related documentation, LAFCo has carefully considered each of the unavoidable impacts, each of the impacts that have not been substantially mitigated to a less than significant level, as well as each of the residual impacts over which there is a dispute concerning the impact's significance after mitigation. Notwithstanding the identification and analysis of impacts which are identified as significant and unavoidable, LAFCo, acting consistent with Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the Project outweigh the unavoidable adverse impacts and remaining residual impacts, and that the Project should be approved.

The following statement identifies the reasons why, in LAFCo's judgment, the benefits of the Project as approved outweigh its significant and unavoidable effects. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a Court were to conclude that not every reason is supported by substantial evidence, LAFCo will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings.

## **B. SPECIFIC FINDINGS.**

1. The Project's Benefits Outweigh Unavoidable Impacts. The remaining unavoidable and irreversible impacts of the Project are acceptable in light of the economic, fiscal, social, public

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safety, environmental, land use, and other considerations set forth herein because LAFCo finds that the benefits of the Project outweigh any significant and unavoidable or irreversible adverse environmental impacts of the Project, as well as outweighing any residual impacts over which a controversy exists concerning the impacts' significance following mitigation.

| 2. Rejected or Deleted Mitigation Measures. Any of the mitigation measures that were suggested in the DEIR and FEIR but not incorporated into the Project due to their infeasibility are infeasible in part because such measures would impose limitations and restrictions on the Project so as to prohibit the attainment of economic, social, and other benefits of the Project which LAFCo finds outweigh the unmitigated impacts of the Project. In addition, several proposed mitigation measures were deleted because the suggested roadway/intersection improvements had already been constructed by others or the proposed roadway/intersection improvements were determined not to be necessary in light of other nearby improvements built by others.

| As a result of comments received during the public hearing on the Project concerning its potential air quality impacts and ability to achieve a 35% reduction in those impacts, the Applicant has amended the Project's AQMP. The County and SMAQMD have worked together to reach a consensus on additional feasible mitigation to reduce the Project's operational air quality impacts and have determined that the additional mitigation is equivalent or more effective at reducing those air quality impacts. As a result, SMAQMD provided a verification of the Amended AQMP on January 17, 2013. The Amended AQMP has added the following new feasible mitigation requirements, in addition to those found in the original endorsed AQMP:

- | • The Project will provide low-emission furnaces and electrical outlets for appliances. (SMAQMD 99C)
- | • The Project will exceed the Year 2013 Title 24 requirements by 20%, and will include energy star cool roofs and tankless water heaters. (SMAQMD 99D)
- | • The Project will provide on-site renewable energy systems for at least 20% of the Project's energy needs. (SMAQMD 99E)

| In regard to rejected mitigation measures, LAFCo finds that the Conditions of Approval Numbers 40 through 85 relating to traffic and circulation improvements (listed beginning on page 50 of these Findings) to be constructed or funded by the Applicants and/or their successors are necessary to implement proposed Mitigation Measures TR-1 through TR-9 and TR-11 in the EIR; these measures have not been rejected or modified (except as described in paragraphs which follow) but will be implemented via the Conditions of Approval. LAFCo has determined that the Conditions of Approval are more specific and better designed to implement the roadway improvements needed to mitigate for the identified transportation and circulation impacts described in the EIR.

| Mitigation Measure TR-1.E. was modified and replaced with Condition of Approval 60 because a portion of the required roadway/intersection improvement is currently being constructed by the County as part of the County's White Rock Road Improvement Project. TR-1.E would have required the Applicant to install two eastbound left turn lanes. That portion of the mitigation measure has been deleted, since the dual eastbound left turn lanes are being constructed by the County.

| Mitigation Measure TR-1.F. was deleted in its entirety because the County also is currently making the proposed roadway/intersection improvements to the intersection of White Rock Road and



Prairie City Road as part of the County's White Rock Road Improvement Project. Consequently, this mitigation measure is no longer required and was deleted.

