



AGENDA

Wednesday November 6, 2013

5:30 P.M., Council Chambers, Sacramento City Hall,
915 "I" Street, Sacramento, California 95814

COMMISSIONERS:

- Chair: Jimmie Yee
- Vice-Chair: Mike Singleton
- Ron Greenwood
- Gay Jones
- Kevin McCarty
- Susan Peters
- Christopher Tooker

ALTERNATE COMMISSIONERS:

- Phil Serna
- Jeannie Bruins
- Jerry Fox
- Jerry Fox
- Steve Cohn
- Phil Serna
- John Messner

PUBLIC COMMENT FROM THE FLOOR

The public is encouraged to address the Commission concerning any matter not on the Agenda. Public comments are limited to three minutes. The Commission is prohibited from discussing or taking any action on any item not appearing on the posted Agenda

CONSENT CALENDAR

1. Approve the Meeting Minutes of October 2, 2013
2. Claims dated thru October 31, 2013
3. Monthly Budget Report

BUSINESS ITEMS

4. Communication Policy (Continued)
5. Disincorporation Process (Continued)

PUBLIC HEARING

6. Champion Oaks Sphere of Influence Amendment (SOIA) and Annexation to County Service Area 10 (CSA 10) (LAFC 03-03) [CEQA EIR Addendum]
7. City of Elk Grove Sphere of Influence (SOI) - (LAFC 09-10) [CEQA - EIR SCH#2010092076]

QUESTIONS/ANNOUNCEMENTS

8. Executive Officer/Staff/Commission Counsel
9. Commission Chair/Commissioners

ATTENTION PLEASE:

* * Please also note the location for November in the box. →

NEW
MEETING LOCATION

For Nov. 6 & Dec. 4
5:30 P.M.

City of Sacramento
City Hall

915 "I" Street, Sacramento CA
Council Chambers
1st Floor

* Please Note – AGENDA is subject to change up to 72 hours prior to meeting

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

SUMMARY OF RULES AND PROCEDURES

AGENDA ITEMS: The Commission may reschedule items on the agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order. Anyone who wishes to address the Commission should obtain a form from either the Commission Clerk or from the table located near the entrance of the hearing chamber.

CONDUCT OF HEARINGS: A contested matter is usually heard as follows: (1) discussion of the staff report and the environmental document; (2) testimony of proponent; (3) testimony of opponent; (4) Public Testimony (5) rebuttal by proponent; (6) provision of additional clarification by staff as required; (7) close of the public hearing; (8) Commission discussion and Commission vote.

ADDRESSING THE COMMISSION: Any person who wishes to address the Commission should submit a speaker's request form at the beginning of the meeting; move to the front of the chambers when an item is called; and, when recognized by the chair, state their name, address and affiliation. Please attempt to make your statements concise and to the point. It is most helpful if you can cite facts to support your contentions. Groups of people with similar viewpoints should appoint a spokesperson to represent their views to the Commission. The Commission appreciates your cooperation in this matter.

PUBLIC COMMENT TIME LIMITS: The Sacramento Local Agency Formation Commission welcomes and encourages participation in its meetings. Rules of the Commission provide for the following limitations of discussion: The Commission will hear public comment prior to the consideration of any item. (1) a principal proponent will be allowed a 5-minute statement; (2) other proponents will be allowed a 3-minute statement; (3) opponents are allowed 3-minute statements with the exception of spokespersons for any group who shall be permitted 5-minutes; (4) the principal proponent shall have a 3-minute rebuttal; (5) staff will provide clarification, as required.

VOTING: A quorum consists of four members of the Commission, including any alternate. No action or recommendation of the Commission is valid unless a majority (4 votes) of the entire membership of the Commission concurs therein.

OFF AGENDA ITEMS: Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public under "Public Comment From the Floor" on the Agenda. The Commission limits testimony on matters not on the agenda to three minutes per person and not more than fifteen minutes for a particular subject. The Commission cannot take action on any unscheduled items.

SPECIAL NEEDS: Meeting facilities are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 48 hours in advance through the Commission Clerk at (916)874-6458.

AB 745 DISCLOSURES: The Political Reform Act requires all interested parties to disclose contributions and expenditures for "political purposes" related to proposals for changes of organization or reorganization (annexations, incorporations, etc.) as well as contributions and expenditures in connection with Conducting Authority protest proceedings. Such contributions and expenditures must be reported to LAFCo's Executive Officer to the same extent, and subject to the same requirements, as local initiative measures under the Political Reform Act. Additional information regarding these requirements can be found on LAFCo's website at: <http://www.saclafco.org/Forms/index.htm>.

STAFF REPORTS: Staff Reports are available on line at www.SacLAFCo.org or upon request to Diane Thorpe, Commission Clerk at (916)874-6458.

VIDEO BROADCASTS: The meeting is video taped in its entirety and will be cablecast live on Metro Cable channel 14, the government affairs channel on the Comcast, and SureWest Cable Systems and is closed captioned for our hearing impaired viewers. The meeting is webcast live at <http://www.saccounty.net> . The current meeting is broadcast live and will be rebroadcast; check the Metro Cable schedule for dates and times.



***MINUTES FOR THE MEETING OF
Wednesday October 2, 2013***

The Sacramento Local Agency Formation Commission met the second day of October 2013, at 5:30 P.M. in the Board Chambers of the Sacramento County Administration Center, 700 H Street, Sacramento, California 95814.

PRESENT:

Commissioners:

Jimmie Yee, Chair
Mike Singleton, Vice Chair
Ron Greenwood
Gay Jones
Kevin McCarty (departed 5:55)
Susan Peters
Christopher Tooker

Staff:

Peter Brundage, Executive Officer
Donald Lockhart, Assistant Executive Officer
Diane Thorpe, Commission Clerk
Nancy Miller, Commission Counsel

CONSENT CALENDAR

1. Approve the Meeting Minutes of August 7, 2013
2. Claims dated thru September 27, 2013
3. Monthly Budget Report
4. Legislation Status Report
5. Rio Linda Elverta Recreation and Park District Municipal Service Review & Sphere of Influence Update (LAFCo 05-12) [CEQA Exempt]
Moved: Commissioner Tooker
Second: Commissioner Greenwood
Absent: McCarty
Passed: Unanimous

PRESENTATION

6. Elk Grove Grasp (10 Minutes)
No Action Taken

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Seven speakers gave comment on City of Elk Grove SOI (LAFCo 09-10).
No Action Taken

QUESTIONS/ANNOUNCEMENTS

7. Commission Peters requested status Riverside County's example of Disincorporation of Cities
8. Commission Peters requested Guidelines and Policies for media communication

The meeting adjourned at 6: 25 P.M.

Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Diane Thorpe
Commission Clerk

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
CLAIMS***

<u>Date</u> <u>Submitted</u> <u>to Auditor</u>	<u>Vendor</u>	<u>Amount</u>
10/28/2013	Alhambra Sierra Springs (Water Supplies)	\$ 22.17
10/28/2013	CA Planning & Development Report	\$ 238.00
10/28/2013	Colliers (October Office Lease)	\$ 4,194.24
10/28/2013	Comcast Cable	\$ 86.88
10/28/2013	Daily Journal Corp. (Legal Advertising)	\$ 40.15
10/28/2013	Environmental Planning Partners	\$ 72.50
10/28/2013	First Choice Services	\$ 17.48
10/28/2013	Millern & Owen	\$ 19,907.14
10/28/2013	Murry Smith & Associates	\$ 190.00
10/28/2013	Peter Brundage (Commission Meeting Catering)	\$ 163.62
10/28/2013	Pitney Bowes (Postage Lease)	\$ 274.47
10/28/2013	The Sacramento Bee	\$ 161.72
10/28/2013	Toshiba Business Solutions (Copier Lease)	\$ 685.11
10/30/2013	CALAFCO	\$ 75.00
TOTAL		\$ 26,128.48

APPROVED: 11/6/2013

Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

*Not including Journal Voucher and Personnel items.

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

**1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458**

November 6, 2013

TO: Sacramento Local Agency Formation Commission
FROM: Peter Brundage, Executive Officer *PR*
RE: Monthly Budget and Accounting Reports

RECOMMENDATION:

Receive and File Accounting Period Reports Periods 2 and 3 for FY 2013-14.

DISCUSSION:

The attached budget and accounting reports are for Accounting Periods 2 and 3 for FY 2013-14. These reports summarize monthly expenditures and revenues as well as the Trial Balance for these reporting periods.

There are no significant variances to report at this time.

Library : ZSP County of Sacramento Reports
Report group: ZSCB Trial Balance Summary by BA
Report name : ZFP4816B Sum Trial Bal. by BA

Data selected by: 1009726
Data selected on: 09/06/2013 13:14:37

Fiscal year : 2014
Period : 2 August
Business Area: 067A LOCAL AGENCY FORMATI

Balance Sheet Item	Beginning Balance	Period Debits	Period Credits	Ending Balance
* Cash in Treasury	381,921.09		6,063.03-	375,858.06
* Imprest Cash				
* Inventory				
* Due from Other Funds Year	1,381.00			1,381.00
* Accounts Receivable Year E	68,000.00			68,000.00
** Total Assets	451,302.09		6,063.03-	445,239.06
* Sales Tax Due	2.18-			2.18-
* Warrants Payable	4,548.10-	2,692.35	12,148.56-	14,004.31-
* Deposit Stale Warrants	643.48-			643.48-
* Claims Payable		12,333.26	12,333.26-	
* Due to Others				
* Suspense Clearing				
* Payroll Clearing		391.75	538.25-	146.50-
** Total Liabilities	5,193.76-	15,417.36	25,020.07-	14,796.47-
* Reserve Fund Balance	220,933.00-			220,933.00-
* Fund Balance	121,188.10-			121,188.10-
* Revenues and Other Financi	2,441.50-			2,441.50-
* Expenditures/Expenses	7,985.59	15,665.74		23,651.33
* Estimated Revenue	854,000.00			854,000.00
* Appropriations	963,531.32-			963,531.32-
* Start of System Clearing				
** Total Equity and Other Acc	446,108.33-	15,665.74		430,442.59-
*** Total Liabilities & Equity	451,302.09-	31,083.10	25,020.07-	445,239.06-

Date: 09/06/2013
 Time: 13:02:07
 Period: 002
 Year: 2014

Vendor One Time Vendor	Vendor Name	EA	Per	Doc.no.	Pstg date	Reference	Check	Fund Center	Trans. currency	Status
749	SACRAMENTO BEE			2022136030	08/29/2013		1101702593		43.51 USD	closed
749	SACRAMENTO BEE	067A	002	1904790851	08/28/2013	99960		4544540	43.51- USD	closed
1630	DAILY JOURNAL CORP	067A	002	1904790858	08/28/2013	A2510102		4544540	49.00- USD	closed
1630	DAILY JOURNAL CORP	067A	002	2022136041	08/29/2013		1101702604		49.00 USD	closed
12036	WELLS FARGO BANK	067A	002	1904790859	08/30/2013	MLHD-ACH 8/30/13		4544540	184.70- USD	closed
12036	WELLS FARGO BANK	067A	002	1500048530	08/30/2013				184.70 USD	closed
12322	COMCAST	067A	002	1904789138	08/27/2013	8155600380732795		4544540	86.88- USD	closed
12322	COMCAST	067A	002	2022133118	08/28/2013		1101702058		86.88 USD	closed
16847	CALAFRD	067A	002	2022136093	08/29/2013		1101702646		7,319.00 USD	closed
16847	CALAFRD	067A	002	1904790867	08/28/2013	201335		4544540	7,319.00- USD	closed
19687	SPECIAL DISTRICT RISK MGMT AUTHORITY	067A	002	1904790863	08/28/2013	AUGUST2013		4544540	4,125.51- USD	closed
19687	SPECIAL DISTRICT RISK MGMT AUTHORITY	067A	002	2022135973	08/28/2013		1101702516		4,125.51 USD	closed
24241	PITNEY BOWES	067A	002	1904790853	08/28/2013	3014263JY13		4544540	274.47- USD	closed
24241	PITNEY BOWES	067A	002	2022136101	08/29/2013		1101702654		274.47 USD	closed
37780	DS WATERS OF AMERICA INC	067A	002	1904790924	08/28/2013	8244071070113		4544540	32.97- USD	closed
37780	DS WATERS OF AMERICA INC	067A	002	2022136126	08/29/2013		1101702676		43.14 USD	closed
37780	DS WATERS OF AMERICA INC	067A	002	1904790878	08/28/2013	4831121070113		4544540	10.17- USD	closed
SDEAYROLL GAY JONES	SDEAYROLL	067A	002	2022134205	08/30/2013		8000048523		22.35 USD	closed
SDEAYROLL Ronny L. Greenwood	SDEAYROLL	067A	002	1904790716	08/28/2013	95-LAFCD DISIR		4544540	92.35- USD	closed
SDEAYROLL CHRISTOPHER TOOKER	SDEAYROLL	067A	002	2022134186	08/30/2013		8000048504		92.35 USD	closed
SDEAYROLL Ronny L. Greenwood	SDEAYROLL	067A	002	2022134257	08/30/2013		8000048575		92.35 USD	closed
SDEAYROLL CHRISTOPHER TOOKER	SDEAYROLL	067A	002	1904790677	08/28/2013	95-LAFCD DISIR		4544540	92.35- USD	closed
SDEAYROLL GAY JONES	SDEAYROLL	067A	002	1904790664	08/28/2013	95-LAFCD DISIR		4544540	22.35- USD	closed
Sun of Business Area 067A									0.00 USD	*

Date	Year	Per	Document #	G/L Acct	BA	Cost Ctr	Amount	Text
08/29/2013	2014	002	2022136041	5150000	067A		49.00	
08/29/2013	2014	002	2022136093	5150000	067A		7,319.00	
08/29/2013	2014	002	2022136101	5150000	067A		274.47	
08/29/2013	2014	002	2022136126	5150000	067A		43.14	
Total Account Number 5150000				CLAIMS PAYABLE			0.00	
08/30/2013	2014	002	108133007	8025400	067A		207.05-	15Total Check Amount
08/30/2013	2014	002	108133007	8025400	067A		184.70-	16Total Deposit Amount
08/30/2013	2014	002	108133007	8025400	067A		70.00-	6002Inc Tax-Fed Addl Tax
08/30/2013	2014	002	108133007	8025400	067A		31.00-	6201FICA EE Deduction
08/30/2013	2014	002	108133007	8025400	067A		31.00-	6210FICA ER Contrib
08/30/2013	2014	002	108133007	8025400	067A		7.25-	6501Medicare EE Ded
08/30/2013	2014	002	108133007	8025400	067A		7.25-	6503Medicare ER Contrib
08/28/2013	2014	002	1904790664	8025400	067A		22.35	08/30/13 MLBD Payroll Check
08/28/2013	2014	002	1904790677	8025400	067A		92.35	08/30/13 MLBD Payroll Check
08/28/2013	2014	002	1904790716	8025400	067A		92.35	08/30/13 MLBD Payroll Check
08/30/2013	2014	002	1904790859	8025400	067A	4544540000	184.70	95 ACH
Total Account Number 8025400				SD (HUMANIC) PAYROLL CLEARING			146.50-	
08/30/2013	2014	002	108133007	10112400	067A	4544540000	500.00	1180Bds & Comm Mem
Total Account Number 10112400				SALARIES & WAGES - COMMISSION &			500.00	
08/30/2013	2014	002	108133007	10122000	067A	4544540000	7.25	6503Medicare ER Contrib
08/30/2013	2014	002	108133007	10122000	067A	4544540000	31.00	6210FICA ER Contrib
Total Account Number 10122000				OASDHI - EMPLOYER COST			38.25	
08/28/2013	2014	002	1904790858	20200500	067A	4544540000	49.00	ADVERTISING
Total Account Number 20200500				ADVERTISING/LEGAL NOTICES			49.00	
08/28/2013	2014	002	1904790851	20202200	067A	4544540000	43.51	BOOKS/PER SUB
Total Account Number 20202200				BOOKS/PERIODICAL SUPPLY			43.51	
08/28/2013	2014	002	1904790867	20206100	067A	4544540000	7,319.00	MEMBERSHIP DUES
Total Account Number 20206100				MEMBERSHIP DUES			7,319.00	
08/28/2013	2014	002	1904790853	20207600	067A	4544540000	274.47	POSTAGE METER LEASE, OFFICE SUPPLIES
08/28/2013	2014	002	1904790878	20207600	067A	4544540000	10.17	OFFICE SUPPLIES
08/28/2013	2014	002	1904790924	20207600	067A	4544540000	32.97	OFFICE SUPPLIES
Total Account Number 20207600				OFFICE SUPPLIES			317.61	
08/27/2013	2014	002	1904789138	20227500	067A	4544540000	86.88	RENT/LEASE EQUIPMENT
Total Account Number 20227500				RENT/LEASES EQUIPMENT			86.88	
08/05/2013	2014	002	108116298	20291000	067A	4544540000	110.00	July 2013 Countywide IT Allocation
08/05/2013	2014	002	108117156	20291000	067A	4544540000	112.00	Aug 2013 Countywide IT Allocation
Total Account Number 20291000				COUNTYWIDE IT SERVICES			222.00	
08/30/2013	2014	002	108133011	20291100	067A	4544540000	900.00	FY 2013/2014 1st QTR SharePoint Allocation
08/31/2013	2014	002	108133940	20291100	067A	4544540000	900.00	

Report: ZF_SL_SPEC_DIST
UserID: 1009726
System: PRD/020

Split Ledger Line Item Report
067A LOCAL AGENCY FORMATI
Period: 002 Fiscal Year: 2014

Date: 09/06/2013
Time: 13:01:26
Page: 3

Date	Year	Per	Document #	G/L	Acct	BA	Cost	Ctr	Amount	Text
08/31/2013	2014	002	108133968	20291100	067A	4544540000			312.00	
Total Account Number 20291100									2,112.00	SYSTEMS DEVELOPMENT SERVICES
08/29/2013	2014	002	108132225	20291200	067A	4544540000			71.00	FY2013-14 1stQtr SVC Desk Allocation
08/31/2013	2014	002	108133956	20291200	067A	4544540000			9.40	
Total Account Number 20291200									80.40	SYSTEMS DEVELOPMENT SUPPLIES
08/05/2013	2014	002	108117159	20291600	067A	4544540000			298.00	Aug 2013 WAN Allocation
Total Account Number 20291600									298.00	WAN Costs
08/26/2013	2014	002	108126875	20292300	067A	4544540000			286.88	Per. 2 - Messenger Services
Total Account Number 20292300									286.88	GS MESSENGER SERVICES
08/28/2013	2014	002	1904790863	20294300	067A	4544540000			4,125.51	AUGUST 2013 LEASE
Total Account Number 20294300									4,125.51	LEASED PROPERTY USE CHARGESGS
08/23/2013	2014	002	108126936	20298700	067A	4544540000			186.70	Aug 2013 DTech Telecommunications Charges
Total Account Number 20298700									186.70	Telephone Svcs

