
**SECTION 2: MASTER RESPONSES TO
COMMENTS ON THE RECIRCULATED
DRAFT EIR**

SECTION 2: MASTER RESPONSES TO COMMENTS ON THE RECIRCULATED DRAFT EIR

Some subjects were mentioned frequently in comment letters on the RDEIR. Rather than provide individual responses to each of these comments, the Final EIR includes a “master response” that discusses the topic based on all of the comments received. By responding in this manner, LAFCo is better able to address all aspects of the topic by:

- Simplifying the responses to comments by avoiding unnecessary repetition in individual responses, and
- Addressing issues in a broader context than might be required by individual comments.

When issues are addressed in this broader context, the interrelationships between some of the individual issues raised can be better clarified. It is also possible to provide a single explanation of an issue that is more thorough and comprehensive than would be accomplished by separate, more narrowly focused responses.

The following themes are discussed in the master responses:

1. Level of analysis in the RDEIR, adequacy and enforceability of mitigation measures, and deferred mitigation
2. Cumulative impacts
3. Plan consistency
4. Water supply
5. Hydrologic resources
6. Urban Decay/blight
7. SOIA boundary and the need for the SOIA
8. Impacts of the SOIA on existing and planned habitat conservation plans and preserves and adequacy of the Biological Resource analysis
9. Comments submitted on the original Draft EIR

Master Response 1 - Level of Analysis, Enforceability of Mitigation Measures, and Deferred Mitigation

A number of comments on the RDEIR raise the concern that the analysis and mitigation of impacts to aesthetics, agricultural resources, air quality, biological resources, cultural resources, greenhouse gas, geology, hazards and hazardous materials, hydrology and water quality, and land use is inadequate and/or improperly deferred. This response addresses comments ECOS-1-19, FOSH-1-59, FOSH-1-

60, FOSH-1-62, GRASP-7, TNC-6, ECOS-2-2, ECOS-2-3, ECOS-2-4, ECOS-2-5, ECOS-2-74, ECOS-2-113, ECOS-2-135, ECOS-2-136, ECOS-2-140, FOSH-3-3, FOSH-3-5, FOSH-3-6, FOSH-3-8, LEE-2-3, TAY-6, TAY-14, TAY-16, TAY-20, and MON-6.

Level of Analysis

The level of specificity required in an EIR is determined by the nature of the proposal being reviewed and what level of analysis is reasonably feasible (CEQA Guidelines Section 15145; *Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 737-738; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 733). The proposal here is an amendment of the City’s Sphere of Influence (SOI), as described within the project description of the RDEIR. An SOI is a “plan for the probable physical boundaries and service area of a local agency” (Gov. Code, Section 56076). The proposed SOI Amendment (SOIA) would not modify the type of development currently allowed on the 7,869 acres proposed to be added to the existing SOI. Approval of the SOIA would not: 1) change current land use jurisdiction; or 2) authorize any additional services in the area. While an SOIA is a prerequisite to annexation, consistent with Sacramento LAFCo Policies, Standards, and Procedures, the proposed SOIA does not consider or authorize any annexation of land to the City (see RDEIR pages ES-1 and 2-1).

As specifically identified in RDEIR Section 1 (Introduction), the extent of the environmental analysis is guided by the level of detail of the proposed project. Specifically, RDEIR Section 1.1.2 states:

This RDEIR provides an analysis of the environmental effects of the proposed SOIA project. The environmental impacts of the proposed project are analyzed in the RDEIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. This document addresses the potentially significant adverse environmental impacts that may be directly or indirectly associated with the amendment of the existing City of Elk Grove SOI. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. No physical development is proposed in conjunction with the application. However, this RDEIR acknowledges that future urbanization of the project area may occur as an indirect result of this SOIA; therefore, this RDEIR contains an analysis of indirect environmental impacts attributable to or which could result from the proposed project.

In addition, Section 3.0 (Environmental Impact Analysis) states:

As stated within Section 2.2, Project Characteristics, it is possible that the City may request annexation of the entire SOIA Area, or submit multiple annexation applications for portions of the SOIA Area. In addition, it is possible that the City may develop a phased annexation program to further guide development within the SOIA Area. For the purposes of analysis, this EIR assumes that the entirety of the

SOIA Area would eventually be annexed and subsequently developed. This assumption represents the environmental “maximum impact” project scenario. However, this EIR does not assume a particular timeline for annexation and/or development of the SOIA Area. A phased annexation program may result in lessened environmental impacts. Due to the project not involving any development proposals, the unknown schedule of future annexation applications that may be submitted pursuant to approval of this project, and variability of a phased annexation program, a separate phased annexation program is not analyzed in this EIR. However, a proposal for annexation would be subject to further environmental review (RDEIR page 3-2).

Due to the nature of the proposed SOIA, as it is defined by the Government Code, parcel-specific development cannot be predicted with accuracy at this stage. Instead, the RDEIR focuses on the secondary effects that can be reasonably expected to follow from the SOIA, if approved. Although the SOIA does not include any land use entitlements or annexations, the RDEIR made assumptions regarding land uses within the SOIA based on the City of Elk Grove’s General Plan land use designations mix and ratios that would occur within the city limits by the City’s General Plan Buildout in order to provide the most detailed and conservative analysis of the probable environmental effects of the proposed SOIA (RDEIR page 2-25).

Enforceability of Mitigation

Comments on the RDEIR also expressed concern that mitigation measures are unenforceable because they are required upon annexation.

First, the following revisions to Mitigation Measures AES-3, AES-4, AG-1, AIR-1, AIR-2, AIR-5, AIR-6, AIR-7, BIO-1a, BIO-2, BIO-5, CUL-1, CUL-2, CUL-3, GEO-1, HAZ-4, HYD-3, HYD-4a, HYD-4b, and POP-1a are made to clarify the enforceability of the mitigation measures. Refer to Section 4, Errata, of this Final EIR for all revisions to the RDEIR.

MM AES-3 To mitigate impacts on visual character, prior to the ~~At the time of~~ submittal of any application to annex all or part of territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that will impose the following conditions on all discretionary projects: (1) Trees that function as an important part of the City’s or a neighborhood’s aesthetic character or as natural habitat should be retained to the extent feasible during the development of new structures, roadways (public and private, including roadway widening), parks, drainage channels, and other uses and structures; and (2) If trees cannot be preserved on-site, the City may require off-site mitigation or payment of an in-lieu fee. Trees that cannot be preserved shall be replaced either on- or off-site as required by the City, and trees

planted for mitigation should be located in the same watershed as the trees that were removed, when feasible.

MM AES-4 ~~At the time of~~ To mitigate impacts on light and glare, prior to the submittal of any application to annex ~~territory within all or part of the~~ Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove ~~will impose the following condition on all discretionary projects shall demonstrate to LAFCo, through policy or adopted planning documents, that:~~ All projects in the SOIA Area shall comply with the City of Elk Grove’s Citywide Design Guidelines by minimizing the use of reflective materials in building design in order to reduce the potential impacts of daytime glare and designing outdoor light fixtures to be directed/shielded downward and screened to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky glow conditions.

MM AG-1 At the time of submittal of any application to change land uses within the Sphere of Influence Amendment (SOIA) Area from agricultural uses to urban uses, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that applicants conserve one ~~will require that applicants protect one(1)~~ acre of existing farmland of equal or higher quality for each acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance that would be developed as a result of the project. This protection may consist of the establishment of a farmland conservation easement, farmland deed restriction, or other appropriate farmland conservation mechanism to ensure the preservation of the land from conversion in perpetuity, but may also be utilized for compatible wildlife habitat conservation efforts (e.g., Swainson’s hawk foraging habitat mitigation). The farmland/wildlife habitat land to be preserved must have adequate, sustainable water supply to support agricultural/habitat use. The City shall consider the benefits of preserving farmlands in proximity to other protected lands.

The total acres of land conserved will be based on the total on-site agriculture acreage converted to urban uses. Conserved agriculture areas may include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake habitat, Swainson’s Hawk habitat), or additional land identified by the City. The City shall attempt to locate preserved farmland within 5 miles of the SOIA Area; however, the preserved farmland shall at a minimum be located inside Sacramento County. The City shall demonstrate to LAFCo that it shall impose the conservation easement content standards to include, at a minimum: land encumbrment documentation; documentation that the easements are permanent, monitored, and appropriately endowed; prohibition of activity which substantially impairs or diminishes the agricultural productivity of the land; and protection of water rights.