Implementation of the specific lane modifications to the Sunrise Boulevard and Jackson Highway (State Route 16) intersection recommended by Mitigation Measure TR-2.D. have been revised, as reflected in Condition of Approval No. 61. The reasoning for the change was dual: the Board desired a measure which would succeed in reducing the impact while also improving the north-south flow conditions at this intersection (though not necessary due to a Project impact) and because Measure TR-2.D. would have required more extensive roadway work. County DOT performed further analysis of the mitigation measure and found that there was an alternative reconfiguration which would reduce the amount of reconstruction needed, which would improve north-south flow, and would also result in an equivalent LOS as measure TR-2.D. The revised lane reconfigurations consist of the following: two eastbound through lanes, an eastbound right turn lane, and an eastbound left turn lane; a northbound left turn lane, two northbound through lanes and a northbound right turn lane; a westbound through lane, a westbound right turn lane and a westbound left turn lane; a southbound through lane, a southbound left turn lane, and a southbound right turn lane. The threshold for construction of the above intersection improvements has also been changed by Condition of Approval No. 61 to require them at 500 DUEs, instead of at 3,200 DUEs.

Mitigation Measure TR-5.H. was deleted in its entirety because the widening of Douglas Road to a four lane arterial between Sunrise Boulevard and Rancho Cordova Parkway has already been completed by others, so there is no need for the Project to contribute funding for the construction of this roadway segment.

Mitigation Measure TR-1.B. also has been deleted in its entirety because the roadway/intersection improvements proposed in the EIR at Douglas Road and Mather Boulevard subsequently were determined by the County Department of Transportation to no longer be necessary due to other traffic improvements built at the Douglas Road and Zinfandel Drive intersection, as described in the FEIR.

Some mitigation measures were rejected or their implementation revised because they sought to implement a level of service ("LOS") on roadways or intersections shared with an adjacent jurisdiction, or entirely within an adjacent jurisdiction, that conflicted with and was more stringent than the County's policy of maintaining a LOS "E" on roadways and intersections in urban areas. For policy reasons, as well as for economic ones, the County has declined to apply a LOS standard established by a neighboring jurisdiction that was in direct conflict with the County's own policies and standards. LAFCo finds that use of a more stringent level of service standard from another jurisdiction would impede the achievement of the Project's goals and objectives and interfere with the County's inherent police power and discretion to control land use decisions within the County's jurisdiction. County General Plan Policy CI-9 provides that the County should:

"Plan and design the roadway system in a manner that meets Level of Service (LOS) D on rural roadways and LOS E on urban roadways, unless it is infeasible to implement project alternatives or mitigation measures that would achieve LOS D on rural roadways or LOS E on urban roadways. The urban areas are those areas within the Urban Service Boundary as shown on the Land Use Element of the Sacramento County General Plan. The areas outside the Urban Service Boundary are considered rural."

In addition, the County General Plan contains Policy LU-65 that specifies:

“Level of service shall be consistent with policies in this Plan, or where none are applicable, shall use Federal and State environmental standards and commonly accepted industry norms and standards as guidelines.”

For those reasons, the County has rejected proposed mitigation measures in the EIR that were based on maintaining LOS "D" on roads shared with another jurisdiction which conflicted with the County's own policy of maintaining an LOS "E" standard for urban roadways. However, in order to ameliorate the decline in the level of service on such shared roadways, the triggers for commencement of the required roadway improvements have been adjusted so that they fall between an LOS D and LOS E threshold.

In a related vein, LAFCo has also found it infeasible to require the implementation of proposed mitigation measures that would have required the Applicants and/or their successors to construct many substantial improvements to Grant Line Road without there being any reasonable expectation of receiving a reimbursement for those construction costs that exceeded the Project's fair share of the Grant Line Road improvements. LAFCo finds that other developments in adjacent jurisdictions not only benefit from those roadway improvements, but also trigger the need for such improvements. Instead of requiring the Applicants to build such physical improvements in another jurisdiction, LAFCo finds that it is more feasible to simply require the Project to pay its fair share of the cost to construct the Grant Line Road improvements or to construct only Grant Line Road improvements situated within the boundary of the County.