Library : ZSP County of Sacramento Reports
Report group: ZSCB Trial Balance Summary by BA
Report name : ZFP4816B Sum Trial Bal. by BA

Data selected by: 1009726
Data selected on: 10/02/2013 14:48:34

Fiscal year : 2014
Period : 3 September
Business Area: 067A LOCAL AGENCY FORMATI

Balance Sheet Item	Begining Balance	Period Debits	Period Credits	Ending Balance
* Cash in Treasury	375,858.06	330,999.00	35,418.15-	671,438.91
* Imprest Cash				
* Inventory				
* Due from Other Funds Year	1,381.00	1,381.00	2,762.00-	
* Accounts Receivable Year E	68,000.00		68,000.00-	
** Total Assets	445,239.06	332,380.00	106,180.15-	671,438.91
* Sales Tax Due	2.18-			2.18-
* Warrants Payable	14,004.31-	34,184.07	72,123.86-	51,944.10-
* Deposit Stale Warrants	643.48-			643.48-
* Claims Payable		72,270.36	72,270.36-	
* Due to Others				
* Suspense Clearing				
* Payroll Clearing	146.50-	684.75	538.25-	
** Total Liabilities	14,796.47-	107,139.18	144,932.47-	52,589.76-
* Reserve Fund Balance	220,933.00-			220,933.00-
* Fund Balance	121,188.10-			121,188.10-
* Revenues and Other Financi	2,441.50-	68,000.00	329,618.00-	264,059.50-
* Expenditures/Expenses	23,651.33	73,211.44		96,862.77
* Estimated Revenue	854,000.00			854,000.00
* Appropriations	963,531.32-			963,531.32-
* Start of System Clearing				
** Total Equity and Other Acc	430,442.59-	141,211.44	329,618.00-	618,849.15-
*** Total Liabilities & Equity	445,239.06-	248,350.62	474,550.47-	671,438.91-

Date: 10/02/2013
 Time: 14:39:36
 Period: 003
 Year: 2014

Vendor One Time Vendor	Vendor Name	EA	Per	Doc.no.	Postg date	Reference	Check	Fund Center	Trans. currency	Status
2295	MILLER & OWEN			2022142737	09/04/2013		1101704674		13,131.50 USD	closed
2295	MILLER & OWEN	067A	003	1904793314	09/03/2013	29884		4544540	13,131.50- USD	closed
9443	CITY OF SACRAMENTO	067A	003	2022178488	09/17/2013		1101710732		49,583.38 USD	closed
9443	CITY OF SACRAMENTO	067A	003	1904800921	09/16/2013	FINACC00007		4544540	49,583.38- USD	closed
12036	WELLS FARGO BANK	067A	003	1500048582	09/03/2013				146.50 USD	closed
12036	WELLS FARGO BANK	067A	003	1904791841	09/03/2013	MLED-TMX 8/30/13		4544540	146.50- USD	closed
12322	COMCAST	067A	003	1904809249	09/27/2013	8155600380732795		4544540	86.88- USD	closed
12322	COMCAST	067A	003	2022205858	09/30/2013		1101717010		86.88 USD	closed
12322	COMCAST	067A	003	1904796481	09/09/2013	8155600380732795		4544540	86.88- USD	closed
12322	COMCAST	067A	003	2022161298	09/10/2013		1101707432		86.88 USD	closed
19687	SPECIAL DISTRICT RISK MGMT AUTHORITY	067A	003	1904800919	09/16/2013	SEPT2013		4544540	4,262.97- USD	closed
19687	SPECIAL DISTRICT RISK MGMT AUTHORITY	067A	003	2022178370	09/16/2013		1101710586		4,262.97 USD	closed
19696	THE ECONOMIST	067A	003	1904793312	09/03/2013	2541758		4544540	137.19- USD	closed
19696	THE ECONOMIST	067A	003	2022142856	09/04/2013		1101704784		137.19 USD	closed
25519	DAICHS USA INC	067A	003	1904800920	09/16/2013	742508		4544540	55.90- USD	closed
25519	DAICHS USA INC	067A	003	2022178533	09/17/2013		1101710774		55.90 USD	closed
25519	DAICHS USA INC	067A	003	1904793321	09/03/2013	950600		4544540	55.90- USD	closed
25519	DAICHS USA INC	067A	003	2022142866	09/04/2013		1101704794		55.90 USD	closed
28211	MEA OF CALIFORNIA INC	067A	003	1904793323	09/03/2013	10245234		4544540	648.02- USD	closed
28211	MEA OF CALIFORNIA INC	067A	003	2022142875	09/04/2013		1101704799		648.02 USD	closed
28302	AMERICAN PLANNING ASSOCIATION	067A	003	2022142876	09/04/2013		1101704800		668.00 USD	closed
28302	AMERICAN PLANNING ASSOCIATION	067A	003	1904793331	09/03/2013	1070121355		4544540	668.00- USD	closed
37780	DS WATERS OF AMERICA INC	067A	003	2022142895	09/04/2013		1101704818		16.17 USD	closed
37780	DS WATERS OF AMERICA INC	067A	003	1904793309	09/03/2013	4831121080113		4544540	16.17- USD	closed
48634	ENVIRONMENTAL PLANNING ENGINEERS INC	067A	003	1904793313	09/03/2013	LAFCL302		4544540	3,175.00- USD	closed
48634	ENVIRONMENTAL PLANNING ENGINEERS INC	067A	003	2022142921	09/04/2013		1101704841		3,175.00 USD	closed
901287	HEIER G BRUNDEGE	067A	003	1904800880	09/13/2013	8/7/13		4544540	142.22- USD	closed

Date: 10/02/2013
 Time: 14:39:36
 Period: 003
 Year: 2014

Vendor One Time Vendor	Vendor Name	EA	Per	Doc.no.	Pstg date	Reference	Check	Fund Center	Trans. currency	Status
901287	PETER G BRINDAGE	067A	003	2022175217	09/16/2013		1101710275		142.22 USD	closed
909812	DONALD LOCKHART	067A	003	1904793325	09/03/2013	REIMB 7/2/13		4544540	30.35- USD	closed
909812	DONALD LOCKHART	067A	003	1904793328	09/03/2013	REIMB 7/18/13		4544540	43.50- USD	closed
909812	DONALD LOCKHART	067A	003	2022143103	09/04/2013		1101705029		73.85 USD	closed
Sum of Business Area 067A									0.00 USD	*

Fiscal Year: 2014
 From period: 1
 To period: 3

Fund/Group: 067A LOCAL AGENCY FORMATION COMMISSION
 Funds Center/Group: 4544540 IAFCO DISTRICT
 Budget Version: 0

Commitment Item	Budget	Actual-GL	Actual-CO	Actual Total	Encumbrance	Pending	Available	%Consumed
10112400 COMMITTEE MEMBER	9,000.00	500.00		500.00			8,500.00	5.56
10122000 OASDI	500.00	38.25		38.25			461.75	7.65
* 10 - SALARIES AND EMPLOYEE	9,500.00	538.25		538.25			8,961.75	5.67
20200500 ADVERTISING	7,500.00	49.00		49.00			7,451.00	0.65
20202200 BOOKS/PER SUP	2,000.00	180.70		180.70			1,819.30	9.04
20202900 BGS/CONFERENCE E	12,000.00	2,812.22		2,812.22			9,187.78	23.44
20203500 ED/TRAINING SVC								
20205200 INS PREMIUM	7,000.00						7,000.00	
20206100 MEMBERSHIP DUES	7,500.00	7,987.00		7,987.00			-487.00	106.49
20207600 OFFICE SUPPLIES	8,000.00	519.43		519.43			7,480.57	6.49
20208100 POSTAL SVC	5,000.00						5,000.00	
20227500 RENT/LEASE EQ	18,000.00	908.66		908.66			17,091.34	5.05
20250500 ACCOUNTING SVC								
20253100 LEGAL SVC	60,000.00	13,131.50		13,131.50			46,868.50	21.89
20259100 OTHER PROP SVC	728,300.00	52,758.38		52,758.38			675,541.62	7.24
20281200 DATA PROCESSING	361.32						361.32	
20291000 COUNTYWIDE IT SV	1,500.00	334.00		334.00			1,166.00	22.27
20291100 SYSTEM DEV SVC	17,000.00	2,950.00		2,950.00	10,990.00		3,060.00	82.00
20291200 SYSTEM DEV SUP	1,000.00	85.10		85.10	38.90		876.00	12.40
20291600 WAN ALLOCATION	3,600.00	888.00		888.00			2,712.00	24.67
20291700 ALARM SERVICES	2,250.00						2,250.00	
20292100 GS PRINTING SVC								
20292300 GS MESSENGER SVC	3,300.00	834.56		834.56			2,465.44	25.29
20292600 GS STORE CHARGES	1,000.00						1,000.00	
20293400 PUBLIC WORKS SVS								
20294300 LEASED PROP USE	50,500.00	12,513.99		12,513.99			37,986.01	24.78
20298700 TELEPHONE SVC	3,000.00	371.98		371.98			2,628.02	12.40
* 20 - SERVICES AND SUPPLIES	938,811.32	96,324.52		96,324.52	11,028.90		831,457.90	11.44
79790100 CONTINGENCY APPR	15,220.00						15,220.00	
** 79 - Appropriation for Con	15,220.00						15,220.00	
** Expenditure accounts	963,531.32	96,862.77		96,862.77	11,028.90		855,639.65	11.20
94941000 INTEREST INCOME	-2,500.00						-2,500.00	
* 94 - REVENUE FROM USE OF M	-2,500.00						-2,500.00	
96969900 SVC FEES OTHER	-165,000.00	65,558.50		65,558.50			-230,558.50	-39.73
* 96 - CHARGES FOR SERVICES	-165,000.00	65,558.50		65,558.50			-230,558.50	-39.73
97979000 MISC OTHER	-686,500.00	-329,618.00		-329,618.00			-356,882.00	48.01
* 97 - MISCELLANEOUS REVENUE	-686,500.00	-329,618.00		-329,618.00			-356,882.00	48.01
** REVENUE ACCOUNTS	-854,000.00	-264,059.50		-264,059.50			-589,940.50	30.92
*** Total	109,531.32	-167,196.73		-167,196.73	11,028.90		265,699.15	-142.58

Report: ZF_SL_SPEC_DIST
 UserID: 1009726
 System: PRD/020

Split Ledger Line Item Report
 067A LOCAL AGENCY FORMATI
 Period: 003 Fiscal Year: 2014

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Date	Year	Per	Document #	G/L Acct	BA	Cost Ctr	Amount	Text
09/09/2013	2014	003	1300505006	101000	067A		114,417.00	
09/09/2013	2014	003	1300505007	101000	067A		114,417.00	
09/09/2013	2014	003	1300505008	101000	067A		18,290.00	
09/09/2013	2014	003	1300505009	101000	067A		392.00	
09/09/2013	2014	003	1300505011	101000	067A		30,210.00	
09/09/2013	2014	003	1300505015	101000	067A		15,523.00	
09/09/2013	2014	003	1300505037	101000	067A		36,369.00	
Total Account Number 101000 CASH IN TREASURY-DP							329,618.00	
09/03/2013	2014	003	1500048582	101200	067A		146.50-	
Total Account Number 101200 CASH IN TREASURY-WIRE TRANSFERS							146.50-	
09/04/2013	2014	003	2022148858	101500	067A		4,125.51-	
09/04/2013	2014	003	2022148878	101500	067A		49.00-	
09/05/2013	2014	003	2022154699	101500	067A		43.51-	
09/06/2013	2014	003	2022159119	101500	067A		43.14-	
09/09/2013	2014	003	2022162485	101500	067A		86.88-	
09/09/2013	2014	003	2022162807	101500	067A		274.47-	
09/10/2013	2014	003	2022166465	101500	067A		3,175.00-	
09/10/2013	2014	003	2022166478	101500	067A		55.90-	
09/12/2013	2014	003	2022172980	101500	067A		16.17-	
09/13/2013	2014	003	2022175925	101500	067A		648.02-	
09/13/2013	2014	003	2022175984	101500	067A		7,319.00-	
09/20/2013	2014	003	2022192908	101500	067A		86.88-	
09/23/2013	2014	003	2022195384	101500	067A		55.90-	
09/24/2013	2014	003	2022198434	101500	067A		4,262.97-	
09/25/2013	2014	003	2022201602	101500	067A		668.00-	
09/27/2013	2014	003	2022206723	101500	067A		142.22-	
09/30/2013	2014	003	2022208622	101500	067A		13,131.50-	
Total Account Number 101500 PAID WARRANTS RECONCILIATION (IN							34,184.07-	
09/30/2013	2014	003	108152660	102000	067A		1,381.00	CLEAR DUE TO/FROM FOR 4TH QTR INTEREST
Total Account Number 102000 CASH IN TREAS-JOURNAL VOUCHERS							1,381.00	
09/10/2013	2014	003	108139932	109000	067A		112.00-	
09/10/2013	2014	003	108139935	109000	067A		298.00-	
09/23/2013	2014	003	108146257	109000	067A		286.88-	
09/30/2013	2014	003	108154349	109000	067A		230.00-	
09/30/2013	2014	003	108154366	109000	067A		4.70-	
09/30/2013	2014	003	108154376	109000	067A		156.00-	
Total Account Number 109000 CASH IN TREAS-SPL							1,087.58-	
09/30/2013	2014	003	108152660	1880000	067A		1,381.00-	CLEAR DUE TO/FROM FOR 4TH QTR INTEREST
09/30/2013	2014	003	108152690	1880000	067A		1,381.00-	
09/30/2013	2014	003	108152690	1880000	067A		1,381.00	
Total Account Number 1880000 DUE FROM OTHER FUNDS - YEAR END							1,381.00-	
09/19/2013	2014	003	108145007	1890000	067A		68,000.00-	ACRUE PROJECT REVENUE FOR FY 2012-13
Total Account Number 1890000 ACCOUNTS RECEIVABLE - YEAR END							68,000.00-	
09/04/2013	2014	003	2022142737	5100000	067A		13,131.50-	
09/04/2013	2014	003	2022142856	5100000	067A		137.19-	

Date	Year	Per	Document #	G/L Acct	BA	Cost Ctr	Amount	Text
09/04/2013	2014	003	2022142866	5100000	067A		55.90-	
09/04/2013	2014	003	2022142875	5100000	067A		648.02-	
09/04/2013	2014	003	2022142876	5100000	067A		668.00-	
09/04/2013	2014	003	2022142895	5100000	067A		16.17-	
09/04/2013	2014	003	2022142921	5100000	067A		3,175.00-	
09/04/2013	2014	003	2022143103	5100000	067A		73.85-	
09/04/2013	2014	003	2022148858	5100000	067A		4,125.51	
09/04/2013	2014	003	2022148878	5100000	067A		49.00	
09/05/2013	2014	003	2022154699	5100000	067A		43.51	
09/06/2013	2014	003	2022159119	5100000	067A		43.14	
09/10/2013	2014	003	2022161298	5100000	067A		86.88-	
09/09/2013	2014	003	2022162485	5100000	067A		86.88	
09/09/2013	2014	003	2022162807	5100000	067A		274.47	
09/10/2013	2014	003	2022166465	5100000	067A		3,175.00	
09/10/2013	2014	003	2022166478	5100000	067A		55.90	
09/12/2013	2014	003	2022172980	5100000	067A		16.17	
09/16/2013	2014	003	2022175217	5100000	067A		142.22-	
09/13/2013	2014	003	2022175925	5100000	067A		648.02	
09/13/2013	2014	003	2022175984	5100000	067A		7,319.00	
09/16/2013	2014	003	2022178370	5100000	067A		4,262.97-	
09/17/2013	2014	003	2022178488	5100000	067A		49,583.38-	
09/17/2013	2014	003	2022178533	5100000	067A		55.90-	
09/20/2013	2014	003	2022192908	5100000	067A		86.88	
09/23/2013	2014	003	2022195384	5100000	067A		55.90	
09/24/2013	2014	003	2022198434	5100000	067A		4,262.97	
09/25/2013	2014	003	2022201602	5100000	067A		668.00	
09/30/2013	2014	003	2022205858	5100000	067A		86.88-	
09/27/2013	2014	003	2022206723	5100000	067A		142.22	
09/30/2013	2014	003	2022208622	5100000	067A		13,131.50	