In addition, the City shall demonstrate to LAFCo, through policy or adopted planning documents, that it will impose the following minimum conservation easement content standards:

- a) All owners of the agricultural/wildlife habitat mitigation land shall execute the document encumbering the land.
- b) The document shall be recordable and contain an accurate legal description of the agricultural/wildlife habitat mitigation land.
- c) The document shall prohibit any activity that substantially impairs or diminishes the agricultural productivity of the land. If the conservation easement is also proposed for wildlife habitat mitigation purposes, the document shall also prohibit any activity that substantially impairs or diminishes the wildlife habitat suitability of the land.
- d) The document shall protect any existing water rights necessary to maintain agricultural uses on the land covered by the document and retain such water rights for ongoing use on the agricultural/wildlife habitat mitigation land.
- e) Interests in agricultural/habitat mitigation land shall be held in trust by an entity acceptable to the City and/or by the City in perpetuity. The entity shall not sell, lease, or convey any interest in agricultural/wildlife habitat mitigation land that it acquires without the City's prior written approval.
- f) The applicant shall pay to the City an agricultural/wildlife habitat mitigation monitoring fee to cover the costs of administering, monitoring, and enforcing the document in an amount determined by the receiving entity, in an amount determined by the City.
- g) The City shall be named a beneficiary under any document conveying the interest in the agricultural/wildlife habitat mitigation land to an entity acceptable to the City.
- h) If any qualifying entity owning an interest in agricultural/wildlife habitat mitigation land ceases to exist, the duty to hold, administer, monitor, and enforce the interest shall be transferred to another entity acceptable to the City or transferred to the City.

Before committing to the preservation of any particular farmland pursuant to this measure, the project proponent shall obtain the City's approval of the farmland proposed for preservation.

MM AIR-1 ~~Prior to the submission of any application to annex territory within any portion of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will that all discretionary projects prepare an Air Quality Mitigation Plan for the SOIA Area. The Air Quality Mitigation Plan must reduce the operational emissions of development within the SOIA Area by 35% when compared to the potential emissions that could occur in the SOIA Area in absence of policies and measures included in the Air Quality Mitigation Plan. The City of Elk Grove will coordinate the development of the Air Quality Mitigation Plan with the Sacramento Metropolitan Air Quality Management District (SMAQMD) and Sacramento Area Council of Governments (SACOG), and will use modeling tools approved by those agencies to gauge the effectiveness of the measure.~~

In the cases in which an application for annexation of the SOIA Area or any portion thereof occurs after the June 15, 2019 State Implementation Plan (SIP) attainment deadline, the SMAQMD confirms the SIP standards have been achieved, and the City of Elk Grove demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis; a 15% reduction to operational emissions when compared to the potential emissions that could occur in the SOIA Area in absence of Air Quality Mitigation Plan policies and measures is required. incorporate policies and other measures at least as stringent as those found in City General Plan Policies CAQ-27 through CAQ-33 and associated actions. The total effectiveness of the Air Quality Plan adopted for the SOIA Area will match those recently adopted for other developing areas within Sacramento County, such as North Natomas. In the case of North Natomas, the emissions will be reduced by 35 percent from the potential emissions that could occur without the adopted air quality policies being implemented.

MM AIR-2 ~~At the time of submittal to annex land within the Sphere of Influence Amendment (SOIA) Area from agricultural uses to urban uses, the City of Elk Grove will require all discretionary projects to comply with all recommended SMAQMD measures to address construction emissions. This will include emission reduction requirements for construction equipment and development of an inspection and enforcement plan associated with construction equipment emissions. Emission reduction requirements shall be met using the emission reduction tools most current at the time of construction (or annexation). In addition, compliance with SMAQMD Rules 402 and 403 Rules in effect at the time of construction will be demonstrated.~~

MM AIR-5 ~~At the time of~~ To mitigate impacts on local mobile source CO concentrations, prior to submittal of any application to annex all or part of ~~territory within~~ the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, ~~will require all discretionary~~

~~projects to demonstrate~~ that the Sacramento Metropolitan Air Quality Management District's (SMAQMD) 2009 Guide to Air Quality Assessment in Sacramento County, as updated in June 2011, or most current guidance on the screening and assessment of CO, PM₁₀, and PM_{2.5} hotspots will be implemented for all development proposals within the SOIA Area. The City will provide proof of consultation with the SMAQMD to demonstrate compliance with this measure to the Sacramento Local Agency Formation Commission at the time of any application to annex territory within the SOIA Area. In addition, the City of Elk Grove shall demonstrate that sufficient mitigation will be required of all identified potentially significant CO, PM₁₀, and PM_{2.5} hotspots to reduce the impact to less than significant.

MM AIR-6 ~~At the time of~~ To mitigate impacts to sensitive receptors, prior to submittal of any application to annex all or part of territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that will require all discretionary projects will be required to review existing sources of toxic air contaminants in and around the project site ~~and~~. ~~Discretionary projects will be required~~ to develop mitigation to address sensitive land use (e.g. residential, schools, hospitals) exposure to toxic air contaminants. Methods may include buffers with appropriate landscaping, building design with additional air filtration, and emission source controls. The plan must meet the standards current in use by the Sacramento Metropolitan Air Quality Management District in connection with such toxic air contaminants. In addition, the City will provide proof of consultation with the SMAQMD to demonstrate compliance with this measure to the Sacramento Local Agency Formation Commission.

MM AIR-7 ~~At the time of~~ To mitigate impacts from objectionable odors, prior to submittal of any application to annex all or part of territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that will require all discretionary projects ~~to~~ will be required to review existing sources of odor in and around the project site, including (but not limited to) any land use referenced in Sacramento Metropolitan Air Quality Management District's (SMAQMD) CEQA Guidance document as an odor-generating land use. ~~Discretionary projects will be required~~ and to develop mitigation to address odor impacts that will protect sensitive land use (e.g. residential, schools, hospitals) in consultation with SMAQMD. Methods to address odor impacts may include buffers and emission source controls. In addition, the City will provide proof of consultation with the SMAQMD to demonstrate compliance with this measure to LAFCo.

MM BIO-1a At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will demonstrate to LAFCo compliance with all following measures:

- A. A reconnaissance-level biological survey of the area to be annexed shall be performed by a professional biologist approved by the lead agency to identify habitats and individuals of special-status species defined in this Recirculated EIR. This will permit the lead agency to track impacts to special-status species on a regional basis rather than on project-by-project basis, when feasible.
- B. Avoidance of special-status species and their habitats shall be addressed during project design. If avoidance is infeasible, mitigation of special-status species shall occur pursuant to measure C, below.
- C. The City of Elk Grove shall participate in the South Sacramento County Habitat Conservation Plan or shall require the preparation and implementation of a Habitat Conservation Management Plan (HCMP) for all affected special status species and habitats. The HCMP shall include assessment, disclosure and mitigation for nesting and foraging habitat impacts to protected species, as discussed further in Mitigation Measure BIO-1b and BIO-1c. The HCMP shall be developed in consultation with California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for listed species under the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA). The City of Elk Grove shall demonstrate compliance with all applicable requirements under the federal Endangered Species Act and the California Endangered Species Act and shall obtain approval of the HCMP from CDFW and USFWS, when such approval is required under applicable law. The City of Elk Grove shall consult with Sacramento County during development of the HCMP, in the County’s capacity as the lead of the South Sacramento Habitat Conservation Plan (SSHCP). The City of Elk Grove shall, and provide proof of consultation with the County, CDFW, and USFWS to LAFCo.
- D. If an HCMP is prepared, it shall incorporate mitigation guidelines of these agencies for listed species. For non-listed but sensitive species as defined by this Recirculated EIR, the HCMP shall incorporate ~~include provisions including~~, but will not be limited to the following, goals and policies:
 - Require clustering of urban development to retain non-disturbed open space areas.

- Require comprehensive site development standards to minimize removal of existing vegetation and to require installation and long-term maintenance of landscaping in setback and buffer areas. Landscaping in buffer areas adjacent of preserved habitat areas should be of native plant materials, and non-irrigated.
- Require appropriate buffers between development and Right to Farm Ordinance lands, Nature Conservancy Lands, and Stone Lakes National Wildlife Refuge.
- Require buffers between development and drainage canals that serve as habitat and ultimately drain into Stone Lakes National Wildlife Preserve, Nature Conservancy lands, and/or Farmland Preservation Zones; buffers shall be a minimum of 150 feet on either side of said drainage canals.
- Minimize impacts to movement corridors to ensure movement of wildlife.
- Provide for the integrity and continuity of wildlife and plant habitat.
- Support the acquisition, development, maintenance, and restoration of habitat lands for wildlife and plant enhancement.