3. Balance of Competing Goals. LAFCo finds that it is imperative to balance competing goals of protecting the environment while allowing new economic development to take place in approving the Project and certifying the EIR for the Project. Not every policy or environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. Accordingly, in some instances LAFCo has chosen to accept certain environmental impacts because to eliminate them would unduly compromise some other important economic, social, environmental or other goals, such as providing a site designated for future university/college campus uses, encouraging people to walk or bicycle, promoting a new community that is designed for the use of neighborhood electric vehicles (NEVs) from the very outset. LAFCo further finds and determines that the design of the Project provides for a positive balance of competing goals and that the economic, fiscal, social, environmental, land use and other benefits to be provided by the Project outweigh any environmental and related potential detriment from the Project.

**C. OVERRIDING CONSIDERATIONS.**

Based upon the above enumerated objectives and the comprehensive vision developed by the County through extensive public participation, LAFCo has determined that the Project should be approved and that any remaining unmitigated environmental impacts attributable to the Project are outweighed by the following specific economic, fiscal, social, environmental, land use and other overriding considerations.

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1. Economic Considerations.

LAFCo finds that substantial evidence is included in the administrative record demonstrating the economic benefits that the County would derive from implementation of the Project, including, but not limited to the following:

- LAFCo finds that employment opportunities within the County will be provided at the Project by creating construction jobs and jobs at the regional retail/commercial uses, neighborhood-serving retail uses, business-professional office uses, research and development uses, public service facilities and university/college campus center. LAFCo further finds that at build-out, the Project is estimated to provide a total of 6,669 new jobs.
- LAFCo finds that the Project's 223-acre university/college campus area provides the opportunity to attract a major employer of highly trained and educated workers such as university professors, school administrators, researchers and teaching assistants. LAFCo finds that there is demand for such an institution in California, and in the Sacramento region. In making this finding, LAFCo has determined that it is beneficial to have land already designated in a manner compatible with the use being sought; the need to go through a lengthy entitlement and permit process before construction can begin can be an important deterrent for major employers of this kind. Thus, the Project will attract and incentivize a higher-learning institution.
- LAFCo finds that the 966,779 sq.ft. of commercial uses proposed at the Town Center area of the Project have the potential to generate substantial sales tax revenue for the County that can be used to support numerous important County public safety and health services and programs. LAFCo further finds that the Project represents a significant capital investment in the County and will generate substantial property tax revenue. In addition, LAFCo finds that businesses locating in the Project will provide substantial employment opportunities in a variety of jobs in the retail, office and educational environments, and that such employment provides steady income, thus supporting other businesses and provides stable employment and income that in turn enhances the local economy.

2. Environmental, Educational and Land Use Considerations.

Substantial evidence is included in the record that the implementation of the Project will have beneficial as well as potential adverse impacts relating to environmental and land use considerations. In reaching that conclusion, the Board has relied upon the following factors:

- LAFCo finds that the Project is within an area that has already been designated as being within a future urban development area, because the Project is within the Urban Services Boundary (with the exception of the 251 acres known as the "bufferlands" and the agricultural/floodplain areas along the eastern boundary, which will remain in agricultural zoning). The Urban Services Boundary of the County General Plan defines the limits of future urban development, and was first established in 1993. LAFCo further finds that Project is located immediately adjacent to the City of Rancho Cordova and to areas within the City that are approved for development and in which development is now taking place.

- The Board has found as part of the adopted Sacramento County General Plan that future development should include a variety of housing types, have a pedestrian- and transit-oriented design, and be higher density (minimum 7 or 9.3 homes to the acre, depending on the methodology), as established through Policy LU-121. It is recognized that these goals compete with the goal to preserve habitat. LAFCo finds that the Project has achieved a reasonable balance between these competing goals. Specifically, the project has provided the desired designs as follows:
  - LAFCo finds that the Project provides the County with a high quality mixed use community containing a variety of housing types, a 223+ acre site designated for a university/college campus center, school sites, a 50-acre sports park, community parks, large retail and commercial centers, and neighborhood-serving retail uses on vacant property located in the southeastern area of the County that meets current and future needs for those types of land uses in the County.
  - LAFCo finds that the Project is consistent with the County General Plan Policies LU-21 and LU-22 because of the Project’s balance of employment, neighborhood services and housing types. LAFCo further finds that the Project complies with Policy LU-23 by providing a compact and mixed use development in a new growth area. The Cordova Hills SPA Ordinance provides a commercial-flex zone with mixed use residential and commercial uses in certain areas, thereby promoting home-work and small business activities and avoiding additional commute trips.
  - LAFCo finds that the Project, through implementation of the SPA Ordinance and the Cordova Hills Master Plan’s Design Guidelines and Development Standards, incorporates strong architectural and design features that are compatible with adjacent land uses, while providing a unique identity for the Project as a whole.
  - LAFCo finds that the Project’s 223-acre site for a campus of higher education benefits the County by addressing both regional and state-wide current and long-term deficiencies in local options for students seeking a college education.
  - LAFCo finds that the Project’s 223-acre university/college center site implements County General Plan Policy ED-68 by serving to attract “additional institutions of higher education to Sacramento County.” In addition, the Project supports the continued integration of regional institutions of higher education into the local and regional economies, as set forth in General Plan Policy ED-69.
  - LAFCo finds that the Project accommodates a mix of new and traditional housing types ranging from single-family to multi-family to high-density residential units in order to serve all income levels.
  - LAFCo finds that the Project provides for the long-term preservation of the Urban Services Boundary by recording a deed restriction precluding urban development along the eastern boundary within the Project site, and by securing a conservation easement on off-site land to the east of the Project (known as the East Carson Creek property).