Total Account Number 5100000 WARRANTS PAYABLE

37,939.79-

09/03/2013	2014	003	1500048582	5150000	067A		146.50	
09/03/2013	2014	003	1904791841	5150000	067A		146.50-	MLBD - TAX 08/30/2013
09/03/2013	2014	003	1904793309	5150000	067A		16.17-	*SAC LOCAL AGENCY FORMATION COMMISSION
09/03/2013	2014	003	1904793312	5150000	067A		137.19-	*SACRAMENTO LAFCO, 02541758
09/03/2013	2014	003	1904793313	5150000	067A		3,175.00-	*SACRAMENTO LAFCO, LAF 13-02
09/03/2013	2014	003	1904793314	5150000	067A		13,131.50-	*SAC LOCAL AGENCY FORMATION COMMISSION
09/03/2013	2014	003	1904793321	5150000	067A		55.90-	*SAC LOCAL AGENCY FORMATION COMMISSION
09/03/2013	2014	003	1904793323	5150000	067A		648.02-	*SAC LOCAL AGENCY FORMATION COMM, CUST#360243
09/03/2013	2014	003	1904793325	5150000	067A		30.35-	*SAC LOCAL AGENCY FORMATION COMM, REIMBURSEMENT
09/03/2013	2014	003	1904793328	5150000	067A		43.50-	*SAC LOCAL AGENCY FORMATION, REIMB 8/19 & 7/18
09/03/2013	2014	003	1904793331	5150000	067A		668.00-	*SACRAMENTO LAFCO, 10/1/13 - 9/30/14
09/09/2013	2014	003	1904796481	5150000	067A		86.88-	*SAC LAFCO 8155 60 038 0732795
09/13/2013	2014	003	1904800880	5150000	067A		142.22-	*SAC LAFCO, REIMBURSE 8/7/13 MEETING
09/16/2013	2014	003	1904800919	5150000	067A		4,262.97-	*SACRAMENTO LOCAL AGENCY FORMATION
09/16/2013	2014	003	1904800920	5150000	067A		55.90-	*SACRAMENTO LOCAL AGENCY FORMATION
09/16/2013	2014	003	1904800921	5150000	067A		49,583.38-	*SACRAMENTO LOCAL AGENCY FORM, CUST: SAC8002001A
09/16/2013	2014	003	1904809249	5150000	067A		86.88-	*SAC LOCAL AGENCY FRMATION, 8155 60 038 0732795
09/04/2013	2014	003	2022142737	5150000	067A		13,131.50	
09/04/2013	2014	003	2022142856	5150000	067A		137.19	
09/04/2013	2014	003	2022142866	5150000	067A		55.90	
09/04/2013	2014	003	2022142875	5150000	067A		648.02	
09/04/2013	2014	003	2022142876	5150000	067A		668.00	
09/04/2013	2014	003	2022142895	5150000	067A		16.17	
09/04/2013	2014	003	2022142921	5150000	067A		3,175.00	
09/04/2013	2014	003	2022143103	5150000	067A		73.85	
09/10/2013	2014	003	2022161298	5150000	067A		86.88	
09/16/2013	2014	003	2022175217	5150000	067A		142.22	

Date	Year	Per	Document #	G/L	Acct	BA	Cost	Ctr	Amount	Text
09/16/2013	2014	003	2022178370	5150000	067A				4,262.97	
09/17/2013	2014	003	2022178488	5150000	067A				49,583.38	
09/17/2013	2014	003	2022178533	5150000	067A				55.90	
09/30/2013	2014	003	2022205858	5150000	067A				86.88	
Total Account Number 5150000 CLAIMS PAYABLE										0.00
09/03/2013	2014	003	108136708	8025400	067A				184.70-	
09/03/2013	2014	003	108136708	8025400	067A				146.50-	
09/03/2013	2014	003	108136708	8025400	067A				92.35-	
09/03/2013	2014	003	108136708	8025400	067A				92.35-	
09/03/2013	2014	003	108136708	8025400	067A				22.35-	
09/03/2013	2014	003	108136708	8025400	067A				7.25	
09/03/2013	2014	003	108136708	8025400	067A				7.25	
09/03/2013	2014	003	108136708	8025400	067A				31.00	
09/03/2013	2014	003	108136708	8025400	067A				31.00	
09/03/2013	2014	003	108136708	8025400	067A				70.00	
09/03/2013	2014	003	108136708	8025400	067A				184.70	
09/03/2013	2014	003	108136708	8025400	067A				207.05	
09/03/2013	2014	003	1904791841	8025400	067A				146.50	95 TAX
Total Account Number 8025400 SD (HUMANIC) PAYROLL CLEARING										146.50
09/03/2013	2014	003	1904793312	20202200	067A	4544540000			137.19	BOOKS/PER SUB
Total Account Number 20202200 BOOKS/PERIODICAL SUPPLY										137.19
09/13/2013	2014	003	1904800880	20202900	067A	4544540000			142.22	BUS/CONF EXPENSE
Total Account Number 20202900 BUSINESS/CONFERENCE EXPENSE										142.22
09/03/2013	2014	003	1904793331	20206100	067A	4544540000			668.00	MEMBERSHIP DUES
Total Account Number 20206100 MEMBERSHIP DUES										668.00
09/03/2013	2014	003	1904793309	20207600	067A	4544540000			16.17	OFFICE SUPPLIES
09/03/2013	2014	003	1904793321	20207600	067A	4544540000			55.90	OFFICE SUPPLIES
09/03/2013	2014	003	1904793325	20207600	067A	4544540000			30.35	DONALD LOCKHART REIMBURSEMENT
09/03/2013	2014	003	1904793328	20207600	067A	4544540000			17.50	DONALD LOCKHART REIMBURSEMENT
09/03/2013	2014	003	1904793328	20207600	067A	4544540000			26.00	DONALD LOCKHART REIMBURSEMENT
09/16/2013	2014	003	1904800920	20207600	067A	4544540000			55.90	OFFICE SUPPLIES
Total Account Number 20207600 OFFICE SUPPLIES										201.82
09/03/2013	2014	003	1904793323	20227500	067A	4544540000			648.02	RENT/LEASE EQUIPMENT
09/09/2013	2014	003	1904796481	20227500	067A	4544540000			86.88	RENT/LEASE EQUIPMENT
09/27/2013	2014	003	1904809249	20227500	067A	4544540000			86.88	RENT/LEASE EQUIPMENT
Total Account Number 20227500 RENT/LEASES EQUIPMENT										821.78
09/03/2013	2014	003	1904793314	20253100	067A	4544540000			13,131.50	LEGAL SERVICES
Total Account Number 20253100 LEGAL SERVICES										13,131.50
09/03/2013	2014	003	1904793313	20259100	067A	4544540000			3,175.00	OTHER PROF. SERVICES
09/16/2013	2014	003	1904800921	20259100	067A	4544540000			49,583.38	DON LOCKHART 3/9-6/28/13
Total Account Number 20259100 OTHER PROFESSIONAL SERVICES										52,758.38

Report: ZF_SL_SPEC_DIST
 UserID: 1009726
 System: PRD/020

Split Ledger Line Item Report
 067A LOCAL AGENCY FORMATI
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Date	Year	Per	Document #	G/L	Acct	BA	Cost	Ctr	Amount	Text
09/10/2013	2014	003	108139932	20291000	067A	4544540000	112.00	Sept 2013	Countywide IT Allocation	
Total Account Number 20291000				COUNTYWIDE IT SERVICES				112.00		
09/30/2013	2014	003	108154349	20291100	067A	4544540000	230.00			
09/30/2013	2014	003	108154376	20291100	067A	4544540000	156.00			
Total Account Number 20291100				SYSTEMS DEVELOPMENT SERVICES				386.00		
09/30/2013	2014	003	108154366	20291200	067A	4544540000	4.70			
Total Account Number 20291200				SYSTEMS DEVELOPMENT SUPPLIES				4.70		
09/10/2013	2014	003	108139935	20291600	067A	4544540000	298.00	Sept 2013	WAN Allocation	
Total Account Number 20291600				WAN Costs				298.00		
09/23/2013	2014	003	108146257	20292300	067A	4544540000	286.88	Per. 3	- Messenger Services	
Total Account Number 20292300				GS MESSENGER SERVICES				286.88		
09/16/2013	2014	003	1904800919	20294300	067A	4544540000	4,262.97	LEASED PROP		
Total Account Number 20294300				LEASED PROPERTY USE CHARGESGS				4,262.97		
09/19/2013	2014	003	108145007	96969900	067A	4544540000	68,000.00	ACRUE PROJECT REVENUE FOR FY 2012-13		
Total Account Number 96969900				SVC FEES OTHER				68,000.00		
09/09/2013	2014	003	1300505006	97979000	067A	4544540000	114,417.00-			
09/09/2013	2014	003	1300505007	97979000	067A	4544540000	114,417.00-			
09/09/2013	2014	003	1300505008	97979000	067A	4544540000	18,290.00-			
09/09/2013	2014	003	1300505009	97979000	067A	4544540000	392.00-		CITY OF ISLETON FY 13-14 ASSESSMENT	
09/09/2013	2014	003	1300505011	97979000	067A	4544540000	30,210.00-		CITY OF FOLSOM FY 13-14 ASSESSMENT	
09/09/2013	2014	003	1300505015	97979000	067A	4544540000	15,523.00-			
09/09/2013	2014	003	1300505037	97979000	067A	4544540000	36,369.00-			
Total Account Number 97979000				MISCELLANEOUS OTHER REVENUES				329,618.00-		

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

*1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458*

November 6, 2013

TO: Sacramento Local Agency Formation Commission
FROM: Peter Brundage, Executive Officer
**RE: COMMUNICATION POLICY
DISINCORPORATION PROCESS**
**CONTACT: Don Lockhart AICP, Assistant Executive Officer
(916) 874-2937 (Don.Lockhart@SacLAFCo.org)**

EXECUTIVE OFFICER'S COMMENTS:

These two items were introduced for discussion by your Commission at the October regular meeting.

At the direction of your Commission, staff continues to conduct outreach and research.

Staff is reviewing the communication policies and practices of other local government agencies and LAFCos.

Staff is also reviewing and discussing the status of recently incorporated cities, as well as potential legislative changes to local funding and the disincorporation process.

Staff will provide report backs at a future regular meeting.

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite #100
SACRAMENTO, California 95814
(916) 874-6458

November 6, 2013

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **SPHERE OF INFLUENCE AMENDMENT AND**
ANNEXATION OF CHAMPION OAKS COMMERCIAL
DEVELOPMENT TO COUNTY SERVICE AREA NO. 10
(LAFC #03-13) [CEQA: Exempt Sec.15061(b)(3)]

CONTACT: Don Lockhart AICP, Assistant Executive Officer, (916) 874-2937

RECOMMENDATION

1. Certify the CEQA Categorical Exemption as adequate and complete for the Sphere of Influence Amendment and Annexation of Champion Oaks commercial development to County Service Area No. 10, and direct your Executive Officer to file the Notice of Exemption with the appropriate government entity.
2. Approve the Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No. 10.
3. Condition approval of the annexation to County Service Area No. 10 on the terms and conditions listed below:
 - a) The Sphere of Influence for County Service Area No. 10 is amended to be coterminous with the boundary of the Champion Oaks, as set forth in attached Exhibit A.
 - b) The boundaries of the Champion Oaks annexation to CSA No. 10 are set forth in Exhibit A.
 - c) The effective date of the annexation shall be upon filing of the Certificate of Completion by the Executive Officer.

4. Pursuant to provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, your Commission should waive the Conducting Authority protest proceedings, as the territory is uninhabited, and there is 100% consent of all landowners and affected agencies.
5. Authorize your Chair to sign the Resolution making these determinations.

PROPONENT

The Sacramento County Board of Supervisors
c/o Robert Davison
827 7th Street
Sacramento, CA 95814
(916)874-6525
davisonb@saccounty.net

The Sacramento County Board of Supervisors has adopted a resolution to initiate proceedings pursuant to the County Service Area Law, Chapter 2.2, Division 2, Title 3 of the Government Code (the “Law”) to annex the Champion Oaks to CSA 10, a dependent special district, for the purpose of funding extended transportation services, for compliance with previously imposed conditions of development and environmental mitigation measures.

BACKGROUND

County Service Area (CSA) No. 10

The proposal responds to adopted conditions of approval for the Champion Oaks to annex to CSA No. 10 to fund the required extended transportation services.

The Florin Vineyard Gap Community Plan (FVGCP) Climate Change Plan, dated January 28, 2010 includes the Champion Oaks development site. The related rezone was approved by the Board of Supervisors March 14, 2011. The approval imposed a condition requiring the property owner to annex to County Service Area No. 10 (CSA 10) for the purpose of funding a variety of transportation demand management (TDM) services to implement an overall TDM strategy that will contribute to the goal of reducing vehicle trips and shall participate in CSA 10 by approving the levy of annual service charges

Existing Benefit Zone No. 3

If the annexation is approved by your Commission, the County Board of Supervisors will extend CSA 10 transportation services delivery by amending Benefit Zone No. 3 to encompassing the 16+ acre project site:

The CSA10 extended transportation services for Benefit Zone No. 3 include the same range of trip reduction services already established in Benefit Zones No. 1 and 2. These include educational outreach, incentives for alternative mode travel, and transit shuttle service.

Purpose of CSA No. 10 and Benefit Zone No. 3

The purpose of Benefit Zone No. 3 is to extend certain transportation-related services to developing areas. Services would be funded by a property related charge pursuant to the California Constitution Article XIID, Section 6. Inclusion in Benefit Zone No. 3 fulfills certain conditions of development included in Sacramento County Ordinance No. SZC-2011-0001 for the Champion Oaks commercial rezone and related planning documents.

Benefit Zone No. 3 charges for residential and nonresidential development will fund transit shuttle services and/or other supplemental transportation services indefinitely as determined appropriate by the County Board of Supervisors.

Funding

In order to finance the requirements and provide funding for the extended transportation service, the Sacramento County Board of Supervisors has initiated these proceedings for the annexation of the affected territory, and the amendment of Benefit Zone No. 3. Typically with the administration and operation of a CSA, the County Board of Supervisors, has sole discretion.

If your Commission approves the SOI Amendment, and related annexation to County Service Area No. 10, the Board of Supervisors would have the sole discretion to approve annual service charges, which will be collected on property tax bills beginning FY 2014 - 15.

The FVGCP Public Facilities Financing Plan derives a schedule of service charges for properties in throughout the community plan area. The landowner has requested this “stand alone” annexation in response to a commercial development opportunity. County staff anticipates that the balance of the FVGCP will be annexed as market and demand conditions improve.

The fees schedule for Benefit Zone No. 3 is based on vehicle trip generation characteristics and associated cost of service for each land use category. Estimated service costs have been derived from the North Natomas TMA’s trip reduction services budget. At full development in Benefit Zone No. 3 of CSA 10 under the proposed schedule of annual service charges based on Fiscal Year 2013-14 rates, the residential and non-residential properties would contribute a total of **\$597,807 (Champion Oaks \$39,741.)**

The Report proposes an annual rate inflation adjustment of service charges determined by the Consumer Price Index not to exceed 6%. Annual service charges for Fiscal Year 2013-14 for Benefit Zone No. 3 by land use category are as follows:

- Single-Family Residential unit \$94.56 per dwelling
- Multi-Family Residential unit \$66.21 per dwelling
- Retail & Service Commercial \$2,424.74 per acre
- Park Office \$2,084.25 per acre
- Undeveloped Residential and Non-Residential no service charge

County Service Area No. 10 and Sphere of Influence

The existing boundaries of County Service Area (CSA) No.10 and its Sphere of Influence are coterminous. These boundaries consist of all the lots, parcels and subdivisions of land located in the following subdivisions approved development projects:

Mather Field. SPA (non-activated)
North Vineyard Station

CSA 10 is irregularly shaped, and is generally located south of International Boulevard and White Rock Road; north of Kiefer Road; east of the western boundary of Mather Field; west of Grant Line Road, and north of Gerber Road.

Sphere of Influence and Benefit Zone No. 3 Boundary Amendments

The SOI will be amended to be coterminous with the affected territory. Benefit Zone No. 3 consist of all the parcels located in the North Vineyard Specific Plan. (Please see attachment B.) The affected territory of 16+ acres is located at the northeast corner of the Bradshaw and Gerber Roads intersection, just west of the current Benefit Zone No. 3. Island annexations are not precluded under CSA law.

ANALYSIS OF PROPOSAL

County Service Area No.10

Your Commission established County Service Areas No. 10 in 2003, as a dependent special district. Pursuant to California Government Code, a County Service Area may provide a broad array of extended services, and "Miscellaneous extended services," including Transportation Services. At the time of the adoption of the resolution of intention to establish this CSA No.10 county service area, the Board of Supervisors specified the type or types of services to be provided within the area (Gov. Code Sec.25210.4, 25210.4a, 56036.(a) and 56375.).

A County Service Area is capable of providing a dependable and adjustable revenue source by placing a proportionate service charge on properties which derive benefit from the service provided. It allows the levying of service charges either on the property tax bill or on a utility.

Process for Sphere of Influence Amendment and Annexation

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that your Commission retain the role of Conducting Authority (Sec. 56029.). The Board of Supervisors will exercise sole discretion in activating (amending) Benefit Zone No. 3, and any subsequent Benefit Zones within CSA No.10 consistent with the boundaries set forth in Exhibit A in order to facilitate conducting of individual protest ballot proceedings for each subsequent development project after it receives development entitlements conditioned on participation in CSA No.10.

Only the County of Sacramento Board of Supervisors has the authority to activate CSA 10 Benefit Zone 3 and levy service charges. Annexation of Champion Oaks to CSA 10 up to the point of the initial levy in Benefit Zone No. 3 involves the following steps:

1. Board of Supervisors approves Resolution of Application to LAFCo for annexation of territory to CSA 10.
2. Your Commission holds a public hearing to consider the Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No.10.
3. If your Commission approves the proposal, you may adopt a Resolution to waive the Conducting Authority protest proceedings, as the territory is uninhabited, and there is 100% consent of all affected landowners and agencies.
4. The Board of Supervisors holds a public hearing and considers Proposition 218 protest ballots of the Benefit Zone No. 3 affected parcel owners. The value of protest is weighted by proposed 2014-15 service charges and canvasses the results.
5. Board of Supervisors holds hearing to affirm 2014-15 service charges for the affected territory, as an activated parcel in CSA No.10 Benefit Zone No. 3.

Your Commission has the power to review and approve or disapprove with or without amendment, wholly, partially, or conditionally, the Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No.10.

Description of Services

Benefit Zone No. 3 currently provides transportation services to both residential and nonresidential development within the North Vineyard Station Specific Plan area.

The purpose of CSA 10 is to fund programs and services to implement trip reduction measures that improve mobility and coincidentally reduce air quality impacts. Such programs and services may include but are not limited to:

- On-site transportation coordinators and education outreach
- Incentives for alternative mode use such as transit subsidies, guaranteed ride home programs, and bicycles purchase subsidies
- Programs encouraging people to work close to where they live
- Grade school trip pool programs

- Transit shuttle system

Any component of the trip reduction strategy implemented through CSA 10 may be revised or discontinued if it is proven to be ineffective. Additional programs and services may be implemented as appropriate to assist in achieving the targeted reduction in daily vehicle trips. In the event the property owners fail to approve either the annexation to CSA 10 or the property assessment for the Benefit Zone No. 3, no building permits shall be issued.