E. The special-status species referred to herein are those identified under the applicable federal and state laws listed in Table 3.4-2 and -3.

MM BIO-1b

To mitigate impacts on nesting for Swainson’s Hawk and other raptors (including burrowing owl), prior to the submittal of any application to annex of all or part of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that the following requirements shall be applied to development proposals within the SOIA Area, and required actions will be completed prior to development activity:

- A California Department of Fish and Wildlife (CDFW)-qualified biologist will be retained by the applicant to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the proposed development and active burrows on the development site if accessible. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less more than 1415 days and no more than 30 days before the beginning of construction for all project phases. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in the Central Valley shall be followed for surveys for Swainson’s Hawk, and the guidelines provided in the California Department of Fish and Wildlife’s (CDFW) Burrowing Owl Survey Protocol and Mitigation Guidelines shall be followed for burrowing owls. The results of the survey shall be submitted to the City of Elk Grove and the CDFW.

- If no nests are found, no further nesting mitigation is required.
- If active nests are found, impacts on nesting Swainson’s Hawks and other raptors shall be avoided by establishing appropriate buffers around the nests, and impacts to burrowing owls shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined, in consultation with CDFW, that reducing the buffer would not result in nest abandonment. CDFW guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest.
- If construction-related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, an on-site biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall, along with the project proponent, consult with the CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Construction-related activities may only be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of the CDFW. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place within the temporary nest disturbance buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior.
- ~~Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.~~

MM BIO-5 ~~At the time of~~ To mitigate impacts from conflicts with local biological policies or ordinances, prior to submittal of an application to annex all or part of territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, will demonstrate that tree protection will be consistent with either: (1) the City’s current tree preservation standards under Municipal Code Chapter 19.12 or (2) the following mitigation measure. For the purposes of the SOIA Area, Swainson’s Hawk nest trees will receive the same consideration as heritage or landmark trees.

MM CUL-1 ~~At the time of~~ To mitigate impacts on historic resources, prior to submittal of any application to annex all or part of territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, will acknowledge that it will impose the following conditions on all discretionary projects:

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the City of Elk Grove Planning Department shall be immediately notified. At that time, the City of Elk Grove Planning Department will coordinate any necessary investigation of the site with appropriate specialists, as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.98 of the California Public Resources Code and Section 7050.5 of the California 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.

- The Elk Grove Planning Department shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop, and an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.
- All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of the California Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

MM CUL-2

~~At the time of~~ To mitigate impacts on archaeological resources, prior to submittal of any application to annex all or part of ~~territory within~~ the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, will acknowledge that it will impose the following conditions on all discretionary projects:

- Should any archaeological resources be encountered during any development activities, work shall be suspended and the City of Elk Grove Planning Department shall be immediately notified. At that time, the City of Elk Grove Planning Department will coordinate any necessary investigation of the site with appropriate specialists, as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the archaeological resources.
- The City of Elk Grove Planning Department shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop, and an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or

historical archaeology shall be retained to evaluate the finds and recommend appropriate action.

MM CUL-3 ~~At the time of~~ To mitigate impacts on paleontological resources, prior to submittal of any application to annex all or part of ~~territory within~~ the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, will acknowledge that it will impose the following conditions on all discretionary projects:

- Should any paleontologic artifact be encountered during any development activities, work shall be suspended and the City of Elk Grove Planning Department shall be immediately notified. At that time, the City of Elk Grove Planning Department will coordinate any necessary investigation of the site with appropriate specialists, as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the paleontologic artifact.
- The City of Elk Grove Planning Department shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop, and an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.

MM GEO-1 ~~At the time of~~ To mitigate impacts from seismic hazards, prior to submittal of any application to annex all or part of ~~territory within~~ the Sphere of Influence Amendment (SOIA) Area, the City shall demonstrate to LAFCo, through policy or adopted planning documents, that it will require a geotechnical report or other appropriate analysis be conducted at time of development application submittal to determine the shrink/swell potential and the stability of the soil for public and private construction projects and to identify measures necessary to ensure stable soil conditions.

MM HAZ-4 ~~At the time of~~ To mitigate impacts from hazardous materials sites, prior to submittal of any application to annex all or part of ~~territory within~~ the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, will acknowledge that it will impose the following conditions on all discretionary projects. Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material/waste database search, the site and surrounding area shall be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.

MM HYD-3 To mitigate impacts to drainage, prior ~~Prior~~ to annexation of all ~~any~~ or part of the SOIA Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or

adopted planning documents, that it will require that new projects in the SOIA Area not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas. This can be accomplished by (1) Preparing a Master Drainage Plan (Plan) for the SOIA Area, and requiring site-specific drainage plans for future projects to conform to requirements of the Plan, or (2) enacting modification of the City's existing Stormwater Master Plan that includes the following components. The Plan shall include disclosure of where stormwater is designed to be released into waterway crossings at State Route 99 and/or Interstate 5 roadway facilities. The Plan shall include a review, analysis, and disclosure of locations where channel capacity inadequacies lie, as well as capacities of bridges crossing State Route 99 and Interstate 5 associated with inadequate channels. The Plan shall identify the need for additional bridge capacity, if necessary. City shall develop measures to minimize, avoid, reduce, or compensate for potential impacts to roadway facilities in consultation with the California Department of Transportation. The City shall provide copies of the Drainage Master Plan and all/any studies and models developed to design the stormwater facilities or that support the Plan. The City shall provide proof of consultation with the California Department of Transportation to LAFCo. In addition, the Master Drainage Plan shall identify areas of potential impacts due to encroachments on channels or levees, measures to provide improvements or maintenance where development in the SOIA Area would affect channels or levees.

The Plan shall require individual projects to prepare a detailed drainage plan that demonstrates attainment of pre-project runoff rates prior to release at the outlet canal and describes the volume reduction measures and treatment controls used to reach attainment. The Master Drainage Plan shall identify all expected flows from the project area and the location, size, and type of facilities used to retain and treat the runoff volumes and peak flows to meet pre-project conditions. The Master Drainage Plan shall also include the geotechnical report verifying groundwater elevation for the regional basins.

MM HYD-4a Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that it will prepare a local plan of flood protection that shows the following for land within the SOIA Area: identification of all types of flood hazards (levee failure inundation, 100-year storm flooding, 200-year storm flooding and 500-year storm flooding), and locations of flood management facilities. The City shall provide proof of consultation with the California Department of Transportation to LAFCo.

MM HYD-4b ~~Prior to annexation of any or part of the SOIA Area~~Prior to approval of any development project in the SOIA Area, the City of Elk Grove shall demonstrate to

LAFCo, through policy or adopted planning documents, that it will require that new development demonstrate that for land within the 100-year floodplain (to be identified by hydraulic and hydrologic modeling), that post-development storm water run-off peak flows and volumes will not exceed pre-development levels within or downstream of the SOIA Area.

MM POP-1a At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will demonstrate consistency with ~~consult with~~ the Sacramento Area Council of Governments (SACOG) regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan/Sustainable Community Strategy, and provide LAFCo with evidence of the results of this ~~consultation~~ consistency.

These revisions do not present significant new information requiring recirculation pursuant to CEQA Guidelines Section 15088.5(a). All mitigation measures in the RDEIR, as revised by this Final EIR, will be conditions of annexation and thus legally binding (CEQA Guidelines Section 15126.4(a)(2)).

Second, LAFCo approval of the proposed SOIA would establish a new SOI boundary for the City of Elk Grove, but would not entitle any annexation or development of the SOIA Area. Therefore, the SOIA, if approved, would not result in any physical changes to the environment that would require mitigation.

Third, LAFCo must approve any future annexation of the SOIA Area and thus has jurisdiction to enforce the mitigation measures. During LAFCo proceedings on an application for annexation, the Commission will consider whether the City has demonstrated compliance with the mitigation measures, which will become legally binding requirements on the City for the annexation, if approved, and development of the SOIA Area.

Finally, if LAFCo approves the SOIA, LAFCo will adopt a mitigation monitoring and reporting program to monitor the implementation of the mitigation as required by CEQA Guidelines Section 15097.