While achieving the above desired designs, LAFCo also finds the following:

- LAFCo finds that the Project creates approximately 538 acres of open space and avoidance areas, which is 20 percent of the land within the approximately 2,669-acre Project site. The Project preserves 56 percent of the wetlands on the site and preserves 67 percent of its vernal pool acreage, and preserves the most sensitive vernal pool areas.

The open space areas at the Project connect with existing and proposed open space areas outside the boundaries of the Project to the north, east and south.

- LAFCo finds that the Project provides for large, contiguous habitat conservation with its avoidance and preserve areas that total approximately 538 acres at the Project. Those areas assist the County with successfully designing and implementing the South Sacramento Habitat Conservation Plan.
- LAFCo finds that the Project's design will provide neighborhood serving retail uses that reduce the length and number of vehicle trips and the resulting global climate change impacts when compared to a "business-as-usual" development in this same location, and has included all feasible mitigation in this regard.
- LAFCo finds that the Cordova Hills SPA Ordinance is a plan for sustainable, greenfield planning and development through its enhanced environmental designs. Examples include the potential solar farm within the Project area's "bufferlands" and a commitment that 20 percent of all electricity required by the Project area will come from renewable onsite energy sources.
- LAFCo finds that the Project conserves energy and reduces GHG emissions by requiring all commercial and residential development to achieve a 20 percent energy efficiency above that required by the 2013 Title 24 energy efficiency regulations.
- LAFCo finds that the Project's land use pattern integrates a multi-modal circulation system with a trail network, a locally funded transit system that connects to the regional transit network with an internal transit loop, and contains a street system that serves the requirements of neighborhood electric vehicles (NEVs). All of these features reduce the production of greenhouse gases and reduce the use of fossil fueled motor automobiles for short trips at the Project compared to a conventional community in the Sacramento region. There will be no need for the County to retrofit or modify the Project's roadway system in order to allow the use of NEVs or incorporate a transit system within the Project area. The Board further finds that the above features meet the goals in General Plan Policy LU-27 to provide safe, interesting and convenient environments for pedestrians and bicyclists; Policy LU-37 to provide support and the development of pedestrian and bicycle connections between transit stations and nearby uses; Policy LU-39 to implement the ADA Transitional Plan and Pedestrian Master Plan; Policy CI-3 to interconnect travel modes and form an integrated, coordinated and balanced multi-modal transportation system consistent with the land uses being served; Policy CI-4 to provide multiple transportation choices to link housing, recreational, employment, commercial, educational, and social services; Policy CI-32 to provide a comprehensive, safe, convenient and accessible bicycle and pedestrian system; Policy AQ-1 that requires new development to be designed to promote pedestrian/bicycle access and circulation; and Policy CI-34 to construct and maintain bikeways and multi-use trails to minimize conflicts between bicyclists, pedestrians and motorists.
- LAFCo finds that the Project's design reduces its climate change impacts, when compared to a "business-as-usual" development, by promoting pedestrian uses, providing retail and residential uses adjacent to employment opportunities, by requiring the planting of numerous trees along the Project's roadways, trails, paseos and parking areas, and by providing a fully Project-funded internal transit shuttle bus system that will reduce vehicle miles travelled and motor vehicle emissions. LAFCo further finds that the Project contains a pedestrian and bike trail loop system with off-road and on-road routes

that link the homes with recreation areas, open space areas, shopping areas and the university/college campus facilities, resulting in reduced VMTs and automobile use.