The charges for residential and nonresidential development will fund transit shuttle services and/or other supplemental transportation services indefinitely as determined appropriate by the County Board of Supervisors. Supplemental transportation services may include the following:

- **Transit Shuttle** – shuttle for residents and/or employees between residential areas, employment centers, shopping and service centers and light rail stations and/or other public transit options; -
- **Guaranteed Ride Home** – free taxi rides and rental cars for ride sharers in case of an emergency;
- **Transit Subsidies** – financial assistance to encourage residents and employees to use transit or other alternative transportation measures;
- **Transportation Plans** - for employers and/or resident groups – plans which guide employers and resident groups on the implementation of trip reduction programs, such as ride share matching or other similar programs;
- **Education Programs** – various programs such as education of transit options, home office set up, and alternative commute opportunities;
- **Infrastructure Support** – additional bike racks and lockers, transportation alternative and ride share informational boards/kiosks, and transit facilities;
- **Transportation Coordinator Training and Support** – instruction in mobility (transportation alternatives) for residential groups and work site coordinators;
- **Bicycle and Alternative Fuel Vehicle Incentives** – incentives for purchasing new bicycles or alternative fuel vehicles.

Environmental Considerations

LAFCo will act as the lead agency consistent with CEQA Guidelines §15050 et. seq., regarding the environmental documentation for the Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No. 10 for the purpose of providing a financing district for extended miscellaneous transportation service in the affected territory.

LAFCo has prepared a Notice of Exemption Section Sec.15061(b)(3), as the appropriate CEQA document due to its finding that the proposed project will not have a significant effect on the environment.

The proposed project consists of the expansion of the Sphere of Influence of County Service Area (CSA) No.10 to include the urbanizing project area, and the annexation of the area to CSA No.10. CSA No.10 was formed in compliance with Sacramento County General Plan policies and regional air quality policies to provide funding and management of vehicle trip reduction measures to reduce traffic congestion and reduce regional air pollutant emissions, thereby benefiting regional air quality.

Operations and programs provided by CSA10 to the project area include onsite transportation coordination, incentives for alternative modes of transportation, encouraging proximity of employment to residences, development of car pooling programs, funding transit shuttles, and other programs to reduce vehicle use.

CONSISTENCY WITH LAFCO POLICES AND PROCEDURES AND COUNTY GENERAL PLAN

Master Services Element/ Municipal Services Review

The Sphere of Influence Amendment for CSA 10 is consistent with LAFCo Policies, Standards and Procedures which require a Master Services Element/ Municipal Services Review for the amendment of a Sphere of Influence.

Spheres of Influence are the primary planning tool for LAFCo. Sacramento LAFCo has developed standards related to the Master Services Element/ Municipal Services Review of any agency's Sphere of Influence. Agencies must have an updated Master Services Element/ Municipal Services Review which meets the following standards:

- a. Is consistent with the Master Services Element/ Municipal Services Review of the Spheres of Influence of any overlapping jurisdiction;
- b. Demonstrates that adequate services will be provided within the time frame needed by the inhabitants of the area included within the proposed boundary;
- c. Identifies existing land use and a reasonable projection of land uses which would occur if services were provided consistent with the updated Element;
- d. Presents a map that clearly indicates the location of existing and proposed facilities, including plan for timing and location of facilities;
- e. Describes the nature of each service to be provided;
- f. Describes the service level capacity of the service provider's facilities;
- g. Identifies the anticipated service level to be provided;
- h. Describes any actions, improvements, or construction necessary to reach required service levels, including costs and financing methods;
- i. Provides copies of district enabling legislation pertinent to the provision of service levels, including costs and financing methods;
- j. Identifies projected revenue and identifies savings occurring as a result of the action; and
- k. Provides existing and five year population projects within agency boundaries.

The proponent has provided the FVGCP Public Facilities Financing Plan (PFFP) for the proposal and the levy and collection of annual charges in Benefit Zone No. 3 commencing in fiscal year 2014/15, as adjusted, per the CSA 10 Benefit Zone No.3 Engineer's Report.. The CSA 10 and Benefit Zone No. 3 structure (organization), proposed services, and method of apportionment and charges that are described in the CSA 10 Benefit Zone No.3 Engineer's Report are based on current development and improvement plans including all estimated direct expenditures, incidental expenses, and reserves associated with the extended services.

The FVCCP, related PFFP and CSA 10 Benefit Zone No.3 Engineer's Report together comply with the Master Services Element/ Municipal Services Review criteria.

The project is consistent with the County General Plan in that it will implement the adopted Transportation Systems Management (TSM) Plan, which complies a General Plan AQ-15 Plan calling for Transportation Management Association (TMA) membership and funding through a County Service Area (CSA), as well as provision of Transportation Demand Management (TDM) services including current TMA programs as well as marketing, sponsored ridesharing, transit pass sales, bicycle and shower facilities, shuttle transit, and parking management.

Analysis of Proposal

Your Commission has adopted specific standards for actions to ensure that fair and consistent decisions are reached in accordance with Cortese-Knox-Hertzberg legislation. Your Commission may make exceptions to these specific standards if it determines that such exceptions:

- Are necessary due to unique circumstances;
- Are necessary due to conflicts between general and specific standards;
- Result in improved quality or lower cost of services available; or
- There exists no feasible or logical alternative.

Standards

1. LAFCo will encourage special district annexation in areas that demonstrate a need for unmet or improved level of services due to the inadequate level or quality of services currently provided.
2. LAFCo requires a Master Services Element/ Municipal Services Review which defines financing, service levels and how services are delivered.
3. LAFCo requires a definite Sphere of Influence map, plan and definite boundaries.
4. The proposed district annexation should be consistent with the County's General Plan and any applicable Specific Plans.

5. LAFCo will not approve district formations when the Master Services Element/Municipal Services Review conflicts with the Master Services Element/Municipal Services Review of other agencies.
6. LAFCo will not approve an application for district annexation unless the proponent can demonstrate it can fund the services it intends to provide.

The above standards and requirements have been satisfactorily met for the proposed Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No. 10. Each of these items listed above has been discussed in detail in this report and in the accompanying attachments.

Effect of Proposal on Adjacent Areas

While this annexation is for an unserved (by CSA 10) “island,” it does not preclude adjacent territory from future annexation to CSA 10.

Affected Districts

The proposal was routed for review and comment to the Sacramento County Municipal Services, Southgate Recreation and Park District, Sacramento Metropolitan Fire District, Sacramento Regional Transit District (RT), Sacramento Metropolitan Air Quality Management District (SMAQMD.)

Fees imposed as part of the CSA 10 services will not be charged to public entities (i.e., special districts,) therefore the special districts within the proposed territory will experience no effect from the annexation of territory.

The Sacramento County Municipal Services had no comments. Southgate Recreation and Park District and Sacramento Metropolitan Fire District do not oppose the proposal. It is anticipated that the extended transportation services may develop a complimentary relationship by increasing travel options to and from recreation programs and park sites.

The SMAQMD continues to maintain a strong position of support for Community Service Area 10. Your Commission may recall that Mr. Ron Maertz, Transportation and Land Use Coordinator for the District, was the first person in the Sacramento region to propose the formation of the CSA. The District concurs that CSA 10 is the best tool available for implementation of TMD management measures. It is crucial for the County of Sacramento to work closely with the District in order to devise effective means of the implementing the TMD measures listed in the Engineer’s Report.

Regional Transit staff supports the proposal. RT staff continues to collaborate with the County staff for the successful implementation of Benefit Zone 3.

RECOMMENDATION

I recommend your Commission approve the Resolution approving:

1. Certify the CEQA Categorical Exemption as adequate and complete for the Sphere of Influence Amendment and Annexation of Champion Oaks commercial development to County Service Area No. 10, and direct your Executive Officer to file the Notice of Exemption with the appropriate government entity.
2. Approve the Sphere of Influence Amendment and Annexation of Champion Oaks to County Service Area No. 10.
3. Condition approval of the annexation to County Service Area No. 10 on the terms and conditions listed below:
 - a) The Sphere of Influence for County Service Area No. 10 is amended to be coterminous with the boundary of the Champion Oaks, as set forth in attached Exhibit A.
 - b) The boundaries of the Champion Oaks annexation to CSA No. 10 are set forth in Exhibit A.
 - c) The effective date of the annexation shall be upon filing of the Certificate of Completion by the Executive Officer.
4. Pursuant to provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, waive the Conducting Authority protest proceedings, as the territory is uninhabited, and there is 100% consent of all landowners and affected agencies.
5. Authorize your Chair to sign the Resolution making these determinations.

Respectfully,

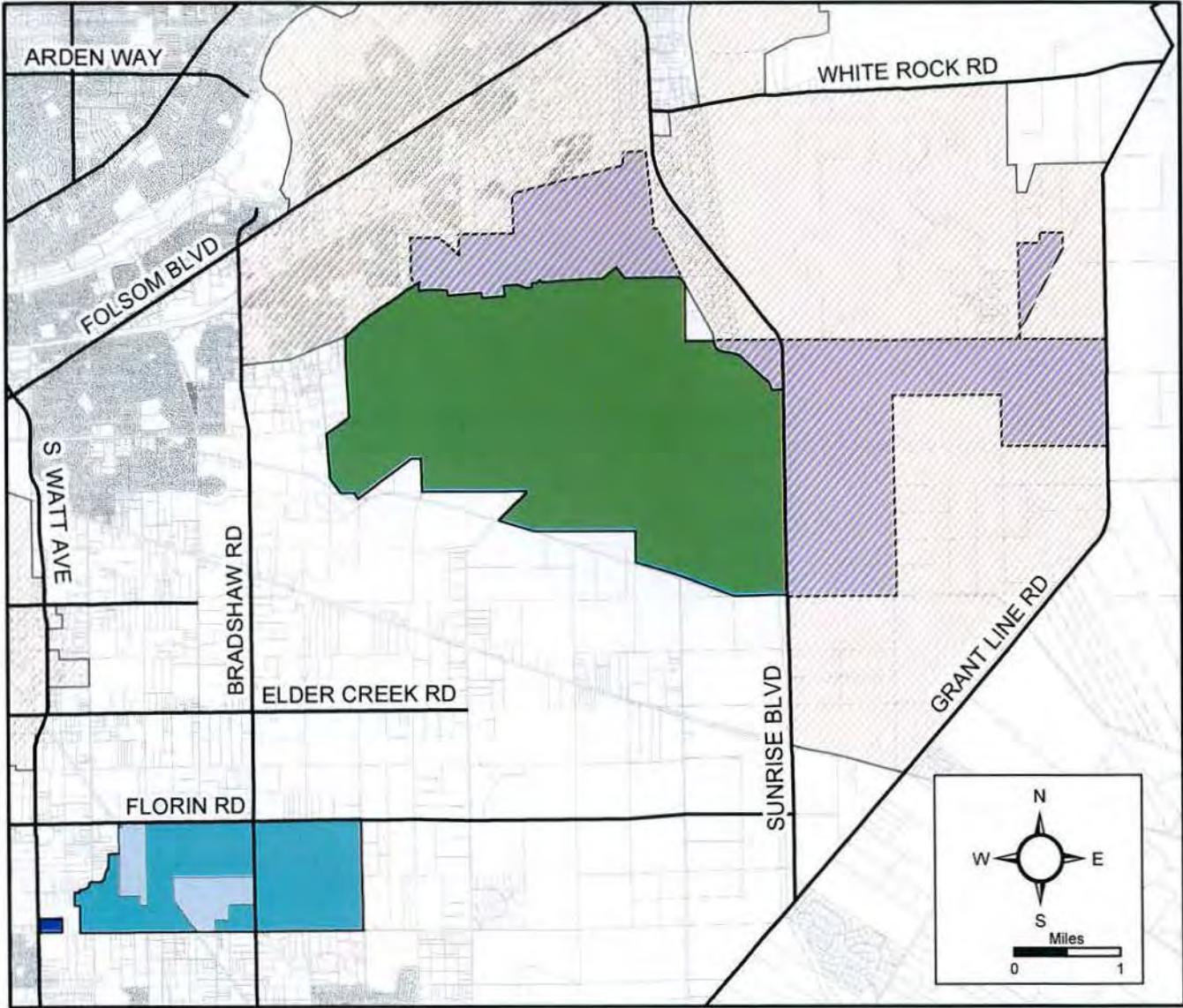
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Peter Brundage
Executive Officer

Attachments:

Maps (Exhibit A)
Board of Supervisors Staff Report
DL:dl
(Champion Oaks Annex CSA 10)

BOUNDARY MAP COUNTY SERVICE AREA NO. 10



Legend

- Proposed Annexation
- CSA 10 Non Activated
- Detached Territories
- CSA 10 Zone 3 Service Charge Activated
- CSA 10 Zone 3
- CITIES

County Service Area No. 10

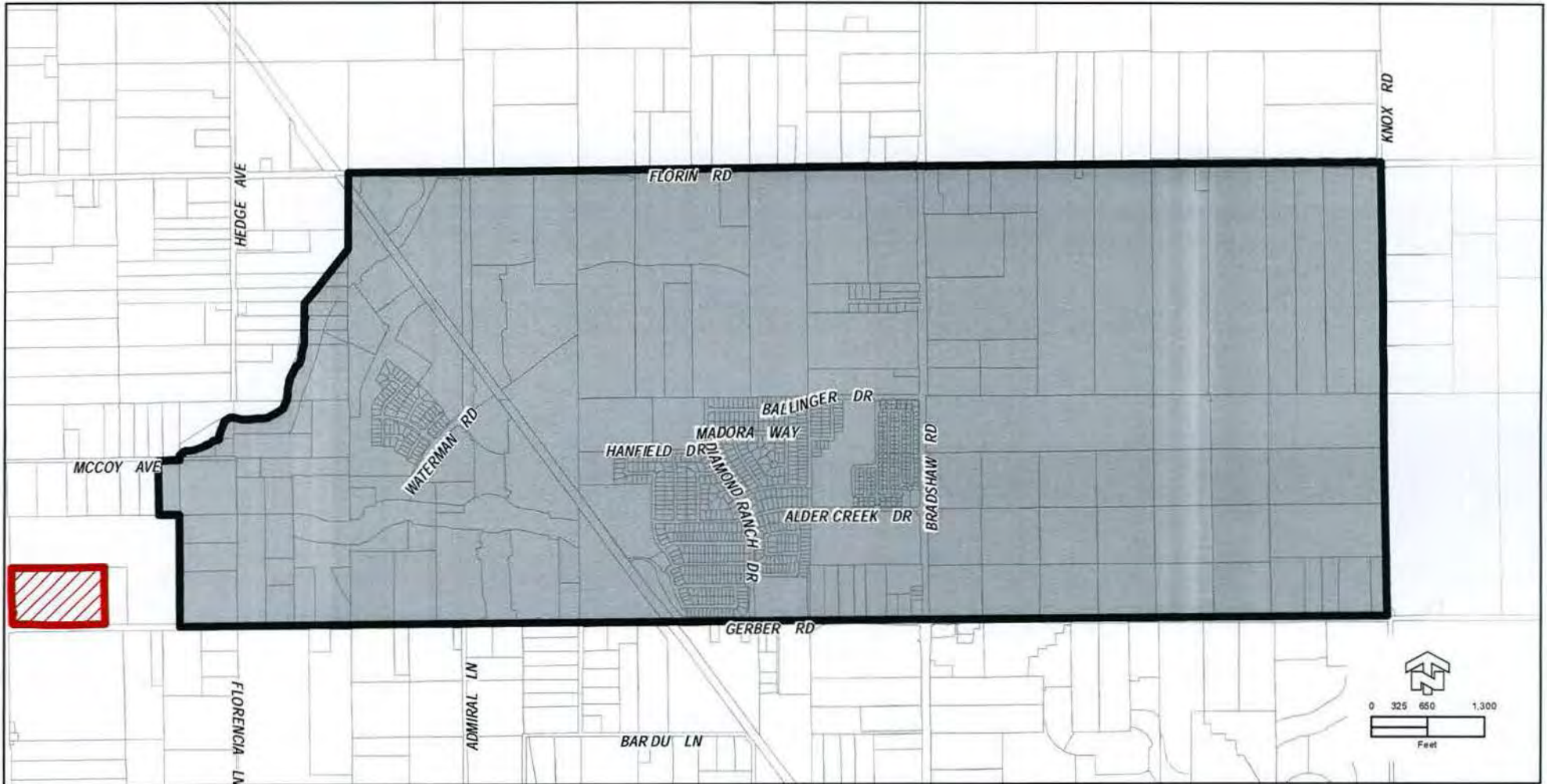
Supervisory District: 5 - Nottoli



ATTACHMENT 1

COUNTY SERVICE AREA #10 Benefit Zone #3

PROPOSED ANNEXATION VICINITY MAP



Legend

- APN :065-0080-101 (Proposed Annexation)
- CSA10, Benefit Zone #3

District: COUNTY SERVICE AREA #10 Benefit Zone #3
 Supervisorial District: 5 - Nottoli