Deferred Mitigation

Comments raise a concern that Mitigation Measures AIR-1, AG-1, BIO-1a, BIO-1b, BIO-1c, BIO-2, BIO-5, and GHG-1 are deferred. In certain circumstances, the specific design of the mitigation can be permissibly deferred where mitigation is known to be feasible, but practical considerations prevent a lead agency from establishing specific standards early in the development process. Such deferral of the specific design of mitigation is permissible when the lead agency commits itself to devising mitigation measures that will satisfy specific performance standards for evaluating the efficacy of the measures and the project implementation is contingent upon the mitigation measures being in place (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884; *Poet, LLC v. California Air Resources Board* (2013) 217 Cal.App.4th 1214; *Sacramento Old City Association v. City Council*

(1991) Cal.App.3d 1011, 1028-1029). The impacts in the RDEIR are impacts that may occur if and when the proposed SOIA Area is developed. However, as discussed above, the development cannot occur until several more steps are completed, including the master planning for the SOIA Area and approval of an application to LAFCo for annexation. Therefore, if and when the City applies for annexation of the SOIA Area, LAFCo and the City of Elk Grove will implement the final design of several mitigation measures at that time. This process ensures that the mitigation measures will comply with current applicable plans and regulatory requirements and the mitigation measures will be more accurately tailored to the actual potential impacts. Accordingly, specific design of Mitigation Measures AIR-1, AG-1, BIO-1a, BIO-1b, BIO-1c, BIO-2, BIO-5, and GHG-1 will be completed in the future when there is more certainty of the form and extent of proposed development.

However, the approval of this proposed SOIA and the approval of any future annexation are contingent upon the implementation of these mitigation measures, and the mitigation measures contain the following specific performance standards consistent with CEQA Guidelines Section 15126.4(a)(1)(B). The following list describes only the performance standards for certain mitigation measures and does not restate the full text of the mitigation measure. For the full text of each mitigation measure, please refer to the appropriate section of the RDEIR and/or updates included in the Final EIR.

AIR-1 – Preparation of an Air Quality Plan incorporating policies and other measures at least as stringent as those found in City General Plan Policies CAQ-27 through CAQ-33 and associated actions. The total effectiveness of the Air Quality Plan adopted for the SOIA Area will match those recently adopted for other developing areas within Sacramento County, such as the City of Galt SOI (Approved 2009) (RDEIR page 3.3-24).

AG-1 – Conservation of existing farmland of equal or higher quality for Prime Farmland, Unique Farmland, or Farmland of Statewide Importance at a 1:1 ratio. (RDEIR pages 3.2-16 through 3.2-17.)

BIO-1a – Avoidance of special-status species and their habitats where feasible. When not feasible, either participation in the SSHCP (note – likely to be the route to mitigation given the SOIA Area’s inclusion in the Draft SSHCP) or development of a Habitat Conservation Management Plan that includes requirements for clustering, site development standards, buffers from preserve lands (Stone Lakes NWF and Cosumnes River Preserve). (RDEIR pages 3.4-41 through 3.4-42.)

BIO-1b – Preconstruction nest surveys and avoidance of active raptor nests through establishment of adequate buffers around active nests. No project activity shall occur within the buffer area until young have fledged, the nest is no longer active, or until a qualified biologist has determined, in consultation with CDFW, that reducing the buffer would not result in nest abandonment. (RDEIR pages 3.4-42 through 3.4-43.)

BIO-1c – Mitigation of Swainson’s Hawk and greater sandhill crane foraging habitat at a 1:1 ratio. (RDEIR pages 3.4-43 through 3.4-45.)

BIO-2 – No net loss of wetland features (RDEIR page 3.46).

BIO-5 - Demonstrate that tree protection will be consistent with either: (1) the City’s current tree preservation standards under Municipal Code Chapter 19.12 or (2) implement a reconnaissance-level tree survey, avoid or minimize impacts to native tree species, or implement a five year monitoring plan (RDEIR page 3.4-49 through 3.4-50).

GHG-1 – Projects must comply with Efficiency Metric; Percent Reduction; or the Climate Action Plan (RDEIR page 3.7-26).

These performance standards are clear, provide flexibility to address the uncertainty of the form and extent of development of the SOIA Area, and would be in proportion to the SOIA impacts as required under CEQA Guidelines Section 15126.4(a)(4)(B). Importantly, the RDEIR acknowledges that there is some uncertainty on the effectiveness of the above mitigation measures to reduce special-status species impacts to less than significant and thus determines this impact to be significant and unavoidable. LAFCo has made any future annexation contingent on the implementation of the mitigation measures which contain performance standards. The mitigation is therefore not impermissibly deferred.

Master Response 2 – Cumulative Impacts

This response addresses comments FOSH-1-46, ECOS-2-86, ECOS-2-87, ECOS-2-88, ECOS-2-148, ECOS-2-149, ECOS-2-150, ECOS-2-157, and SOL-2.

Table 4-1 on RDEIR pages 4-2 and 4-3 includes projects considered in the cumulative analysis, including buildout of the City of Sacramento General Plan, Sacramento County General Plan, Folsom South of Hwy 50 SOI Annexation, Galt SOI amendment, Bay Delta Conservation Plan, and development identified in the SACOG Metropolitan Transportation Plan (MTP), in addition to other development. At the time the NOP for the proposed SOIA was released (October 1, 2010), LAFCo considered the projects listed in Table 4-1 to be reasonably foreseeable “past, present, and probable future projects producing related or cumulative impacts” in accordance with CEQA Guidelines Section 15130(b)(1)(A). In addition, the projects shown in Table 4-1 provide a context that demonstrates a substantial amount of growth in the region in the long term; the addition of other individual projects would not change the conclusions in the RDEIR.

Further, in accordance with CEQA requirements, the RDEIR does not attempt to precisely quantify impacts for these individual projects. CEQA does not require that level of analysis for cumulative projects. CEQA Guidelines Section 15130(b) states, “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, the discussion need not provide as great [a level of] detail as is provided for the effects attributable to the project alone. The

discussion should be guided by standards of practicality and reasonableness, and it should focus on the cumulative impact to which the identified other projects contribute rather than on the attributes of other projects that do not contribute to the cumulative impact.” Because of the substantial amount of development planned in the region in the buildout timeframe of those plans, the cumulative analysis considered the cumulative impacts to be significant, unless specifically stated otherwise for a particular resource area.

With regard to cumulative impacts on Swainson’s Hawk and cumulative water demand, see Master Responses 8 and 4, respectively. Regarding the request for quantification of cumulative agricultural land loss, as noted above, CEQA does not require the same level of analysis for the cumulative context as is required for the project. Nonetheless, Table 4-1 provides acreages for major reasonably foreseeable development in the region. The table provides the context for the magnitude of development potential and the effects of conversion of agricultural land to accommodate that development.

Master Response 3 – Plan Consistency

This response addresses comments FOSH-1-54, TNC-7, TNC-26, TNC-27, SLNWR-14, ECOS-2-111, ECOS-2-112, ECOS-2-116, ECOS-2-117, ECOS-2-120 through ECOS-2-131, and TAY-12.

Comments on the RDEIR state that potential general plan policy inconsistencies should be considered significant impacts. The requirement for an inconsistency discussion in an EIR is called out in CEQA Guidelines Section 15125(d), Environmental Setting, which states, “The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.” Statutory authority for CEQA Guidelines Section 15125 is Pub. Resources Code (PRC) Section 21080, which states:

The criteria shall require a finding that a project may have a “significant effect on the environment” if one or more of the following conditions exist:

- (1) A proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to achieve short-term, to the disadvantage of long-term, environmental goals.
- (2) The possible effects of a project are individually limited but cumulatively considerable. As used in this paragraph, “cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (3) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

CEQA further defines a “significant effect on the environment” as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance” (CEQA Guidelines Section 15382; see also PRC Section 21068). Consequently, potential inconsistencies with policies are not considered physical impacts on the environment. To the extent the proposed SOIA may result in physical environmental effects, those effects are addressed in the appropriate technical sections of Section 3 of the RDEIR. Those technical sections of the RDEIR consider physical environmental effects of the project, including those related to topics addressed in goals or policies that are intended to reduce or eliminate environmental effects. Therefore, the RDEIR adequately addresses the potential plan policy inconsistencies and potential physical environmental effects of the proposed SOIA.

The Land Use section of the RDEIR discusses the relationship of the proposed SOIA to the adopted goals and Standards, Policies and Procedures of Sacramento LAFCo, the City of Elk Grove, and Sacramento County. While the RDEIR includes a discussion of policy consistency, the RDEIR does not seek to make final determinations regarding whether the proposed SOIA is consistent with the General Plan(s); the determination of consistency is ultimately at the discretion of the Commissioners. The meaning of such policies is to be determined by the governing body, rather than agency staff, EIR consultants, or members of the public. Further, the governing body’s interpretations of such policies will prevail if they are “reasonable,” even though other reasonable interpretations are also possible (see *No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 245-246, 249). In light of these considerations, the discussions in the RDEIR on the subject of plan consistency represent the best attempt of LAFCo staff and the EIR consultant to advise the Commission about whether the proposed SOIA is consistent with identified goals and policies of the applicable plans. The analysis in the RDEIR is not binding on the Commission in its policy interpretation and a different determination by the Commission regarding policy consistency would not alter the findings in the RDEIR regarding the physical effects of the proposed SOIA.