- LAFCo finds that the Project's dedicated neighborhood electric vehicle (NEV) lanes on the Project's internal streets promote and encourage the use of NEVs as an environmentally sound alternative to the use of the automobile for destinations within the Project site.
- LAFCo finds that the Project's transportation system includes an internal transit system loop that also connects outside of the Project area to the Highway 50 corridor, including Regional Transit's bus and light rail facilities at the Mather/Mills light rail station and thereby promotes the use of public transit instead of the automobile.
- LAFCo finds that the Project creates a safe and efficient network of inter-connected streets with public bike and pedestrian trails. The Project contains approximately 27.6 miles of Community Class II on-street bicycle paths and approximately 27.8 miles of off-street trails and 20 miles of paseos for a total of 75 miles of trails, paseos, and class II bicycle paths that result in enhanced walkability because no home will be more than ¼ mile from one of the trails, paths, or other open space.
- LAFCo finds that the Project provides a total of approximately 75 miles of trails, bike lanes and paseos, and is required to dedicate a trail easement to the County for an off-site connection to a potential future County-wide trail system.
- LAFCo finds that the Project's transit system and its connection to Regional Transit's light rail system implements County General Plan Policy CI-26 by expanding neighborhood shuttle services in unincorporated areas and implements Policy CI-30 by collaborating with transit service providers to promote phased implementation of transit services to all growth areas as development occurs.
- LAFCo finds that the Project benefits the County by providing land at no cost to the County with an irrevocable offer of dedication in order to accommodate traffic improvements along Grant Line Road outlined in the current County General Plan, as well as provide land needed by the County for a potential future expansion of Grant Line Road as a limited access expressway.
- LAFCo finds that while the Project has substantial impacts related to transportation, air quality and climate change, those impacts are not due to any significant conflicts with the County's General Plan.

Based upon the above land use and environmental considerations, LAFCo has determined that any environmental detriment caused by the Project has been minimized to the extent feasible. Where not feasible, the environmental detriment is outweighed and counterbalanced by the significant economic, fiscal, educational, environmental and land use benefits to be generated for the County.

### 3. Other Related Overriding Considerations.

In addition to the economic, environmental, educational, and land use considerations identified above, LAFCo has considered various factors in arriving at its decision to approve the Project. Although economic, fiscal, environmental, educational, and land use benefits to be derived by the County are the primary reasons for LAFCo's decision to approve the Project, other factors have been considered by the County in the planning process and add to the benefits of the Project when weighed against any unavoidable environmental impacts identified in the EIR. Among these factors

include the prospect of creating a development plan with substantial open space for vacant, underutilized land which will serve as a model for future environmentally sensitive development.

## CONCLUSION

~~LAFCo finds that it is imperative to balance competing goals in approving the Project and the remaining environmental impacts resulting from the Project. Not every policy or environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. Accordingly, in some instances LAFCo has chosen to accept certain environmental impacts because to eliminate them would unduly compromise some other important economic, social, environmental, educational or other goal. LAFCo finds and determines that the Project and the supporting environmental documentation provide for a positive balance of the competing goals and that the economic, fiscal, social, environmental, educational and other benefits to be obtained by the Project outweigh any environmental and related potential detriments from the Project.~~

~~Any remaining significant effects on the environment attributable to the Project that are found to be unavoidable, irreversible or not substantially mitigated to a less than significant level are acceptable due to the overriding considerations set forth above. LAFCo has concluded that with all the environmental trade-offs of the Project taken into account, the Project's implementation will represent a net positive impact on the County, and based upon such considerations after a comprehensive analysis of all the underlying planning and environmental documentation, LAFCo has approved the Project.~~

LAFCo hereby approves and adopts the foregoing CEQA Findings and Statement of Overriding Considerations for the Project.

Date: \_\_\_\_\_, 2013

By: \_\_\_\_\_

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