Plate EGR -4 Aerial of Project Site



Plate EGR -5 Existing General Plan Designation

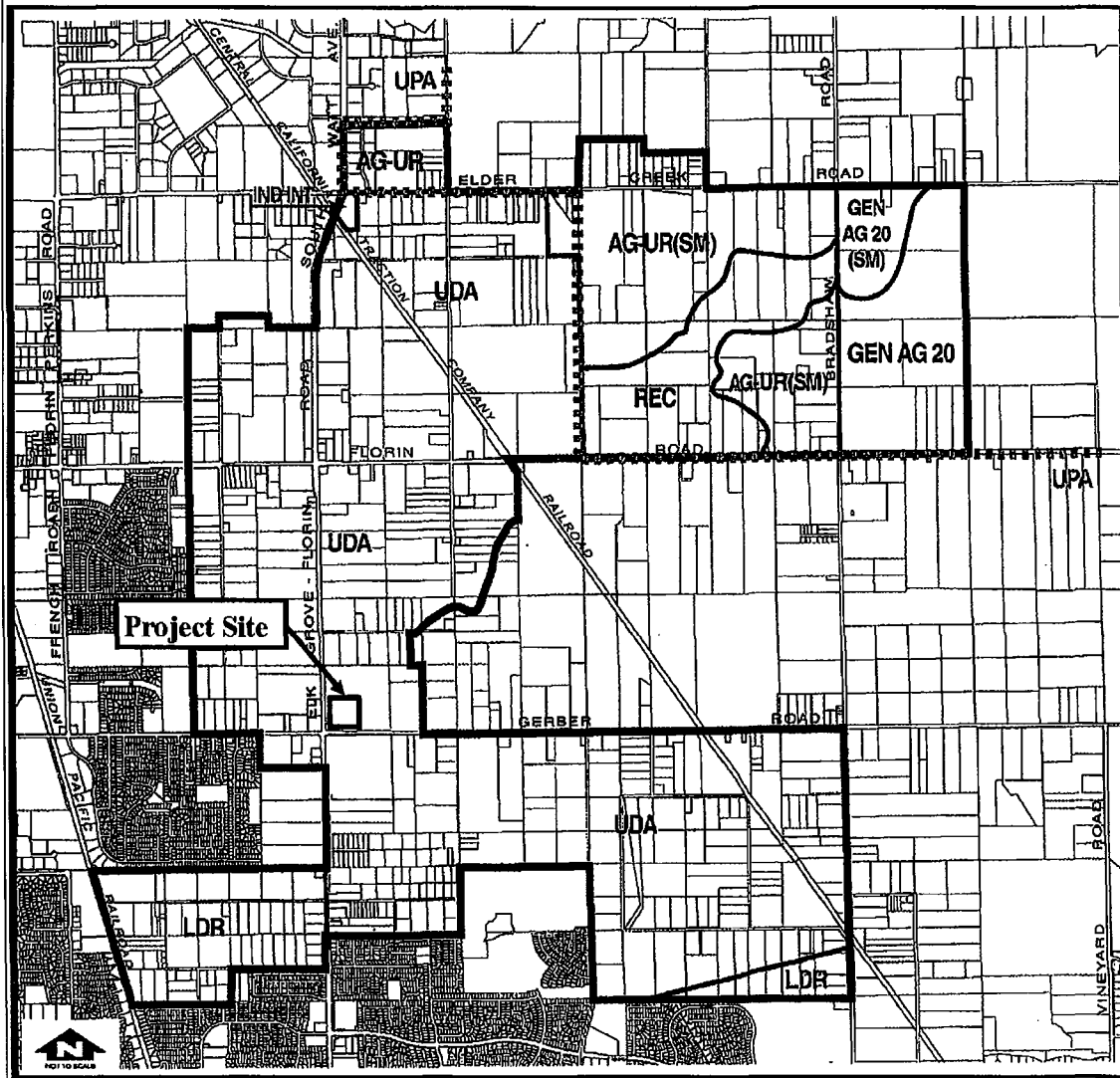
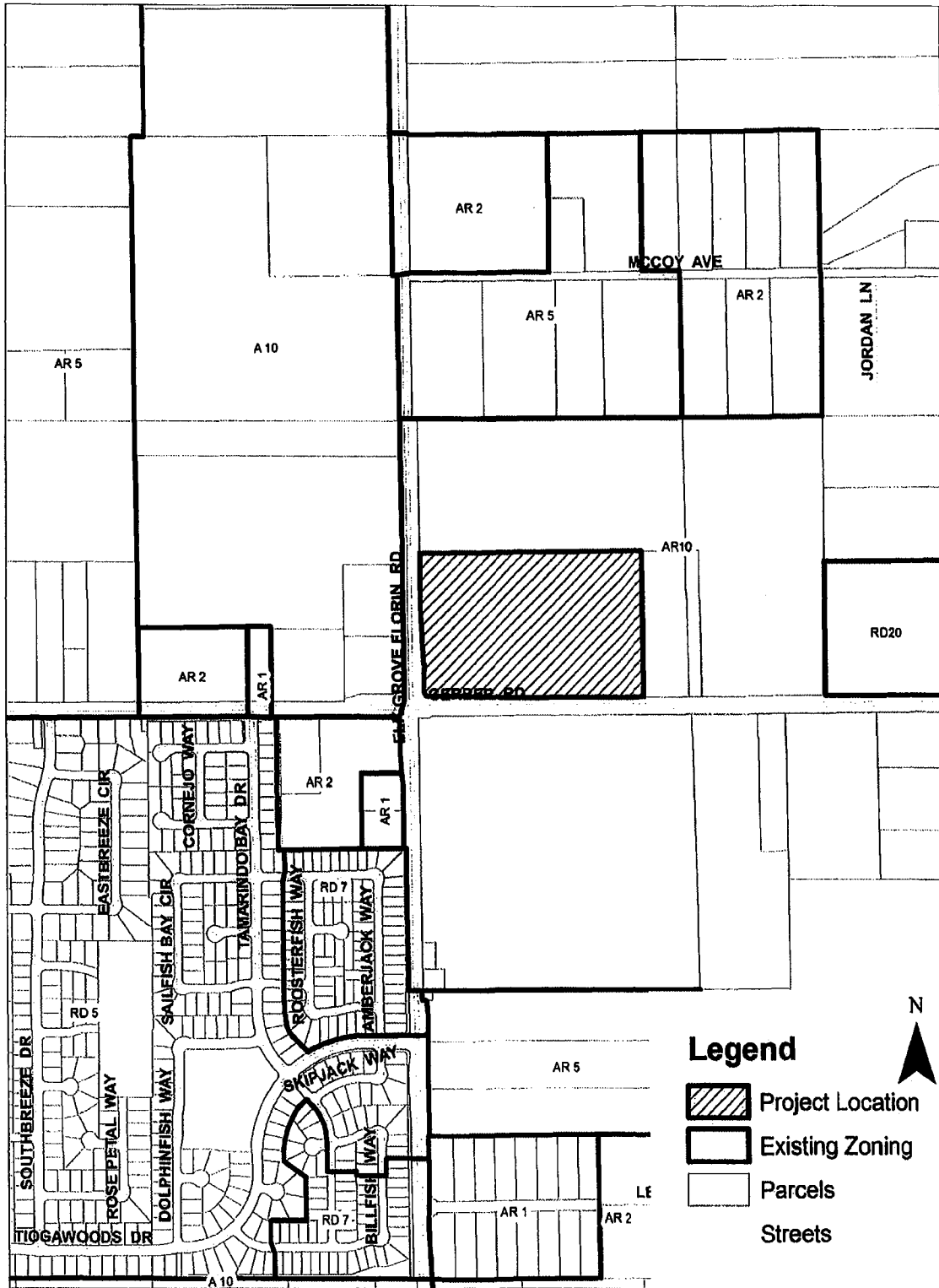


Plate EGR-1: Project Location and Existing Zoning



**COUNTY OF SACRAMENTO
INTER-OFFICE CORRESPONDENCE**

March 14, 2011

TO: PLANNING AND COMMUNITY DEVELOPMENT

FROM: CYNDI LEE, Clerk
Board of Supervisors

SUBJECT: **04-RZB-PMR-ABE-0139** - (VINEYARD / BOSCHEE)
**REZONE, TENTATIVE PARCEL MAP AND ABANDONMENT
TAYLOR/VILLAGE-SACRAMENTO INVESTMENTS** - Engineer: TSD
Engineering, Incorporated - Engineer: Edward Gillum - located at northeast corner
of Elk Grove-Florin Road and Gerber Road (8915 Gerber Road), in the Vineyard
community.

The Board of Supervisors, meeting in regular session on February 23, 2011, took the following actions on the above-referenced matter:

REZONE

Approved a Rezone by Ordinance No. **SZC-2011-0001** of approximately 18.4 acres from AR-10 (Agricultural-Residential) and AR-10(F) (Agricultural-Residential Flood Combining) to SC (Shopping Center), subject to the findings and conditions as outlined in Addendum No. 2.

TENTATIVE PARCEL MAP

Approved a Tentative Parcel Map to divide an approximately 18.4 gross acre parcel into five (5) parcels: Parcel 1 at approximately 12.52 gross acres, Parcel 2 at approximately 1.78 gross acres, Parcel 3 at approximately 1.20 gross acres, Parcel 4 at approximately .82 gross acres, and Parcel 5 at approximately .13 gross acres, subject to the findings and conditions as outlined in Addendum No. 2.

ABANDONMENT

Approved an Abandonment of excess right-of-way along Elk Grove Florin Road and Gerber Road.

The Board adopted the Mitigation Monitoring and Reporting Program. The complete file and copies of all documents are attached.

CL:am

Attachment: Ordinance No. SZC-2011-0001
Tentative Parcel Map conditions

cc: In house

ORDINANCE NO. SZC-2011-0001

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF SACRAMENTO COUNTY AMENDING THE
ZONING CODE OF SACRAMENTO COUNTY,
ORDINANCE NO. 83-10, AS AMENDED,
CHANGING THE LAND USE ZONE OF CERTAIN PROPERTY KNOWN AS
ASSESSOR'S PARCEL NO. 065-0080-101**

The Board of Supervisors of the County of Sacramento, State of California, ordains as follows:

SECTION 1: Section 101-124 of the Zoning Code of Sacramento County, Ordinance No. SZC 83-10, as amended, which incorporates Comprehensive Zoning Plan Unit No. 292/176, is amended to change the land use zone of the property described in Exhibit "A", which is attached hereto and incorporated herein as though set forth in full ("Subject Property"), and which is also commonly referred to and known as Assessor Parcel No. 065-0080-101 from the AR-10 and AR-10(F) to the SC for approximately 18.4 gross acres, as depicted on Exhibit "B".

SECTION 2: The change in the Land Use Zone for the Subject Property provided for in Section 1 hereof shall be subject to, and conditioned upon, compliance with all the conditions set forth in Exhibit "C", which is attached hereto and incorporated herein as though set forth in full.

SECTION 3: The conditions set forth in Exhibit "C" and incorporated herein shall run with the land and shall be directly enforceable by the County against the owner(s), successors and assigns of the Subject Property.

SECTION 4: The Board of Supervisors finds in connection with its adoption of this ordinance, and the imposition of the conditions enumerated in Exhibit "C" hereof and incorporated herein, that the owner of the Subject Property has consented to the imposition of the

conditions enumerated in Exhibit "C" hereof. This consent is memorialized in Exhibit "D" which is attached hereto and incorporated herein as though set forth in full.

SECTION 5: This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before expiration of fifteen (15) days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within the County of Sacramento, State of California.

On a motion by Supervisor Peters, seconded by Supervisor Nottoli, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 23rd day of February, 2011, by the following vote, to wit:

AYES: Supervisors, Nottoli, Peters, Serna, Yee, MacGlashan
NOES: Supervisors, None
ABSENT: Supervisors, None
ABSTAIN: Supervisors, None



Roberta MacGlashan

CHAIRPERSON, Board Of Supervisors
County of Sacramento, California

Cyndi Lee

In accordance with Section 26100 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on

FEB 23 2011

By *Allyson M. Mung*
Deputy Clerk, Board of Supervisors

FILED

FEB 23 2011

BOARD OF SUPERVISORS
BY *Cyndi Lee*
CLERK OF THE BOARD

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Sacramento

On March 15, 2011 before me, Gloria V. Rodgers, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Cyndi Lee
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gloria V. Rodgers
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

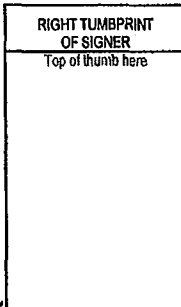
Capacity (ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer - Title(s): _____
- Partner - Limited General
- Attorney in Fact
- Trustee
- Guardian

Other: _____

Signer is Representing: _____



Signer's Name: _____

- Individual
- Corporate Officer - Title(s): _____
- Partner - Limited General
- Attorney in Fact
- Trustee
- Guardian

Other: _____

Signer is Representing: _____

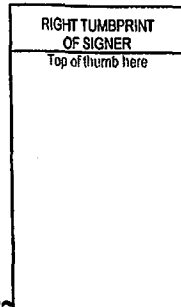


EXHIBIT A
LEGAL DESCRIPTION

PLEASE INSERT OFFICAL VERSION HERE
(WITH SURVEYOR SIGNATURE AND STAMP)

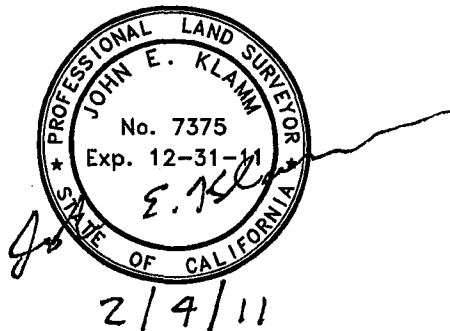
LEGAL DESCRIPTION

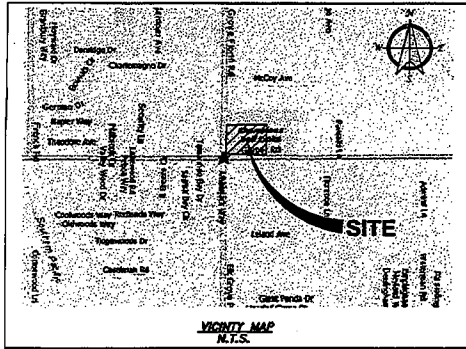
ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 5 EAST, M.D.M., BEING LOCATED AT THE CENTERLINE INTERSECTION OF ELK GROVE FLORIN ROAD AND GERBER ROAD AND BEING A 2 1/2" BRASS DISC STAMPED: "SAC. CO. DEPART. OF PUBLIC WORKS T7N, R5E, S1,S6,S12 AND S7 1997"; THENCE FROM THE POINT OF BEGINNING ALONG THE WEST LINE OF SECTION 6 NORTH 00°56'02" WEST, 714.57 FEET TO A POINT; THENCE NORTH 89°12'24" EAST, 1122.03 FEET; THENCE SOUTH 00°47'36" EAST, 717.85 FEET TO A POINT ON THE SOUTH LINE OF SECTION 6: THENCE ALONG THE SOUTH LINE OF SECTION 6, SOUTH 89°22'27" WEST, 1120.28 FEET TO THE POINT OF BEGINNING.

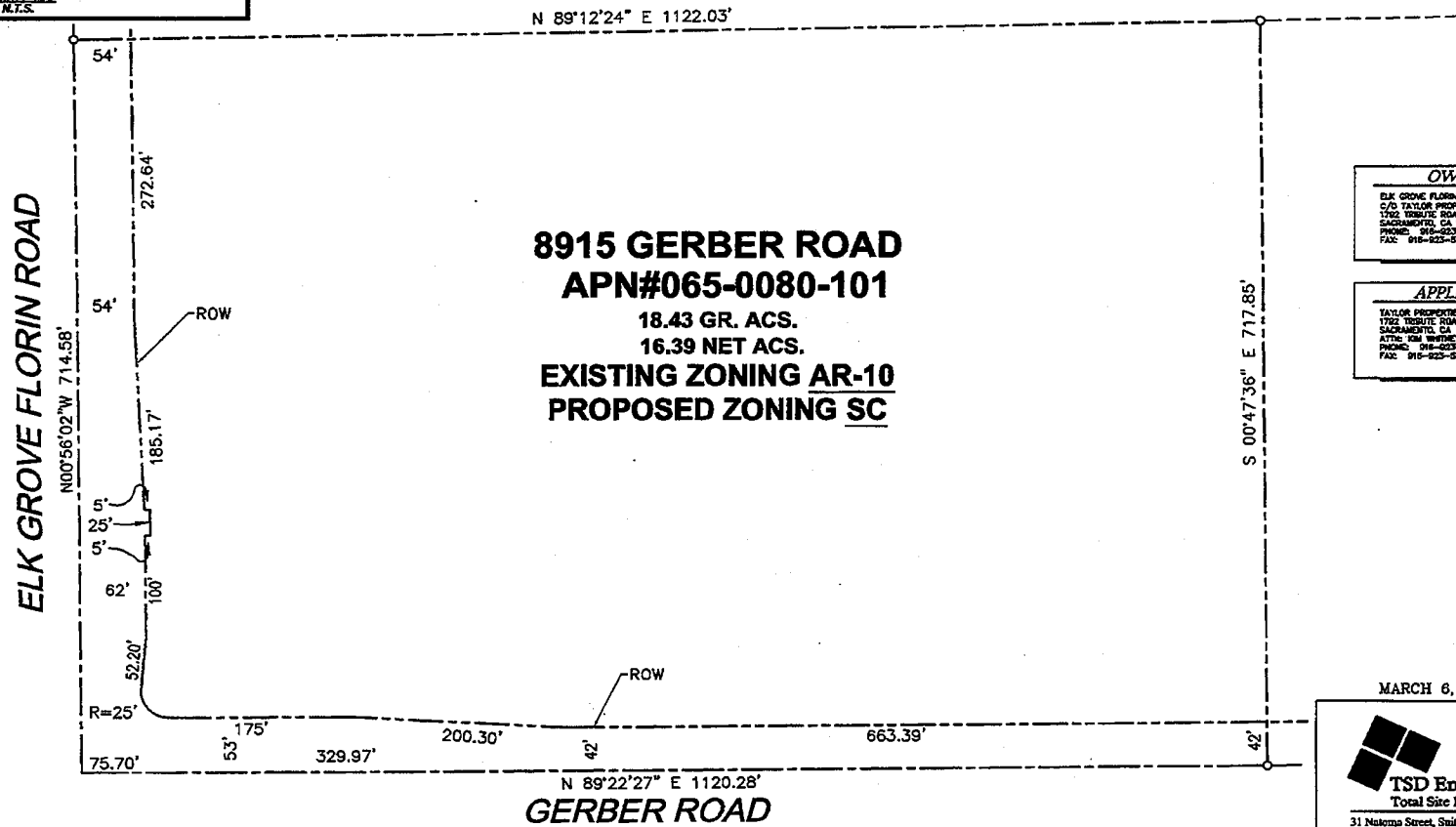
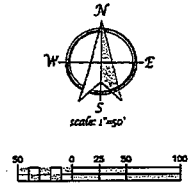
CONTAINING 18.43 GROSS ACRES MORE OR LESS.

THIS LEGAL DESCRIPTION IS BASED UPON LOT LINE ADJUSTMENT RESOLUTION NO. 06-BLS-0107 RECORDED MAY 2, 2006 IN BOOK 20060502 PAGE 2358, OFFICIAL RECORDS OF SACRAMENTO COUNTY.