Master Response 4 – Water Supply

This response addresses comments GALT-2 through GALT-6, GRASP-3, TNC-21, ECOS-2-84, ECOS-2-87 through ECOS-2-92, ECOS-2-95, ECOS-2-153, and LEE-2-6.

A number of comments were received on the RDEIR regarding the water supply analysis related to project-specific and cumulative water supply, sources of and demand for surface and groundwater, and how Sacramento County Water Agency’s (SCWA) service area applies to the proposed SOIA. Comments also noted a desire to remain within the safe groundwater yields for the basin.

To summarize some of the background provided in the RDEIR, SCWA provides water service to the City of Elk Grove, including some portions of the SOIA Area. Although not all of the SOIA Area is within the service boundary of SCWA, it is assumed that SCWA would be the most likely municipal water service provider for future residents in the proposed SOIA Area (RDEIR page 3.16-27).

However, because the proposed SOIA is not a request to amend the service area of the SCWA and does not request the provision of water at this time, an agreement to provide water or any other concurrence by SCWA is not appropriate at this time. The RDEIR acknowledges that if SWCA were to provide water to the SOIA Area, SCWA would need to modify the respective service area, plan for, and extend infrastructure and services to serve the SOIA Area (RDEIR page 3.16-27).

The methodology used in the RDEIR to determine potential effects on water supplies considered current water supply sources and volumes reported by SCWA in the 2010 Urban Water Management Plan (see Table 3.16-2 on page 3.16-5), which addresses SCWA's water systems and includes a description of the water supply sources, magnitudes of historical and projected water use, and a comparison of water supply water demands during normal, single-dry, and multiple-dry years. As discussed on RDEIR pages 2-25 through 2-28 and in Master Response 1, although the proposed SOIA does not include a proposal for development, the RDEIR includes development assumptions for the purposes of understanding possible environmental effects that should be considered with future annexation proposals. The RDEIR estimated water demand in the proposed SOIA Area based on those development assumptions (see Table 3.16-5) and compared that to the water supply reported by SCWA. As shown in Table 3.16-2 (RDEIR page 3.16-5), Zone 40 water supply is 109,500 acre-feet; water demand projected by SCWA is 44,425 acre-feet in 2015, which would result in a surplus of 65,075 acre-feet without the proposed SOIA demand. Comparing the proposed SOIA's estimated water demand of 15,249 acre-feet to the water supply considering SCWA's projected demand in 2015 (44,425 acre-feet), there would still be a surplus of 49,826 acre-feet. The RDEIR provides a conservative analysis by demonstrating that with proposed SOIA demand, there would be a surplus even if the demand from other sources up to 2035 were considered (RDEIR page 3.16-29). With a project demand of 15,249 acre-feet for buildout of the SOIA Area, SCWA water supply would be adequate to serve the SOIA Area and there would exist a surplus of over 16,000 acre-feet in 2035 (RDEIR page 3.16-29). Because the RDEIR compares project demand for scenarios beyond the baseline or existing condition, as is required by CEQA Guidelines Section 15125, the analysis in the RDEIR goes beyond that typically included in an EIR. In addition, as noted in comments on the RDEIR, water dedicated to municipal uses cannot be sanctioned the way agricultural water can, so the RDEIR does not assume any reductions for the SOIA Area in dry year scenarios.

Comments noted that the proposed SOIA Area is outside the American River Place of Use (POU). However, the RDEIR acknowledges that fact and, as shown in Table 3.16-2, even without the 9,300 acre-feet for the American River POU, with demand from the proposed SOIA, SCWA supplies would still exceed 2035 demand by over 7,000 acre-feet. For these reasons, the RDEIR determined that project-specific impacts would be less than significant.

Comments on the RDEIR questioned the adequacy of the groundwater analysis. The proposed SOIA Area is largely currently used for agriculture. The RDEIR conservatively estimates the current water demand for the existing agricultural use in the proposed SOIA Area as 9,417 acre-feet (see Table 3.16-3 on RDEIR page 3.16-6). As noted on page 3.16-6, the proposed SOIA Area is currently served

for irrigation water by the Omochumne-Hartnell Water District, part of the Southeast Sacramento County Agricultural Water Authority (Authority). The Omochumne-Hartnell Water District provides most of the water demands within the Authority from private wells, although minor amounts of purchased surface water and riparian water are diverted from seasonal rivers and creeks that flow through the Authority's boundaries.¹ RDEIR Table 3.16-2 includes water supply sources in Zone 40, which includes groundwater (15,000 acre-feet in a normal water year, up to 68,600 acre-feet in a single dry year scenario). The precise change in groundwater withdrawal that could result from ultimate development of the proposed SOIA Area cannot be accurately estimated at this time because no change in land uses has been proposed. However, the RDEIR discloses current groundwater use and the extent to which groundwater could be used by the likely water provider.

Comments on the RDEIR noted competition may exist for potentially limited groundwater resources. SCWA is a signatory to the Water Forum Agreement (WFA), and the RDEIR includes a discussion of sustainable yield, which is a key provision of the groundwater element of the WF Successor Effort (see RDEIR page 3.9-20). Therefore, any competition for groundwater would be managed as dictated in the Memorandum of Understanding for the WFA. In addition, to ensure that water resources are managed on a regional basis rather than on a project basis as expressed in some comments, Mitigation Measure USS-1 requires that any water purveyor in the proposed SOIA Area is a signatory to the Water Forum Successor Effort and that water be provided in a manner that ensures no overdraft will occur. This ensures that competition for groundwater would not negatively affect groundwater resources.

Comments on the RDEIR question whether SCWA can provide water for the proposed SOIA Area in addition to meeting the cumulative demand from the buildout of other general plans in the SCWA service area. SCWA includes growth projections in its service area in determining water demand for future year scenarios. Specifically, the RDEIR states, "SCWA's 2010 UWMP is based on current growth and development projections and the competition among that planned development for SCWA's water supplies" (RDEIR page 3.9-32). LAFCo is not required to prepare a project-level water demand analysis of each of the general plans within SCWA's service area.

One comment noted that the conclusions regarding cumulative water supply differed between SCWA's projections contained in the RDEIR and the Sacramento County General Plan EIR. However, as noted above, while there would be a surplus when considering project demand with projected future demand by SCWA, the RDEIR conservatively assumed that growth beyond those projections could occur, such as additional growth in Sacramento County, and that there could be a shortfall under cumulative conditions. Consequently, to the extent that growth within SCWA's service area could differ from SCWA's projections for growth, the RDEIR provides a conservative analysis by assuming potential growth beyond that projected by SCWA. A more detailed analysis of other general plans would not change the conclusions of the RDEIR. In addition, as previously noted,

¹ Southeast Sacramento County Agricultural Water Authority. Website accessed July 30, 2013. <http://www.sscawa.org/sscawa/about.cfm>.

the proposed SOIA is not requesting approvals for annexation or development and approval of the proposed SOIA would not commit any water service provider to supply water to the proposed SOIA Area. Mitigation Measure USS-1 requires that future development demonstrate that an adequate water supply exists prior to annexation. Nonetheless, the RDEIR conservatively determined the cumulative impact would remain significant and unavoidable.

Master Response 5 – Hydrologic Resources

This response addresses comments GALT-1, ECOS-2-153, ECOS-2-154, and TRANS-38.

The proposed SOIA Area is currently developed with unincorporated rural residential and agricultural residential, so there are no storm drain systems in the SOIA Area that would be impacted other than those considered in the cumulative impact analysis. As discussed in Impact HYD-3 on pages 3.9-34 and 3.9-35, future development in the proposed SOIA Area would be required to comply with Mitigation Measure HYD-3, which requires that prior to annexation of any part of the SOIA Area, the City of Elk Grove must require that new projects in the SOIA Area not result in new or increased flooding impacts on adjoining parcels in upstream and downstream areas. Any proposed annexation will require the preparation of a related Plan for Services (PFS) to address the availability, timing, and financing of the various necessary services. The measure provides options for achieving this which include: (1) Preparing a Master Drainage Plan (Plan) (a component of the PFS) for the proposed SOIA Area and requiring site-specific drainage plans for future projects to conform to requirements of the Plan, or (2) enacting modification of the City's existing Stormwater Master Plan. Any development proposal would need to consider other projects that could contribute to upstream flows or downstream projects that could be affected. The measure requires individual projects to prepare a detailed drainage plan that demonstrates attainment of pre-project runoff rates prior to release at the outlet canal, describes the volume reduction measures and treatment controls used to reach attainment, and identifies all expected flows from the project area and the location, size, and type of facilities used to retain and treat the runoff volumes and peak flows to meet pre-project conditions. This would ensure that the storm drainage system is appropriately designed to accommodate project flows and not result in impacts related to changes in volume in the Cosumnes River or Laguna Creek.