REZONE EXHIBIT
GERBER - ELK GROVE FLORIN - NEC
CHAMPIONS GOLF COURSE
 SACRAMENTO COUNTY, CALIFORNIA
 TAYLOR PROPERTIES



OWNER
 ELK GROVE FLORIN CENTER, LLC
 C/O TAYLOR PROPERTIES CO.
 1702 TOSULITE ROAD, # 270
 SACRAMENTO, CA 95815
 PHONE: 916-923-0000
 FAX: 916-923-0003

APPLICANT
 TAYLOR PROPERTIES
 1702 TOSULITE ROAD, SUITE #270
 SACRAMENTO, CA 95815
 ATTN: IGM WHITNEY
 PHONE: 916-923-0000
 FAX: 916-923-0003

MARCH 6, 2007

TSD Engineering, Inc.
 Total Site Design
 31 Nakoma Street, Suite #160
 Folsom, CA 95630
 TEL: 916-608-0707 FAX: 916-608-0701

1702 TOSULITE ROAD, SUITE #270, SACRAMENTO, CA 95815

EXHIBIT C

Ordinance No. _____

1. Zoning shall be in accordance with Exhibit "B", which is the same as Exhibit "1" approved by the Board of Supervisors.
2. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:
 - a. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the MMRP. The MMRP fee for this project is \$7,900.00. This fee includes administrative costs of \$800.00
 - b. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.
3. Install public street improvements (including, but not limited to, curb, gutter, six-foot sidewalk, and pavement) on the project frontage along Elk Grove-Florin Road north of existing improvements based on a 96-foot modified thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. Note: Street lights shall be installed on the project frontage along Elk Grove-Florin Road along the entire frontage, where necessary, to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
4. Install public street improvements (including, but not limited to six-foot sidewalk) on the project frontage along Gerber Road east of existing improvements based on a 72-foot modified arterial pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. Note: Street lights shall be installed on the project frontage along Gerber Road along the entire frontage, where necessary, to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
5. The size, number and location of driveways shall be in substantial conformance with Exhibit "3" as attached (Fehr & Peers Access Evaluation, dated March 8, 2010) and to the satisfaction of the Department of Transportation. Note: Driveway widths of 45' shall be provided at all unsignalized locations on Elk Grove Boulevard and Gerber Road (*Sacramento Department of Transportation*).
6. The project's pedestrian access ramp at the Northeast corner of Elk Grove-Florin Road and Gerber Road must be upgraded (including, but not limited to, truncated domes and pedestrian push buttons) pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
7. Prior to the rezoning of the property, grant the County right-of-way for "A" Way based on a modified 60-foot standard from the right-of-way line of Elk Grove-Florin Road east to the commercial driveway and install Type 2 curb, gutter, and sidewalk on the south side pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).

8. Annex the subject properties to the County of Sacramento, Community Facilities District 2004-2 to support the maintenance of the landscaped medians. The annexation process takes approximately 6 months to complete. Contact Steve Hong 874-5368, Infrastructure Finance Section, Municipal Services Agency to initiate the annexation process. Final map recordation will not be approved until the annexation is complete (*Sacramento County Department of Transportation*).
9. Connection to the Sacramento Area Sewer District's (SASD) sewer system shall be required to the satisfaction of SASD. SASD Design Standards apply to any on and off-site sewer construction (*Sacramento Area Sewer District*).
10. Each lot, with the exception of proposed Parcel #5 (cell tower site), and each building with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or SASD public sewer line. A sewer connection to Parcel #5 will be required if the site is recommended for any alternative urban use. (*Sacramento Area Sewer District*).
11. In order to obtain sewer service, construction of SASD sewer infrastructure will be required. Sewer collector lines for this development will be connecting to an existing 18-inch sewer stub coming north from the existing 108-inch Bradshaw Interceptor (*Sacramento Area Sewer District*).
12. In order to provide sewer service to this property, a public sewer easement will have to be recorded and dedicated to SASD along the Gerber Road frontage through Parcels 065-0080-100 and 065-0080-099, which is a part of the Champion Oaks Residential (Control #2006-0709) development. The easement should be dedicated with the rezoning of the Champion Oaks Residential project. Public sewer easements will also have to be recorded on the Champion Oaks Commercial project, to serve future subdivided lots. Note- these easement locations can be determined at the development plan and design review stage (*Sacramento Area Sewer District*).
13. Sewer easements will be required. All sewer easements shall be dedicated to SASD, in a form approved by the District Engineer. All SASD sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. SASD will provide maintenance only in public right-of-ways and in easements dedicated to the SASD (*Sacramento Area Sewer District*).
14. SASD requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the SASD on a case by case basis. During the submission of the improvement plans, the applicant shall demonstrate that this condition is met (*Sacramento Area Sewer District*).
15. All structures along private drives shall have a minimum 10-foot setback (measured horizontally from edge of collector pipe to edge of structure) so that the SASD can properly

maintain the sewer line. During the submission of the improvement plans, the applicant shall demonstrate that this condition is met (*Sacramento Area Sewer District*).

16. Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code (*Water Resources Division*).
17. Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards (*Water Resources Division*).
18. The Florin Vineyard GAP Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval (*Water Resources Division*).
19. For commercial development, all drainage fees required by the FVGCP Public Facilities Financing Plan and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes estimated fair share contributions for the FVGCP and NVSSP drainage improvements and right-of-way acquisitions, shall satisfy the intent of this condition (*Water Resources Division*).
20. Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements (*Water Resources Division*).
21. Interim drainage solutions are discouraged by DWR. However, interim on-site improvements may be approved by DWR provided that 1) the project submits drainage studies which show that County Standards are met, and 2) prior to the issuance of grading plans, the project pays all drainage fees required including a fair share contribution for drainage improvements as described above (*Water Resources Division*).
22. Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream

drainage/flooding and water quality impacts, have been implemented (*Water Resources Division*).

23. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with *The Stormwater Quality Design Manual for the Sacramento & South Placer Regions*¹. Such implementation may be able to reduce the stormwater quality treatment requirement (*Water Resources Division*).
24. Provide a permanent concrete stamp, or other permanently applied message to the satisfaction of DWR not including paint, which reads "No Dumping-Flows to Creek" or other approved message at each storm drain inlet (*Water Resources Division*).
25. The Owner shall consent to the inclusion of this parcel within the Southgate Landscaping and Lighting Assessment District – Florin or West Vineyard Zone and the Florin-Vineyard Financing District, which will be a Landscaping and Lighting Assessment District or a Mello Roos Community Facilities District. The Owner shall notify all subsequent purchasers of parcels of land within this subdivision of the inclusion within said financing districts. These financing districts will be established by the District for purposes of funding maintenance and operations of capital improvements, open space, trails, and related park and recreation improvements for facilities directly associated with the Florin-Vineyard Community Plan projects (*Southgate Recreation and Park District*).
26. Water supply will be provided by the Sacramento County Water Agency (*Sacramento County Water Agency*).
27. Provide public water service to each building. Public water service will not be required for proposed Parcel #5 (cell tower site) unless an alternative urban use is proposed for the site. (*Sacramento County Water Agency*)
28. All water lines shall be located within a public right-of-way or within easements dedicated to SCWA. Easements shall be reviewed and approved by the Sacramento County Water Agency prior to Improvement Plan approval or Final Map approval (*Sacramento County Water Agency*).
29. Destroy abandoned wells and septic systems on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells and septic systems on the improvement plans for the project. Prior to abandoning any existing agricultural wells, the applicant shall use water from agricultural wells for grading and construction (*Sacramento County Water Agency*).
30. Prior to the issuance of building permits, require water intensive commercial and industrial building permit applicants to conduct a water use efficiency review and submit the findings in required environmental documentation for the project (*Sacramento County Water Agency*).
31. Prior to the issuance of building permits, require efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service (*Sacramento County Water Agency*).

32. Prior to the issuance of any building permits for the project, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Title 4 of the Sacramento County Water Agency (SCWA) Code *(Sacramento County Water Agency)*.
33. Prior to the issuance of any building permits for the project, the project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator *(Sacramento County Water Agency)*.
34. Contact Robert Hendrix, RT Facilities (916) 649-2759 to determine if a bus shelter pad shall be provided. If determined appropriate (by RT) provide a bus shelter pad as directed *(Regional Transit)*.
35. The applicant shall implement the following mitigation in order to reduce construction-related PM10 emission *(Sacramento Metropolitan Air Quality Management District)*:
 - a. Keep soil moist during grading and construction.
 - b. Maintain at least two feet of freeboard space on all haul trucks.
 - c. Use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.
36. Prior to the approval of Improvement Plans, Building Permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 4.6± acres of Swainson's hawk foraging habitat on the project site *(Sacramento County Department of Environmental Review and Assessment)*:
 - a. 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.
 - b. 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).
 - c. Should the County Board of Supervisors adopt a 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, which may exempt this project, the project proponent may be subject to that program instead.
37. If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk nests on the site and on nearby trees within ¼ mile of the site shall take place, and 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 (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during

the focused survey, no further mitigation will be required (*Sacramento County Department of Environmental Review and Assessment*).

38. The following shall be required for any construction activities within 300 feet of marsh or other wetland habitat that includes stands of bulrush, cattail, or blackberry bushes: In order to mitigate potential impacts to tricolor blackbird, two pre-construction surveys of suitable habitat shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of project construction. If tricolor blackbirds are found nesting within the survey area, project construction shall be postponed until fledging of all nestlings (about July 15). If no active nests are found during the survey, submit a written report with date and the name of the biologist to the Department of Environmental Review and Assessment; no further mitigation will be required. If construction is proposed outside the nesting season (the nesting season is March 1-July 15), no pre-construction surveys will be required (*Sacramento County Department of Environmental Review and Assessment*).
39. 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 Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find 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 5097.97 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 (*Sacramento County Department of Environmental Review and Assessment*).

40. The applicant shall comply with the design review provisions of Zoning Code Title I Article 11, and design standards adopted as part of the Florin-Vineyard Gap Community Plan. In addition, the design review shall be forwarded to the appropriate Community Planning Advisory Council (CPAC) for information (*Sacramento County Planning and Community Development Department*).
41. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing

“Implementation Plan”, including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project’s fair share funding obligation prior to the adoption of an “Implementation Plan”. For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the “Implementation Plan”, only if funding has been advanced to the County to prepare such an “Implementation Plan” and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the “Implementation Plan” has been prepared by the developer and approved by the County (*Infrastructure Financing Division*).

42. Prior to the recordation of a final map or issuance of a building permit, whichever may occur first, the property owner shall annex to County Service Area No. 10 (CSA 10) for the purpose of funding a variety of transportation demand management (TDM) services to implement an overall TDM strategy that will contribute to the goal of reducing vehicle trips and shall participate in CSA 10 by approving the levy of annual service charges. To activate annual property related service charges for CSA10, the protest ballot process is required by Proposition 218. In the event the property owners fail to approve either the annexation to CSA 10 or the service charge for CSA 10, no building permits shall be issued. The annexation and protest ballot process takes approximately three (3) months, and the applicants are advised to contact the County of Sacramento Infrastructure Finance Section at (916) 874-6525 at the earliest possible time to initiate the process. In no event shall a building permit be issued prior to the successful completion of protest ballot proceedings (*Infrastructure Financing Division*).
43. Comply with the SMAQMD endorsed Florin Vineyard gap Community Plan Air Quality Mitigation Program (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15 (*Department of Environmental Review and Assessment*).
44. Comply with the requirements of the SMAQMD endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of the project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development process (*Department of Environmental Review and Assessment*).
45. All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970s, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether

detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health (*Department of Environmental Review and Assessment*).

46. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health (*Department of Environmental Review and Assessment*).
47. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer (*Department of Environmental Review and Assessment*).
48. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department (*Department of Environmental Review and Assessment*).
49. All industrial or commercial 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 Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

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

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards (*Department of Environmental Review and Assessment*).

50. The project is subject to Sacramento County Street Improvement Standards adopted prior to November 1, 2009 (*Department of Transportation*).
51. The following measures apply if residential development occurs on the site, as permitted under SC zoning (*Department of Environmental Review and Assessment*).
 - a. All residential development projects within the identified 65 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) 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. Rubberized asphalt may be considered as mitigation for traffic noise where appropriate, subject to coordination with and approval by the County Department of Transportation. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.
 - b. All residential development projects within the identified 70 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to achieve an interior noise level of 45 dB Ldn or less. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

NOTE: Table N-10 of the EIR identifies that at this location the 65 dB contour is 174 feet from the centerline of Gerber Road and 288 feet from the centerline of Elk Grove-Florin Road, while the 70 dB contour is 81 feet from the centerline of Gerber Road and 134 feet from the centerline of Elk Grove-Florin Road.

52. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "Florin Vineyard Community Plan Construction of Phased Traffic Mitigation".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as

specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.

- b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.
53. Projects within the FVCP that front on the roadways listed in Table A-1 shall be subject to the requirements of the County policy concerning discontinuous roadway frontage improvements ("sawtooth"). Unless otherwise noted, projects subject to these requirements shall install roadway frontage improvements along logical segments of at least one-quarter mile in length, including the project's frontage. If the length of the project's conditioned on-site frontage improvements on a single roadway is equal to or greater than one-quarter mile, then the project will be deemed to have satisfied the logical segment condition for that roadway. If the project's on-site frontage improvements are less than one-quarter mile in length, the project shall install additional off-site frontage improvements in order to satisfy the logical segment condition. The location and limits of such off-site frontage improvements will be determined at the time of improvement plan approval and to the satisfaction of the Department of Transportation. Off-site frontage improvements shall include the construction of the outside travel lane, bike lane, and a six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. For thoroughfare roadways (ultimate six lanes) that are to be developed to an interim four-lane configuration, off-site frontage improvements shall consist of the second travel lane, bike lane and six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. Projects that front on more than one of the roadways listed in Table A-1 (including corner lots) shall be responsible for meeting the logical segment condition on each fronting roadway. ADVISORY NOTE: Due to the existing and proposed extent of the project's frontage improvements, the Gerber Road and Elk Grove-Florin Road logical roadway segments requirement is satisfied by the onsite improvements for the Champion Oaks Commercial Development project (Control No. 20040139).

Table A-1: Florin Vineyard Community Plan Roadways Subject to Logical Segments:

- Bradshaw Road

- Elder Creek Road
- Elk Grove-Florin Road
- Gerber Road
- Florin Road
- South Watt Avenue
- Waterman Road

EXHIBIT "D"

CONSENT OF OWNER(S) TO IMPOSITION OF REZONE CONDITIONS

I am one of the owners of that real property which is described in Exhibit "A" of the Zoning Ordinance, which is attached thereto and incorporated therein as though set forth in full ("Subject Property"), and which is also commonly referred to and known as Assessor Parcel No. 065-0080-101. As the record owner of the Subject Property, I have applied to have the Subject Property rezoned from AR-10 and AR-10(F) to SC Land Use Zone.

On behalf of all other record owners of the Subject Property, I understand that certain conditions have been attached to the rezoning of the Subject Property. I acknowledge that those rezone conditions are enumerated in Exhibit "C" of this Zoning Ordinance, which is attached thereto and incorporated therein as though set forth in full ("Rezone Conditions").


On behalf of myself and all other record owners of the Subject Property, I hereby represent that I have received a copy of the Zoning Ordinance, including Exhibits "A", "B" and "C" in their entirety, and have carefully reviewed and fully understand the Rezone conditions set forth in Exhibit "C". In my capacity as owner, and authorized representatives of all other record owners, of the Subject Property, I consent to the imposition of the Rezone Conditions and agree fully comply with the Rezone Conditions.

DATED : 2/4/11

Elk Grove Florin Gerber, LLC
a California limited liability company

By: Taylor EGF Gerber, LP,
Member

By: Taylor Land Investors, LLC
General Partner

By: 
Name: Timothy J. Trench
Its: Manager

**THE FOLLOWING IS A COMPLETE SET OF CONDITIONS, INCLUDING APPLICABLE AMENDMENTS,
APPROVED BY THE BOARD OF SUPERVISORS ON FEBRUARY 23, 2011.**

**TENTATIVE PARCEL MAP
CHAMPION OAKS COMMERCIAL DEVELOPMENT
2004-RZB-PMR-ABE-0139
Assessor's Parcel No. 065-0080-101**

CONDITIONS OF APPROVAL:

1. The development approved by this action is for four (4) lots in substantial compliance with Exhibit "2" (Tentative Parcel Map).
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.
3. The Improvement Requirement Certificate shall contain an indication that public sewer and water are required.
4. Provide access arrangements and install working fire hydrants which meet the required fire flow demands pursuant to the requirements of the Sacramento Metropolitan Fire District prior to any combustible construction.
5. Install public street improvements (including, but not limited to, curb, gutter, six-foot sidewalk, and pavement) on Elk Grove-Florin Road north of existing improvements based on a 96-foot modified thoroughfare pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. Note: Street lights shall be installed on Elk Grove-Florin Road along entire frontage, where necessary, to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
6. Install public street improvements (including, but not limited to six-foot sidewalk) on Gerber Road east of existing improvements based on a 72-foot modified arterial pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. Note: Street lights shall be installed on Gerber Road along entire frontage, where necessary, to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
7. The size, number and location of driveways shall be in substantial conformance with Exhibit "3" as attached (Fehr & Peers Access Evaluation, dated March 8, 2010) and to the satisfaction of the Department of Transportation. Note: Driveway widths of 45' shall be provided at all unsignalized locations on Elk Grove Boulevard and Gerber Road (*Sacramento Department of Transportation*).
8. The project's pedestrian access ramp at the Northeast corner of Elk Grove-Florin Road and Gerber Road must be upgraded (including, but not limited to, truncated domes and pedestrian push buttons) pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).