With implementation of project-specific mitigation and existing regulations designed to protect water quality and reduce flooding, development of the SOIA Area would not result in substantial negative effects on local streams. The ability of the City of Galt to discharge effluent from the wastewater treatment plant to Laguna Creek would depend largely on the ability of the City of Galt to achieve the water quality standards set forth in its National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements (WDRs). As described in RDEIR Section 3.9, future public and private development would be subject to City of Elk Grove and State regulations designed to protect water quality, including provisions of the Clean Water Act implemented at the state and local level (Municipal Separate Storm Sewer System [MS4] permits, National Pollutant Discharge Elimination System [NPDES] construction General Permits, etc.). These regulations require the

implementation of stormwater pollution prevention plans during project construction to prevent runoff and otherwise control the interaction between stormwater and pollutants. The City's MS4 permit also requires new projects to implement stormwater quality control plans to provide water quality controls during project operation. Future development in the proposed SOIA Area would reduce non-point source water pollution from agricultural sources (soil, nitrates, pesticides) if agricultural uses are reduced, but would introduce non-point source water pollution from urban sources (settling of vehicle emissions, pesticides, herbicides and detergents from residential areas, etc.). However, non-point sources continue to be reduced with implementation of stormwater quality control plans for all types of development consistent with the City's MS4 permit, reduction in vehicle emissions, and public outreach.

Master Response 6 – Urban Decay/Blight

Comments on the RDEIR noted that expansion of the city limits could act as a disincentive to revitalize “urban blight” and vacancies in the City. This response addresses comments GRASP-7, FOSH-1-64, FOSH-1-65, FOSH-1-66, and FOSH-1-67. Comments interchangeably use two terms with differing meanings -blight and urban decay. “Blight” describes an area containing the combination of conditions set forth in Health and Safety Code sections 33030 and 33031. CEQA does not require the analysis of blight and there is no evidence that these conditions are or will be present within the proposed SOIA, or would result from approval of the proposed SOIA. Urban decay refers to deterioration of the physical environment resulting from a project's economic effects (see *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1206). When evidence suggests that a project's economic effects could ultimately result in urban decay or deterioration, the lead agency must assess the indirect physical impact (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1206; CEQA Guidelines Sections 15064(e), 15131(a)).

As discussed in detail in Master Response 1, the proposed SOIA does not include a proposal to annex land or expand the city limits, nor does it propose development of any housing or non-residential uses. The comments do not provide any evidence of potential for urban decay and any attempt to analyze the potential to result in urban decay or blight, as distinctly defined, based on the existing proposal would require speculation regarding the type, intensity, timing, and location of future development. Public Resources Code Section 21159(a) recognizes that “the agency shall not be required to engage in speculation.”

With regard to specific examples provided in comments, the fact that some buildings are vacant does not constitute blight or urban decay. The contention that approval of the SOIA would result in excessive housing capacity would be based on two erroneous assumptions: (1) that development of residential uses would occur independent of market conditions, and (2) that the vacancy rates in the City will remain consistently high. The record contains no evidence to support either of these assumptions.

In the comment regarding *Bakersfield Citizens for Local Control v. City of Bakersfield*, the cited case is not analogous to the proposed SOIA. The Bakersfield case involved a project-specific proposal for a big-box store and, as noted above, the proposed SOIA does not include any development proposals. In addition, in Bakersfield, evidence in the form of a professional report was introduced into the record that suggested that the economic impact of the shopping centers would trigger the environmental effect of urban decay. There is no such evidence related to the proposed SOIA.

Master Response 7 – SOIA Boundary and Need for the SOIA

Several comments question both the need for the SOIA and the location of the SOIA boundary. This response addresses comments ECOS-1-1, ECOS-1-9, FOSH-1-4, FOSH-1-5, FOSH-1-59, FOSH-1-60, FOSH-1-61, FOSH-1-62, GRASP-1, ECOS-2-6, ECOS-2-135, ECOS-2-5, ECOS-2-134, THE-1, CLA-2, MAS-1, LEE-1-3, TAY-14, TAY-15, TAY-16, TAY-19, and TAY-20.

CEQA does not require a lead agency to justify the need for a project. It allows the lead agency to determine the project objectives and design the best way to achieve those objectives (see CEQA Guidelines Section 15124(b)). CEQA requires that the agency consider the environmental impacts and alternatives to a proposed project and does not allow a lead agency to approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of the project (PRC Section 21002). The purpose of an environmental impact report is not to test the wisdom of the project but “to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided” (see PRC Section 21002(a)).

The City provided the project objectives as:

- Amend the Sphere of Influence (SOI) boundary beyond the existing Elk Grove city limits to accommodate orderly and sustainable growth consistent with the City’s General Plan.
- Implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 consistent with public service conditions present or reasonably foreseeable in the proposed SOIA Area.
- Establish a logical boundary within which future and timely annexation requests by the City of Elk Grove may be considered.
- Establish an SOI for the City of Elk Grove that will facilitate the protection of important environmental, cultural, and agricultural resources.
- Provide sufficient land to accommodate a jobs-housing ratio for the City of Elk Grove that provides for sufficient residential and employment-generating land uses to minimize the need for commuting to or from other jurisdictions (RDEIR page 2-38).

The City has submitted an application, and LAFCo is well within its authority to conduct project proceedings which consider those City objectives by proposing to amend the SOI to the south and east of the current City boundaries, adjacent to service area of the jurisdiction (RDEIR Exhibit 2-1). The RDEIR analyzes the environmental impact of the proposed SOIA, as well as alternatives to the proposed SOIA. The extension of the proposed SOIA into the floodplain does not mean that land within the floodplain will be annexed or that development will occur in the floodplain. As discussed on RDEIR page 3.9-36, anticipated future growth and expansion through the annexation process would be limited to areas outside of the FEMA 100-year floodplain, in accordance with Elk Grove Safety Policy SA 15. Likewise, the Central Valley Flood Management Planning Program will require 200-year floodplain protection for urban areas.

Master Response 8 – Impacts of the SOIA on Existing and Planned Habitat Conservation Plans and Preserves and Adequacy of the Biological Resource Analysis

Several comments were received regarding the RDEIR’s evaluation of impacts on existing and planned habitat conservation plans and preserve areas. Specifically, comment letters from The Nature Conservancy (TNC), Stone Lakes National Wildlife Refuge Association (Association), Environmental Council of Sacramento (ECOS), Sierra Club, California Native Plant Society (CNPS), Friends of the Swainson’s Hawk (FOSH), and the California Department of Fish and Wildlife (CDFW) commented on the following issues:

- Relationship of the proposed SOIA to the Cosumnes River Preserve and Stone Lakes National Wildlife Refuge (NWR) (see TNC comment letter dated May 21, 2013, ECOS comment letter dated May 30, 2013, and Association comment letter dated May 21, 2013).
- Biological resource impacts on the Preserve and Stone Lakes NWR (see TNC comment letter dated May 21, 2013, Association comment letter dated May 21, 2013).
- Impacts of the proposed SOIA on implementation the Draft SSHCP (see TNC comment letter dated May 21, 2013, ECOS comment letter dated May 30, 2013, and CDFW comment letter dated May 20, 2013).

These issue areas are responded to below.

Relationship of the Stone Lakes NWR and Cosumnes River Preserve

Stone Lakes NWR

The Stone Lakes NWR and the associated natural features of this area are described in detail in the following areas of the RDEIR:

- Project Description section: pages 2-2 through 2-4 and Exhibit 2-6.
- Agricultural Resources section: pages 3.2-1 and 3.2-19.
- Biological Resources section: pages 3.4-1, 3.4-5, 3.4-6, 3.4-20, 3.4-38, 3.4-45 and 3.4-46 as well as within Impact BIO-2 and Mitigation Measure BIO-1a.

- Hydrology and Water Quality section: pages 3.9-2, 3.9-9 and 3.9-36, and Impact HYD-4.
- Land Use section: pages 3.10-1, 3.10-7, 3.10-8, 3.10-21, 3.10-68 and 3.10-69, and Impact LU-3.