CHAMPION OAKS COMMERCIAL DEVELOPMENT - FINAL

2004-RZB-PMR-ABE-0139

065-0080-101

9. Prior to the rezoning of the property, grant the County right-of-way for "A" Way based on a modified 60-foot standard from the right-of-way line of Elk Grove-Florin Road east to the commercial driveway and install Type 2 curb, gutter, and sidewalk on the south side pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation (*Sacramento Department of Transportation*).
10. Annex the subject properties to the County of Sacramento, Community Facilities District 2004-2 to support the maintenance of the landscaped medians. The annexation process takes approximately 6 months to complete. Contact Steve Hong 874-5368, Infrastructure Finance Section, Municipal Services Agency to initiate the annexation process. Final map recordation will not be approved until the annexation is complete (*Sacramento County Department of Transportation*).
11. Connection to the Sacramento Area Sewer District's (SASD) sewer system shall be required to the satisfaction of SASD. SASD Design Standards apply to any on and off-site sewer construction (*Sacramento Area Sewer District*).
12. Each lot and each building with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or SASD public sewer line (*Sacramento Area Sewer District*).
13. In order to obtain sewer service, construction of SASD sewer infrastructure will be required. Sewer collector lines for this development will be connecting to an existing 18-inch sewer stub coming north from the existing 108-inch Bradshaw Interceptor (*Sacramento Area Sewer District*).
14. In order to provide sewer service to this property, a public sewer easement will have to be recorded and dedicated to SASD along the Gerber Road frontage through Parcels 065-0080-100 and 065-0080-099, which is a part of the Champion Oaks Residential (Control #2006-0709) development. The easement should be dedicated with the rezoning of the Champion Oaks Residential project. Public sewer easements will also have to be recorded on the Champion Oaks Commercial project, to serve future subdivided lots. Note- these easement locations can be determined at the development plan and design review stage (*Sacramento Area Sewer District*).
15. Sewer easements will be required. All sewer easements shall be dedicated to SASD, in a form approved by the District Engineer. All SASD sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. SASD will provide maintenance only in public right-of-ways and in easements dedicated to the SASD (*Sacramento Area Sewer District*).
16. SASD requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the SASD on a case by case basis. During the submission of the

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improvement plans, the applicant shall demonstrate that this condition is met (*Sacramento Area Sewer District*).

17. All structures along private drives shall have a minimum 10-foot setback (measured horizontally from edge of collector pipe to edge of structure) so that the SASD can properly maintain the sewer line. During the submission of the improvement plans, the applicant shall demonstrate that this condition is met (*Sacramento Area Sewer District*).
18. Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code (*Water Resources Division*).
19. Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards (*Water Resources Division*).
20. The Florin Vineyard GAP Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval (*Water Resources Division*).
21. For commercial development, all drainage fees required by the FVGCP Public Facilities Financing Plan and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes estimated fair share contributions for the FVGCP and NVSSP drainage improvements and right-of-way acquisitions, shall satisfy the intent of this condition (*Water Resources Division*).
22. Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements (*Water Resources Division*).
23. Interim drainage solutions are discouraged by DWR. However, interim on-site improvements may be approved by DWR provided that 1) the project submits drainage studies which show that County Standards are met, and 2) prior to the issuance of grading

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- plans, the project pays all drainage fees required including a fair share contribution for drainage improvements as described above (*Water Resources Division*).
24. Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented (*Water Resources Division*).
 25. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with *The Stormwater Quality Design Manual for the Sacramento & South Placer Regions*¹. Such implementation may be able to reduce the stormwater quality treatment requirement (*Water Resources Division*).
 26. Provide a permanent concrete stamp, or other permanently applied message to the satisfaction of DWR not including paint, which reads "No Dumping-Flows to Creek" or other approved message at each storm drain inlet (*Water Resources Division*).
 27. The Owner shall consent to the inclusion of this parcel within the Southgate Landscaping and Lighting Assessment District – Florin or West Vineyard Zone and the Florin-Vineyard Financing District, which will be a Landscaping and Lighting Assessment District or a Mello Roos Community Facilities District. The Owner shall notify all subsequent purchasers of parcels of land within this subdivision of the inclusion within said financing districts. These financing districts will be established by the District for purposes of funding maintenance and operations of capital improvements, open space, trails, and related park and recreation improvements for facilities directly associated with the Florin-Vineyard Community Plan projects (*Southgate Recreation and Park District*).
 28. Water supply will be provided by the Sacramento County Water Agency (*Sacramento County Water Agency*).
 29. Provide public water service to each building (*Sacramento County Water Agency*).
 30. All water lines shall be located within a public right-of-way or within easements dedicated to SCWA. Easements shall be reviewed and approved by the Sacramento County Water Agency prior to Improvement Plan approval or Final Map approval (*Sacramento County Water Agency*).
 31. Destroy abandoned wells and septic systems on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells and septic systems on the improvement plans for the project. Prior to abandoning any existing agricultural wells, the applicant shall use water from agricultural wells for grading and construction (*Sacramento County Water Agency*).
 32. Prior to the issuance of building permits, require water intensive commercial and industrial building permit applicants to conduct a water use efficiency review and submit the findings

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- in required environmental documentation for the project (*Sacramento County Water Agency*).
33. Prior to the issuance of building permits, require efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service (*Sacramento County Water Agency*).
 34. Prior to the issuance of any building permits for the project, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Title 4 of the Sacramento County Water Agency (SCWA) Code (*Sacramento County Water Agency*).
 35. Prior to the issuance of any building permits for the project, the project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator (*Sacramento County Water Agency*).
 36. Contact Robert Hendrix, RT Facilities (916) 649-2759 to determine if a bus shelter pad shall be provided. If determined appropriate (by RT) provide a bus shelter pad as directed.
 37. The applicant shall implement the following mitigation in order to reduce construction-related PM10 emission (*Sacramento Metropolitan Air Quality Management District*):
 - a. Keep soil moist during grading and construction.
 - b. Maintain at least two feet of freeboard space on all haul trucks.
 - c. Use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.
 38. Prior to the approval of Improvement Plans, Building Permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 4.6± acres of Swainson's hawk foraging habitat on the project site (*Sacramento County Department of Environmental Review and Assessment*):
 - a. 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.
 - b. 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).
 - c. Should the County Board of Supervisors adopt a 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, which may exempt this project, the project proponent may be subject to that program instead.

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39. If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk nests on the site and on nearby trees within ¼ mile of the site shall take place, and 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 (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required (*Sacramento County Department of Environmental Review and Assessment*).
40. The following shall be required for any construction activities within 300 feet of marsh or other wetland habitat that includes stands of bulrush, cattail, or blackberry bushes: In order to mitigate potential impacts to tricolor blackbird, two pre-construction surveys of suitable habitat shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of project construction. If tricolor blackbirds are found nesting within the survey area, project construction shall be postponed until fledging of all nestlings (about July 15). If no active nests are found during the survey, submit a written report with date and the name of the biologist to the Department of Environmental Review and Assessment; no further mitigation will be required. If construction is proposed outside the nesting season (the nesting season is March 1-July 15), no pre-construction surveys will be required (*Sacramento County Department of Environmental Review and Assessment*).
41. 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 Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find 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 5097.97 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 (*Sacramento County Department of Environmental Review and Assessment*).

42. The applicant shall comply with the design review provisions of Zoning Code Title I Article 11, and design standards adopted as part of the Florin-Vineyard Gap Community Plan. In addition, the design review shall be forwarded to the appropriate Community Planning Advisory Council (CPAC) for information (*Sacramento County Planning and Community Development Department*).
43. Comply with the SMAQMD ~~approved~~ endorsed Florin Vineyard gap Community Plan Air Quality Mitigation Program (March 26, 2008), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15 (*Department of Environmental Review and Assessment*).

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44. Comply with the requirements of the SMAQMD endorsed FVGCP Climate Change Plan, dated ~~11-6-2008~~ January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of the project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development process (*Department of Environmental Review and Assessment*).
45. All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970s, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health (*Department of Environmental Review and Assessment*).
46. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health (*Department of Environmental Review and Assessment*).
47. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer (*Department of Environmental Review and Assessment*).

48. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department (*Department of Environmental Review and Assessment*).
49. All industrial or commercial 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 Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:
 - Mechanical building equipment, including HVAC systems;
 - Loading docks and associated truck routes;
 - Refuse pick up locations; and
 - Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards (*Department of Environmental Review and Assessment*).

50. The project is subject to Sacramento County Street Improvement Standards adopted prior to November 1, 2009 (*Department of Transportation*).
51. The following measures apply if residential development occurs on the site, as permitted under SC zoning (*Department of Environmental Review and Assessment*).
 - a. All residential development projects within the identified 65 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) 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. Rubberized asphalt may be considered as mitigation for traffic noise where appropriate, subject to coordination with and approval by the County Department of Transportation. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.
 - b. All residential development projects within the identified 70 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to achieve an interior noise level of 45 dB Ldn or less. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical

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consultant, shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

NOTE: Table N-10 of the EIR identifies that at this location the 65 dB contour is 174 feet from the centerline of Gerber Road and 288 feet from the centerline of Elk Grove-Florin Road, while the 70 dB contour is 81 feet from the centerline of Gerber Road and 134 feet from the centerline of Elk Grove-Florin Road.

52. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "Florin Vineyard Community Plan Construction of Phased Traffic Mitigation".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.
53. Projects within the FVCP that front on the roadways listed in Table A-1 shall be subject to the requirements of the County policy concerning discontinuous roadway frontage improvements ("sawtooth"). Unless otherwise noted, projects subject to these requirements shall install roadway frontage improvements along logical segments of at least one-quarter mile in length, including the project's frontage. If the length of the project's conditioned on-site frontage improvements on a single roadway is equal to or greater than one-quarter mile, then the project will be deemed to have satisfied the logical segment condition for that roadway. If the project's on-site frontage improvements are less than one-quarter mile in length, the project shall install additional off-site frontage improvements in order to satisfy the logical segment condition. The location and limits of such off-site frontage improvements will be determined at the time of improvement plan approval and to the satisfaction of the Department of Transportation. Off-site frontage improvements shall include the construction of the outside travel lane, bike lane, and a six-foot paved pedestrian

walkway separated from the roadway by a roadside ditch. For thoroughfare roadways (ultimate six lanes) that are to be developed to an interim four-lane configuration, off-site frontage improvements shall consist of the second travel lane, bike lane and six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. Projects that front on more than one of the roadways listed in Table A-1 (including corner lots) shall be responsible for meeting the logical segment condition on each fronting roadway.

ADVISORY NOTE: Due to the existing and proposed extent of the project's frontage improvements, the Gerber Road and Elk Grove-Florin Road logical roadway segments requirement is satisfied by the onsite improvements for the Champion Oaks Commercial Development project (Control No. 20040139).

Table A-1: Florin Vineyard Community Plan Roadways Subject to Logical Segments:

- Bradshaw Road
- Elder Creek Road
- Elk Grove-Florin Road
- Gerber Road
- Florin Road
- South Watt Avenue
- Waterman Road

54. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:
- a. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the MMRP. The MMRP fee for this project is \$7,900.00. This fee includes administrative costs of \$800.00
 - b. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved; Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.
55. SRCSD requires continuous access to its pipelines and facilities at all times. Any proposed improvement that restricts or limits SRCSD access to its easement for the purpose of construction, maintenance, operation, and repair of SRCSD facilities shall not be allowed within the existing SRCSD easement (*Sacramento Regional County Sanitation District*).
56. The improvement plans shall clearly delineate and identify all existing SRCSD easements, interceptors, and facilities (*Sacramento Regional County Sanitation District*).
57. Deep rooted trees, trees with a mature growth of more than five feet, oak trees and other environmentally protected species, shall not be permitted within SRCSD's existing easement (*Sacramento Regional County Sanitation District*).

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58. Permanent structures, walls/sound walls, and footings shall not be permitted within the existing SRCSD easement (*Sacramento Regional County Sanitation District*).
59. Special paving and any concrete with architectural finish shall not be placed within the existing SRCSD easement (*Sacramento Regional County Sanitation District*).
60. Gates impeding access to existing SRCSD easements and facilities shall meet SRCSD standards for accessibility (*Sacramento Regional County Sanitation District*).
61. Any proposed utility crossing of an SRCSD interceptor shall have a minimum vertical clearance of 5-feet (*Sacramento Regional County Sanitation District*).
62. Any proposed utility crossing of an SRCSD interceptor shall be a maximum of 45 degrees from that line that is perpendicular to the centerline of the interceptor (*Sacramento Regional County Sanitation District*).
63. SRCSD manholes shall not be located within curb, gutter, or sidewalks (*Sacramento Regional County Sanitation District*).
64. Parallel utilities (water, drain, electrical, etc.) shall not be allowed within the existing SRCSD easement area, unless express written approval is obtained from the District Engineer (*Sacramento Regional County Sanitation District*).
65. Direct lateral connections to the SRCSD interceptor system shall not be permitted (*Sacramento Regional County Sanitation District*).

FINDINGS:

1. With the adoption of the Florin-Vineyard Gap Community Plan, the request is consistent with the County General Plan Map Urban Development Area Designation and Text in that no policy conflicts have been identified.
2. The request is consistent with the two proposed Florin-Vineyard Gap Community Plan Land Use Maps (Citizens Advisory Committee and Planning Department Alternatives).
3. The proposed development will conform to applicable Zoning Code regulations for the Shopping Center (SC) zone.
4. Identified environmental effects and suggested mitigation measures have been taken into consideration.
5. Staff has identified no effects from the proposal which would result in a significant detrimental impact on adjoining or neighboring properties.
6. The proposed lots will conform to the Zoning Code as to size, frontage and width requirements.

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7. The proposed lots will be compatible with the predominant neighborhood pattern of development.
8. All required findings as set forth in the State Map Act and the County Land Development Ordinance can be made in the affirmative.

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

*1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458*

November 6, 2013

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

**RE: PROPOSED CITY OF ELK GROVE SPHERE OF INFLUENCE
AMENDMENT (L AFC 09-10) (CEQA EIR SCH #2010092076)**

**CONTACT: Don Lockhart AICP, Assistant Executive Officer
(916) 874-2937 (Don.Lockhart@SacLAFCo.org)**

EXECUTIVE OFFICER'S RECOMMENDATION:

- 1. Adopt L AFC Resolution No. 2013-10-1106-09-10:** A Resolution of the Sacramento Local Agency Formation Commission Certifying the Final Environmental Impact Report for the City of Elk Grove Sphere of Influence Amendment [State Clearing House No. 2010092076].
- 2. Adopt L AFC Resolution No. 2013-11-1106-09-10:** A Resolution of the Sacramento Local Agency Formation Commission Adopting Findings of Fact and A Statement of Overriding Considerations for the City of Elk Grove Sphere of Influence Amendment.
- 3. Adopt L AFC Resolution No. 2013-12-1106-09-10:** A Resolution of the Sacramento Local Agency Formation Commission Adopting a Mitigation Monitoring and Reporting Program for the City of Elk Grove Sphere of Influence Amendment.
- 4. Adopt L AFC Resolution No. 2013-13-1106-09-10:** A Resolution of the Sacramento Local Agency Formation Commission 1) Making Written Determinations for the City of Elk Grove Municipal Services Review; and 2) Determinations Approving the City of Elk Grove Sphere of Influence Amendment.

EXECUTIVE OFFICER'S SUMMARY:

The City of Elk Grove has submitted a proposal to establish an amended Sphere of Influence. The City has proposed that the Sphere be approximately 7,869 acres. The City's application states the following reasons for this request:

This proposal is being filed to include the areas immediately south and southeast of the current City of Elk Grove within the City's Sphere of Influence (SOI). Current land use projections indicate that future growth will require additional lands outside of the City boundary. The City's available residential, industrial, and commercial land base is in the process of building out. The City is expected to continue its growth and would be unable to accommodate all anticipated growth within the City. SACOG projections indicate that employment land uses could more than double and housing land uses could almost double during their planning period analyzed. As a result, the City needs to establish a direction to accommodate its anticipated future growth by defining the area to be considered for long-term planning.

The City Council is initiating long term planning of the areas south and southeast of the City to ensure proper and orderly growth of the City, while supporting the preservation of agricultural and open space activities and uses. The City's General Plan designated the proposed SOI areas as 'Urban Study Area', which envisioned where growth would be most likely to occur. The City Council directed staff to begin the process of comprehensively planning the future growth areas on January 24, 2007. The first step of the process is to define the planning boundaries.

The City's existing SOI is coterminous with the City's boundaries. A larger SOI is needed, according to the Application, to define the City's probable boundaries and service area, which will be used for future long-term planning efforts.

Once the City's SOI is amended, the City will begin detailed planning for these areas. An approved SOI will allow the City to guide the future studies and to begin master planning for the area. Currently, there are no formal land use plans for the area. The area is not currently planned for any specific uses. Future in-depth analysis and planning is needed to determine specific land use and development.

At the present time, the proposed area does not need traditional urban services, as the area is primarily rural and agricultural. In addition, no land use changes are proposed at this time. Present needs for public facilities and services in the proposal area are being met by existing providers, private parties, or not needed. As the area is currently rural and agricultural, the demand for public services is low. There is no present need for additional public facilities and services in the proposal area. As no specific land use plan has been defined, existing uses are expected to remain the same. Existing service providers are expected to continue the current service level. Addition of the SOI Amendment area would cause no

additional immediate demand for municipal services, public facilities, or the financing of such facilities.

If anticipated growth is to occur, an expansion of public facilities and services to serve the area would be needed. Since there are no proposed development or land use changes, the demand and requirements for specific service expansions/extensions, financing, and timing cannot be established. Expansion of the City's SOI into the SOI Amendment area will provide direction to municipal water service providers about the location and extent of the City's growth. This will allow the provider to conduct long term planning to ensure adequate services and infrastructure are available to serve the anticipated growth of the City.

Under the law, the SOI is a plan for the probable physical boundaries and service area for the City. The purpose of the SOI is to provide for the present and future needs of the community. Anticipated growth of the area will require adequate planning for long term growth. Probable needs for new and expanded public facilities and services to support anticipated growth in the area have been analyzed in the Municipal Service Review, Infrastructure Section.

The Purpose of a Sphere of Influence

The *primary purpose* of a sphere of influence is a long range policy planning tool to be used by your Commission, the city, and municipal service providers to facilitate and develop planning and financing strategies to accommodate future growth in population and employment. A sphere may guide the direction of growth, but it does not drive the timing of growth.

A Sphere of Influence is defined as "a plan for the probable physical boundaries and service area of a local agency as determined by the Commission."

A Sphere of Influence does not change land use or give the affected agency (City of Elk Grove) any land use authority or entitlements. The Sphere only establishes a policy planning area to be used by the City and other affected agencies to effectively plan for growth as stated in the City's application.

Process

Sacramento LAFCo has prepared a Municipal Service Review and an Environmental Impact Report for this project. In addition, there has been extensive outreach to affected agencies, the Elk Grove community, the environmental community, and land owners affected by this project.