The above description of the Stone Lakes NWR is adequate to evaluate the environmental effects of development of the proposed SOIA, if approved, as the RDEIR identified recorded occurrences of special status species, riparian and wetland habitat resources, and the intent of the Stone Lake NWR (preservation and management of fish, wildlife, plants and other natural resources).

The following text changes are made to the RDEIR to clarify the extent of the Stone Lakes NWR as requested by the Association. These changes do not constitute “significant new information” as defined under CEQA Guidelines Section 15088.5. Refer to Section 4, Errata, of this Final EIR for all revisions to the RDEIR.

RDEIR page 2-4, Section 2.1.2 is amended as follows:

North

The project site is bounded by the City of Elk Grove to the north. Residential uses dominate the western portion of the City, and rural residential and small-scale agricultural uses prevail in the eastern portion of the City to the north of the proposed SOIA Area boundary. City of Elk Grove land use designations north of the project site include Commercial, Medium Density Residential, Southeast Policy Area, Low Density Residential, and Estate Residential. The Laguna Ridge Specific Plan lies approximately 0.5 mile north of Kammerer Road.

The Southeast Policy Area has no pending land use entitlements. A 2006 development application for the Southeast Policy Area was withdrawn in 2010. Any future planning for the Southeast Policy Area will need to be consistent with the General Plan’s Land Use Element. Adjacent to the north is the approved Sterling Meadows project, comprising 984 single-family units and 200 multi-family units. The Lent Ranch Marketplace Special Planning Area lies to the north, with frontage along SR-99.

Grazing land within the Stone Lakes National Wildlife refuge boundary to the north between Franklin Boulevard and Interstate 5 is under permanent conservation easement. Similarly, the land south of the project area between Franklin Boulevard and Interstate 5 is within the legislative boundary of the Stone Lakes National Wildlife Refuge, although it is not under easement.

RDEIR page 3.10-7, Section 3.10.2 is amended as follows:

North

The project site is bounded by the City of Elk Grove to the north. Residential uses dominate the eastern portion of the City and residential, agricultural uses occur in the western portion of the City, to the north of the SOIA Area boundary. City of Elk Grove land use designations north of the project site include Commercial, Medium Density Residential, Southeast Policy Area, Low Density Residential, and Estate Residential. Proposed projects within the Southeast Policy Area include Sterling Meadows, which consists of 984 single-family homes and 200 multi-family units, and a mall.

Grazing land within the Stone Lakes National Wildlife refuge boundary to the north between Franklin Boulevard and Interstate 5 is under permanent conservation easement. Similarly, the land south of the project area between Franklin Boulevard and Interstate 5 is within the legislative boundary of the Stone Lakes National Wildlife Refuge, although it is not under easement.

Cosumnes River Preserve (Preserve)

The RDEIR addresses the Preserve in detail in the following sections:

- Biological Resources section: pages 3.4-6, 3.4-38, 3.4-45, Mitigation Measure BIO-1a, and Impact BIO-2.
- Land Use section: page 3.10-69 and Impact LU-3.

The above description of the Preserve is adequate to evaluate the environmental effects of development of the proposed SOIA, if approved, as the RDEIR identified known occurrences of special status species, riparian habitat resources.

The following text changes are made to the RDEIR to clarify the Preserve as well as the Cosumnes River Preserve Management Plan as requested by TNC. These changes do not constitute “significant new information” as defined under CEQA Guidelines Section 15088.5. Refer to Section 4, Errata, of this Final EIR for all revisions to the RDEIR.

RDEIR pages 3.4-7 and 3.10-21 are amended to include the following text:

Cosumnes River Preserve Management Plan

The Cosumnes River Preserve Management Plan was adopted in 2008 as the Cosumnes River Preserve’s guiding document. The following are relevant objectives and actions:

1.2 Maintain a landscape that supports natural processes and habitat for the Preserve’s focal conservation targets consisting of natural lands and suitable agriculture at and surrounding the Preserve (100-year floodplain up to Sacramento County’s Urban Services Boundary)

1.2.2 Participate in regional land-use planning and floodplain management efforts (e.g., South Sacramento County HCP, LAFCo proceedings and decisions, City of Elk Grove General Plan, County General Plan and applicable special planning area,) that may affect Preserve resources (e.g., habitat destruction, degradation, or fragmentation) or complete conservation goals (e.g., open space and wildlife corridors among other natural lands).

2.1.4 As new development projects proposed around the Preserve, either in close proximity or in nearby urban areas, undergo environmental review (CEQA), ensure that project proponents consider potential effects on visual resources at the preserve, including the effects of outdoor nighttime lighting.

Biological Resource Impacts on Cosumnes River Preserve (Preserve) and Stone Lakes NWR

Comment letters expressed concerns that the RDEIR did not adequately address biological resource impacts on the Preserve and Stone Lakes NWR. Common concerns are the loss of foraging habitat in average and flood years and buffer lands between existing urban areas and the Preserve and Stone Lakes NWR.

The RDEIR acknowledges that the development of the proposed SOIA Area, if proposed and approved, would result in significant impacts to special-status species and habitat in the proposed SOIA Area as well as potential indirect biological resource impacts in the region, including those of the Preserve and Stone Lakes NWR (see RDEIR pages 3.4-39 and -45). Mitigation Measure BIO-1a includes provisions for the establishment of buffers between development and the Preserve and Stone Lakes NWR consistent with the SSHCP, or development of a Habitat Conservation Management Plan (should it be required). In addition, Mitigation Measure AES-4 requires shielding of light sources to avoid spillover lighting and night sky degradation and avoid impacts to the Preserve and Stone Lakes NWR. Implementation of Mitigation Measure BIO-1c requires greater sandhill crane habitat to be acquired at a 1:1 ratio and the land must be deemed suitable for sandhill crane in consultation with CDFW. The portion of Mitigation Measure BIO-1c relating to sandhill crane is revised, as shown below, to ensure that preserved habitat will not occur in the floodplain and will provide offsite foraging refugia to sandhill crane during flood events. Refer to Section 4, Errata, of this Final EIR for all revisions to the RDEIR.

- **Greater sandhill crane.** The location and suitability of mitigation parcels, as well as the conservation instruments protecting them shall be acceptable to the City and to the CDFW. The amount of land preserved shall be governed at a 1:1 mitigation ratio for each acre developed. The land to be preserved shall be deemed suitable greater sandhill crane foraging habitat by the

City in consultation with CDFW, and shall include areas outside of floodplains to provide available refuge and foraging habitat during flood events.

However, the RDEIR does conclude that its impact to special-status species would be significant and unavoidable even after application of the mitigation measures identified. In addition, the RDEIR acknowledges the SOIA would encroach into current agriculture lands that provide a buffer to both the Preserve and Stone Lakes NWR (see RDEIR page 3.10-69). However, the proposed SOIA boundary, if approved, would not include lands currently managed by the Preserve or NWR.

2.1.1 - Impacts to the Implementation of the Proposed SSHCP

As noted above, several comment letters detailed concerns that the proposed SOIA would render the proposed SSHCP infeasible. CDFW commented that the No Project Alternative is preferred, but CDFW believes that with the current draft of the SSHCP, it may be possible to implement the SSHCP if the Enhanced Regional Alternative were selected.

As identified on RDEIR pages 3.4-36, -50 and 3.10-69 and -10, the SSHCP is still under preparation and is not an adopted document.

Biological Resources Impact Analysis for Proposed SOIA

Comment letters from The Nature Conservancy (TNC), Stone Lakes National Wildlife Refuge Association (Association), Environmental Council of Sacramento (ECOS), Sierra Club, California Native Plant Society (CNPS), and Friends of the Swainson's Hawk made the following general comments regarding the RDEIR's biological resources impact analysis:

- Adequacy of the description of the biological resources setting, habitat conditions and presence of special-status plant and animal species (see TNC comment letter dated May 21, 2013, ECOS comment letter dated May 30, 2013, Friends of the Swainson's Hawk letter dated May 14, 2013, CDFW letter dated May 20, 2013, and Association comment letter dated May 21, 2013, and Association comment letter dated May 21, 2013)
- Use of incomplete data sources.(see TNC comment letter dated May 21, 2013, ECOS comment letter dated May 30, 2013, Friends of the Swainson's Hawk letter dated May 14, 2013, CDFW letter dated May 20, 2013, and Association comment letter dated May 21, 2013)
- Inadequate and/or unenforceable mitigation measures (see TNC comment letter dated May 21, 2013, ECOS comment letter dated May 30, 2013, Friends of the Swainson's Hawk letter dated May 14, 2013, and Association comment letter dated May 21, 2013)

Each of these issue areas are responded to below.

Description of the Biological Resources Setting, Habitat Conditions and Presence of Special-Status Plant and Animal Species in the SOIA

As specifically identified in RDEIR Section 1 (Introduction), the extent of the environmental analysis is guided by the level of detail of the proposed project. Specifically, RDEIR Section 1.1.2 states:

This RDEIR provides an analysis of the environmental effects of the proposed SOIA project. The environmental impacts of the proposed project are analyzed in the RDEIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. This document addresses the potentially significant adverse environmental impacts that may be directly or indirectly associated with the amendment of the existing City of Elk Grove SOI. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. No physical development is proposed in conjunction with the application. However, this RDEIR acknowledges that future urbanization of the project area may occur as an indirect result of this SOIA; therefore, this RDEIR contains an analysis of indirect environmental impacts attributable to or which could result from the proposed project.

In addition, Section 3.0 (Environmental Impact Analysis) states:

As stated within Section 2.2, Project Characteristics, it is possible that the City may request annexation of the entire SOIA Area, or submit multiple annexation applications for portions of the SOIA Area. In addition, it is possible that the City may develop a phased annexation program to further guide development within the SOIA Area. For the purposes of analysis, this EIR assumes that the entirety of the SOIA Area would eventually be annexed and subsequently developed. This assumption represents the environmental “maximum impact” project scenario. However, this EIR does not assume a particular timeline for annexation and/or development of the SOIA Area. A phased annexation program may result in lessened environmental impacts. Due to the project not involving any development proposals, the unknown schedule of future annexation applications that may be submitted pursuant to approval of this project, and variability of a phased annexation program, a separate phased annexation program is not analyzed in this EIR. However, a proposal for annexation would be subject to further environmental review.

The setting and impact analysis provides an adequate degree of specificity for the underlying activity (amendment of the SOI boundary) consistent with CEQA Guidelines Section 15146. No specific annexation or development requests have been proposed as part of the SOIA, thus detailed parcel by

parcel study, protocol surveys, and extensive technical analysis would not be appropriate for this action.

RDEIR Section 3.4 (Biological Resources) provides an adequate level of technical information to determine potential biological resource impacts from future actions of the SOIA if approved, (annexation and development). Specifically, this section identifies:

- Habitat conditions of the proposed SOIA Area and surrounding region on RDEIR pages 3.4-1 through 3.4-6. This includes descriptions of agricultural cropland types, pasturelands, acreages of wetland resources based on the SSHCP landcover database, and the location and significance of the Stone Lakes NWF and the Cosumnes River Preserve.
- Potential presence of special-status plant and animal species on RDEIR pages 3.4-6 through 3.4-26. This includes CNDDDB-recorded and SSCHP information on the occurrences of special-status species in the proposed SOIA, listing of special-status species and their habitat needs.
- Applicable biological regulations and policies (RDEIR pages 3.4-27 through 3.4-36) including the Federal Endangered Species Act, Migratory Bird Treaty Act, Federal Clean Water Act, California Endangered Species Act, State Fish and Wildlife Code, Native Plant Protection Act, Sacramento LAFCo Policies, Standards and Procedures, City of Elk Grove General Plan, City of Elk Grove Municipal Code Chapter 16.130 (Swainson’s Hawk Impact Mitigation Fees) and Chapter 19.12 (Tree Preservation).

This information is consistent with the environmental setting content requirements of CEQA Guidelines Section 15125.

Use of Incomplete Data Sources

As noted above, several comment letters state that the RDEIR fails to utilize adequate data sources. It is acknowledged that the RDEIR does utilize the CNDDDB and a site reconnaissance performed by MBA on October 11, 2010. However, the document also utilizes information from the working draft of the SSHCP (see RDEIR page 3.4-11). These information sources were considered adequate for describing the extent of the proposed SOIA’s biological resource impacts at an appropriate level of specificity for the underlying activity (SOIA) consistent with CEQA Guidelines Section 15146.

Additional information provided by comments on the Swainson’s Hawk and greater sandhill crane is added to Impact BIO-1 of the Recirculated Draft EIR. These changes do not alter the conclusions of Impact BIO-1 in the RDEIR that identified impacts to special-status species as significant and unavoidable and does not constitute “significant new information” as defined under CEQA Guidelines Section 15088.5. Refer to Section 4, Errata, of this Final EIR for all revisions to the RDEIR.

RDEIR page 3.4-39 is amended to include the following text:

State fully protected greater sandhill crane and state threatened Swainson’s Hawk potentially occur within the project area. While the CNDDDB does not have any recorded occurrences of the greater sandhill crane in the SOIA Area, information has been provided to LAFCo identifying that this species is known to occur in the Stone Lakes Wildlife Refuge and the proposed SOIA during flood events (ECOS, May 20, 2013 correspondence and Ivey 2005b –b “Mitigating Loss of Sandhill Crane Habitat in South Sacramento County). Impacts to Swainson’s Hawks in South Sacramento County are of focused concern based on extensive use of the area that has been identified with approximately 12 nest territories south of the City of Elk Grove, east of Interstate 5 and west of Highway 99 and approximately 18 nest territories east of Highway 99 and north of the Cosumnes River (Friends of the Swainson’s Hawk May 14, 2013 correspondence and Estep 2007 – “Distribution, Abundance, and Habitat Associations of the Swainson’s Hawk (*Buteo swainsoni*) and Estep 2009 – “Distribution, Abundance, and Habitat Associations of the Swainson’s Hawk (*Buteo swainsoni*) in the City of Elk Grove, CA”) Similar impacts from the loss of foraging habitat during flooding events are anticipated to occur to the greater sandhill crane.

Adequacy and Enforceability of Mitigation Measures for Biological Resources

The comment letters noted above express concerns that the Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-2 are unenforceable and inadequate. Please see Master Response 1 regarding the enforceability of mitigation measures and deferred mitigation in the RDEIR.

Master Response 9 – Reference to Comments Submitted on the Original Draft EIR

Several comment letters reference previous comments submitted on the original Draft EIR and request that those comments be considered.

As identified on RDEIR page 1-2, the original Draft EIR was circulated for public comment for a public review period beginning on September 29, 2011 and extended by the Commission to end November 14, 2012. After the close of the public comment period, LAFCo staff determined it was necessary to add new information to the Draft EIR in order to address comments received on the Draft EIR, address changes in the environmental setting related to the Sacramento County General Plan Update EIR and the updated Sacramento Area Council of Governments’ Metropolitan Transportation Plan/Sustainable Communities Strategy for 2035, and refine the analysis to ensure that the EIR adequately addresses the requirements of CEQA. The entire original Draft EIR was revised and the Recirculated Draft EIR was released on March 21, 2013 for a sixty-day public review period. The Recirculated Draft EIR replaces the Draft EIR in total. In accordance with CEQA Guidelines Section 15088.5(f)(1), Sacramento LAFCo requested that new comments on the Recirculated Draft EIR be provided, and identified that the Recirculated Draft EIR would not provide responses to comments on the original Draft EIR.

CEQA Guidelines Section 15088.5(f)(1) states (see specific citation below) that new comments must be submitted for the Recirculated Draft EIR and that LAFCo need only respond to those comments submitted in response to the Recirculated Draft EIR:

When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.

While this Final EIR does not directly respond to comments on the original Draft EIR, they were considered in the preparation of the RDEIR (see RDEIR pages 1-5 through 1-8). The major environmental issues identified in the comment letters on the Draft EIR are the same as those that have been identified in comment letters on the RDEIR and consist of the following general topic areas that are responded to in the master responses as well as individual responses in this Final EIR:

- Concerns regarding the adequacy and enforceability of mitigation measures identified.
- Failure to adequately address cumulative impacts of the proposed SOIA in relation of other development and projects in the region.
- Consistency with the LAFCo Policies, Standards and Procedures, Sacramento County General Plan, and the Metropolitan Transportation Plan/Sustainable Communities Strategy.
- Adequacy of water supply and groundwater resources to serve the proposed SOIA and associated environmental effects of providing water supply service.
- Drainage and flooding impacts associated with the Stone Lakes National Wildlife Refuge and the Cosumnes River.
- Impacts on the viability of the proposed South Sacramento County Habitat Conservation Plan.
- Failure to adequately identify biological resources in the proposed SOIA and the associated impacts of development of the proposed SOIA on habitat and special-status species (focused concerns regarding Swainson's Hawk and Greater Sandhill crane).