Analysis-Land Inventory and Proposed SOIA

The following table represents the current land inventory within the City of Elk Grove:

	Acres
Developed Land within City Boundary	14,021
Sheldon/Triangle (Rural Residential)	6,323
Projects In Development Phase	1,955
Projects Pending	458
Preserved	1,345
Vacant-No Projects Pending	2,872
Total Acres in the City of Elk Grove	26,974
SOIA Request	7,869
Total Acres	34,843

City SOIA Application

The City application for 7,869 acres represents a potential SOI increase of approximately 29 percent. It should be noted that the City of Elk Grove has significantly reduced its original request from almost 15,000 acres to 7,869 acres. The City of Elk Grove is either surrounded by the City of Sacramento and unincorporated existing and/or approved development to the north and open space, flood plain, and habitat constraints on the south, east, and west. It appears that the 7,869 would be the City's ultimate Sphere based on the existing constraints described above. The City has also stated in its application that this would be the City's ultimate Sphere of Influence boundary.

Currently, the City of Elk Grove has approximately 2,872 acres within the city limits that are not entitled. This represents approximately 11 percent of the area. The City of Elk Grove map dated May 24, 2013 illustrates that much of this acreage is fragmented throughout the City except for approximately 1,200 acres known as the "Southeast Planning Area" located along the southern boundary of the City. The City of Elk Grove is currently developing a land use plan for this area.

This is the largest remaining unentitled area within the City limits. Based on current market conditions, the undeveloped and unentitled areas within the City should be able to accommodate near term growth, however, the city is seeking a Sphere to meet its estimated long term growth projections and encourage new job growth to improve the jobs-housing balance.

The Enhanced Regional Alternative (ERA) under the Final Environmental Impact Report (FEIR) is a reduced sphere alternative and contains approximately 4,040 acres or would represent an increase of approximately 15 percent to City acreage.

The following table summarizes these two alternatives:

	Acres	Increase
City Limits (SOI Coterminous)	26,974	–
SOIA Application	7,869	29%
Enhanced Regional Alternative	4,040	15%

While the proposed SOIA request (application) of 7,869 acres represents an increase of about 29 percent, there are several potential development constraints within the proposed SOIA boundary. These constraints while not all permanent would likely have an impact on the potential timing of annexations and/or development for some of these areas. The following table summarizes these constraints:

Constraint	Acres
Flood Plain	987
Solar Farms	315
Vineyards	1,214
Total	2,516

The potential land constraints contain approximately 2,516 acres. Except for the lands within the flood plain, typically, solar farm and vineyard contracts range from 10 to 20 years with the option for one or more 5-year extensions. Factoring in these intermediate land use constraints, the effective size of the developable area is reduced to about 5,353 acres or approximately a 20 percent increase to the current SOI.

The following table illustrates the percent of area within the respective city Spheres of Influence within Sacramento County:

City	Sphere of Influence Area
City of Folsom (prior to annexation)	23.5%
City of Sacramento	23.5%
City of Galt	142.0%
City of Rancho Cordova	Coterminous Sphere
City of Citrus Heights	Coterminous Sphere
City of Isleton	Coterminous Sphere
Note: The incorporation of Rancho Cordova included a relatively large unentitled and undeveloped area to accommodate future growth. The City of Citrus Heights is surrounded by urban uses.	

Compared to other jurisdictions within Sacramento County, the City of Elk Grove Sphere of Influence application for 7,869 acres appears to be similar to Spheres of Influence for the City of Folsom and the City of Sacramento.

Analysis of Agricultural Lands within the Proposed SOIA Boundary

Government Code Section 56377 sets forth LAFCo requirements to avoid the conversion of Prime Agricultural Lands and open space, unless it fails to promote orderly growth:

In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

- a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
- b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.

As stated previously, the City of Elk Grove Sphere of Influence is coterminous with its City boundary and the City is generally surrounded on the north, east, and west by existing development as well as habitat and open space constraints. The only logical and orderly way for the City to grow is along its southern and southeastern boundaries. As a result, growth in this direction impacts Prime Farmland, Farmland of Statewide Importance, and habitat areas.

The Enhanced Regional Alternative contains approximately 4,040 acres located both inside and outside the County Urban Services Boundary (USB). Approximately one-half of the Enhanced Regional Alternative is located within the County USB and approximately one-half is located outside of the County USB. The area (approximately 2,064) located outside of the USB is generally consistent with the SACOG Blueprint. The SACOG Blueprint is a policy document for long range transportation planning and funding.

The Enhanced Regional Alternative contains Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance.

The table below shows the allocation of farmland by major types within the Enhanced Regional Alternative.

Distribution of Farmland Type within Enhanced Regional Alternative			
	Acres	Prime Farmland	Statewide Importance
Enhanced Regional Alternative	4,040	151.2	1,640.6
Area within USB	2,064	0	368
Area Outside USB	1,976	151.2	1,272.6

As a result of the potential impact to agricultural lands, habitat, and open space lands, it is recommended that mitigation measures be imposed to preserve these resources lands if areas are annexed to the City.

The recommended mitigation measure for the conversion of agricultural land within the proposed Sphere of Influence is summarized as follows:

The City will require that applicants protect one (1) acre of existing farmland of equal or higher quality for each acre of Prime, Unique, or Farmland of Statewide Importance that would be developed as a result of the project.

In addition, the City will be required to mitigate for the loss of habitat and other biological resources as determined by State and Federal regulatory agencies. If approved, the City is also required to comply with the terms and conditions of any adopted habitat conservation plan. Finally, Terms and Conditions have been proposed to require the City to utilize its existing inventory of vacant land within the City prior to requesting annexation of new territory.

Executive Officer Recommendation

LAFCo recognizes that a city may need to grow to meet both population and employment demand occurring in the city and the region. The SOI allows the City and affected Special Districts to develop long range plans for that growth which include municipal service plans, infrastructure and financing plans.

No city approved growth or related impacts will occur in the SOI Area until it is annexed and development projects are under construction. In addition, annexations are subject to LAFCo terms and conditions as recommended in this Report, CEQA mitigation measures as stated in the FEIR, and additional LAFCo and CEQA review and analysis, which may impose additional conditions as well as mitigation measures.

In the event the City needs to annex land to meet growth, LAFCo encourages smart, orderly, and efficient growth patterns together with the preservation of agricultural, habitat, and open space

resources consistent with LAFCo policies, terms and conditions of SOIA approval, and the SACOG Blueprint.

Finally, there are a number of steps that must occur prior to annexation. The City must prezone the land proposed for annexation, develop service plans and financing plans. In the case of the City of Elk Grove, the city must rely on several special districts for municipal services. These agencies cannot plan for growth outside a city's Sphere of Influence. A sphere of influence would allow these agencies to incorporate the area within the Sphere into their Master Plans.

The City of Folsom most recent Sphere and annexation process took almost 20 years. As well, the City of Galt has had a large Sphere adopted in 1994 and amended in 2011 that has not resulted in any significant annexations to the City. The City of Sacramento has had a Sphere since the mid 1980's that has not resulted in any significant annexations, however, unincorporated development has occurred in some of these areas.

Therefore, it appears that a Sphere that represents a 15 percent increase is relatively reasonable in order to allow a city to meet long term growth.

In the Executive Officer's opinion, the City has capacity within its current boundary to accommodate growth in the near and perhaps intermediate term for both residential, commercial, and office growth. However, it does not appear that the City has sufficient area to accommodate industrial, manufacturing type uses, and other large employment type facilities sufficient to create true employment centers that would accommodate a reasonable jobs-housing balance sought by the City. The City of Elk Grove is well served by the regional transportation system. It has access to Interstate 5, State Route 99, heavy rail, and potentially the regionally planned JPA Connector that would link Interstate 5 and State Route 99 with Highway 50. In addition, this location is relatively close to Interstate 80 for east-west connections.

It is nearly impossible to predict the future and the amount of land that will be needed to accommodate future needs of any city. A sphere of influence establishes only a policy area to be considered for future annexations. It appears that many annexations and development projects of other land use jurisdictions involve relatively large areas (2,000-3,000 acres). Consequently, a larger Sphere may allow a city to be able to accommodate larger projects that involve job creation and development.

Distribution, industrial uses, small manufacturing, office, and large scale development projects may be more inclined to consider areas that can accommodate their needs and provide buffer areas from residential areas. Recently, nearly 1,700 acres were annexed to the City of Tracy to accommodate commercial, general office and business park/industrial development. As reported in The Tracy Registry, this is an example of the importance of having a sufficient inventory in advance:

Amazon is to occupy approximately 85 acres in an 870-acre business park that the city annexed in 1996, Malik said before the Sept. 3 council meeting. But that park has only smaller parcels remaining in the 20-acre to 40-acre range, and companies speaking to the city today want much larger sites.

City officials emphasized that the jobs being created by the operations paid “head-of-household” wages, which Malik said is an estimated \$52,000 a year. Seventy percent of Tracy’s work force migrates out of the city each workday to jobs in the more central Bay Area. The goal is to reduce that migration.

It appears that the City of Tracy is attempting to improve its jobs/housing balance and this effort in the case of Amazon has taken 17 years from the date of annexation (1996).

Based on this example, development takes many years and it appears the opportunity to attract these types of users requires a sufficient inventory of land to meet those needs. It does not happen quickly.

For example, the City of Roseville, has had many annexations that have been greater than 1,000 acres. The North Industrial annexation contained 2,045 acres but is only anticipated to have 643 single family and 400 multi-family units.

A larger Sphere would provide more opportunity to plan for uses requiring larger tracts of land and the opportunity to attract users that require this type of acreage. It also appears that there are a limited number of jurisdictions within Sacramento County that could accommodate this type of development. The Natomas area is currently impacted until levee improvements are completed for flood control. Potentially, the City of Folsom and the City of Rancho Cordova, as well as the City of Roseville may have sufficient area outside of their cities for this type of growth. For example, the City of Roseville was able to attract business and jobs from Sacramento due in part because of the building moratoriums related to the Natomas area in the 1980’s.

Currently, the City of Folsom (prior to annexation) and the City of Sacramento have Spheres that represent an area 23.5 percent greater than their existing city limits. The City of Galt has a sphere that is approximately 142 percent greater than its city limits. The Elk Grove application requested a sphere that is approximately 29 percent greater than its city limits. The Enhanced Regional Alternative would be approximately 15 percent greater than the city limits. Annexations will not occur until there is sufficient demand.

While staff has recommended the Enhanced Regional Alternative, the Commission has the discretion to: (1) deny the SOI amendment; (2) Modify (increase or decrease) staff’s recommendation for the SOI boundary based on public testimony and information provided to the Commission; (3) Approve the Executive Officer’s recommendation for the Enhanced Regional Alternative; or (4) Approve the full SOI as submitted in the application. The Environmental Impact Report has evaluated the entire 7,869 acre proposed SOI boundary. This allows the Commission to either approve the entire SOI or modify the proposal by reducing the boundary and/or adopting other appropriate terms and conditions.

The Executive Officer has recommended that the Commission approve the Enhanced Regional Alternative (ERA) as the boundary for the City of Elk Grove Sphere of Influence. This alternative contains approximately 4,040 acres or about 51 percent of what the City has

requested. This represents a Sphere boundary that is 15 percent greater than the current City limits.

**CITY OF ELK GROVE
SPHERE OF INFLUENCE AMENDMENT
LAFCO PROJECT NUMBER LAFC# 09-10
[SCH No. 2010092076]**

Project Title:	City of Elk Grove Sphere of Influence Amendment
Proposal:	Amendment of the City of Elk Grove Sphere of Influence (SOI) to add approximately 7,869 acres to the existing SOI, consistent with the 2003 City of Elk Grove General Plan
Lead Agency Name and Address:	Sacramento Local Agency Formation Commission (LAFCo) 1112 I Street, Suite 100 Sacramento, CA 95814
Contact Person and Phone Number:	Don Lockhart AICP, Assistant Executive Officer Sacramento LAFCo Phone: (916) 874-2937 Don.Lockhart@SacLAFCo.org
Proponent:	City of Elk Grove Community Development Department Taro Echiburú AICP, Planning Director 8401 Laguna Palms Way Elk Grove, CA 95758 (916) 478-3619 techiburu@elkgrovecity.org

INTRODUCTION

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56000 et seq.) establishes procedures for local government changes of organization. Your Commission has numerous powers under the Act, but of primary concern is the power to act on local agency boundary changes and to adopt spheres of influence for local agencies – cities and special districts.

Government Code section 56425, subdivision (a), specifies that “[i]n order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the Sphere of Influence of each local agency within the county.”

The Sacramento Local Agency Formation Commission (“Sacramento LAFCo”) has reviewed and analyzed the City of Elk Grove’s application for a Sphere of Influence Amendment (“SOIA”), and made careful determinations as to the environmental considerations involved, the provision of municipal services, and the need for the Sphere of Influence expansion. Additionally, numerous hearings were held by Sacramento LAFCo and the City of Elk Grove to hear and consider comments from the public and affected agencies. The public was also given a comment period to submit input on each draft of the Environmental Impact Report and each draft of the Municipal Services Review before these documents were finalized.

Approving an approximately 4,040 acre expansion pursuant to the Enhanced Regional Alternative (ERA) discussed in the Final EIR will allow the City to accomplish its stated goal of creating additional employment centers to improve the jobs-housing balance in the City, but also provides for orderly growth that addresses environmental and municipal services issues. It should be noted that a SOI is not a surveyed boundary, but is rather an illustrative policy map. The ERA has been further refined by staff from the Exhibit 5-2 presented in the EIR to avoid the splitting of parcels between I-5 and Hwy 99. To the west of Hwy 99, the ERA follows the Sacramento County USB as well as FEMA mapping criteria, which is fixed and can be readily ascertained. (See Exhibit B).

In further support of the Commission’s goals to promote orderly growth, Staff recommends imposing certain terms and conditions on approval of the 4,040 acre SOI. These terms and conditions are outlined in this report and would be imposed in addition to any mitigation measures required by the Environmental Impact Report. By imposing these requirements, LAFCo will also ensure that the City follows appropriate procedures if it decides to annex the SOIA Area in the future. The ERA SOI expansion thus presents an appropriate balance between the City’s need to grow and LAFCo’s responsibility to provide logical boundary changes and ensure orderly growth.

In conformity with the determinations set forth in this report, LAFCo staff (Staff) recommends that the Commission approve the Municipal Services Review (MSR) and adopt a reduced SOI, as described in the Enhanced Regional Alternative in the Final Environmental Impact Report

(“FEIR”). The ERA provides for a SOI expansion of 4,040 acres as opposed to the 7,869 acres requested by the City of Elk Grove.

BACKGROUND

This Background section outlines the context for the MSR and SOIA application, including a description of the proposed SOIA, a description of the City of Elk Grove, and an outline of current regional planning activity.

I. PROPOSED SPHERE OF INFLUENCE AMENDMENT PROPOSAL

The City of Elk Grove (Applicant) is requesting a Sphere of Influence Amendment as shown on the attached map. The Sphere of Influence Amendment proposes to add territory to the City’s Sphere of Influence as described in this report. A Sphere of Influence is defined as “a plan for the probable physical boundaries and service area of a local agency.” However, the Sphere of Influence does not change land use authority and no physical development can be approved or implemented by the City of Elk Grove until this territory is rezoned and annexed into the City. If this SOIA is approved, a subsequent annexation application, or series of applications, may be submitted to LAFCo. The City of Elk Grove would be the lead agency for processing an annexation and would be required to conduct a California Environmental Quality Act (CEQA) analysis of any proposed annexation based on the proposed rezoning. In addition, the city and county would need to enter into a property tax sharing agreement.

The proposed Sphere of Influence does not result in any change in land use authority, grant any development entitlements, or result in any immediate impact to the environment. It is a long range planning tool similar to a City General Plan.

As required by section 15124, subdivision (b), of the CEQA Guidelines, the objectives of the proposed City of Elk Grove SOI Amendment request are as follows:

- 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 lands uses to minimize the need for commuting to or from other jurisdictions.

A. Project Description

The proposed SOI Amendment (SOIA) consists of a request initiated by the Elk Grove City Council (Resolution #2008-54) to the Sacramento Local Agency Formation Commission (LAFCo) to amend the City of Elk Grove's SOI. The current SOI is coterminous with the City boundary, which is atypical. Generally, a city has an SOI that is larger than its boundaries so that it may plan for future growth.

The application to amend the SOI requests 7,869 acres generally described as the areas south of Bilby Road/Kammerer Road and Grant Line Road, as shown in Exhibit A. The City of Elk Grove application includes land use projections that indicate that future growth may require additional lands outside of the current City boundary. The City's available residential, industrial, and commercial land inventory is in the process of building-out and may be unable to accommodate all anticipated urban growth within the City limits. As a result, the City seeks to establish a direction to accommodate its anticipated future growth by designating an area for long-term planning that may also allow for a beneficial jobs-housing balance.

For purposes of analyzing environmental impacts, LAFCo staff, in consultation with City staff, has developed land use assumptions that would allow the Commission and the public to understand environmental effects of expanding the City's SOI that may result from potential growth during future annexations. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. California Government Code section 65300 provides that a city may comprehensively plan for lands outside of its jurisdiction without the area being within an approved SOI.

However, while the Elk Grove City Council has expressed its desire to have the proposed SOI area master planned, the Council has explicitly stated that no comprehensive planning of the area will occur unless and until LAFCo approves the SOIA. The City's General Plan currently does not include any land use designations for the proposed SOIA Area. The General Plan designations cover only the current City boundaries. The majority of the SOIA area is included in the Genial Plan planning area, as a "Study Area" Therefore, for the purposes of analyzing potential environmental impacts of the projects, land use assumptions were developed by LAFCo in consultation with City staff by considering existing land uses under the General Plan for other areas within the City, then projecting reasonably foreseeable land uses within the proposed SOIA Area based on the existing land use designations..

The current City boundaries with the coterminous SOI encompass 26,974 acres. The proposed SOIA would expand the existing SOI, not the city limits, by 7,869 acres, or by 29 percent, to a total SOI of 34,843 acres. However, 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. This would limit future growth to 6,882 acres of the proposed 7,869-acre SOI expansion, leaving 13 percent of the area for non-urban uses, such as open space. The following table shows the total acreages in the existing and proposed SOIA areas.

SOI Boundary	Acreage
Current City boundaries/SOI	26,974
Proposed SOI Amendment	7,869
Total of Current City Boundaries and Proposed SOI Amendment	34,843

Source: City of Elk Grove, Sphere of Influence Amendment Application, 2010.

B. Project Location

The proposed SOIA Area is located in the unincorporated area of Sacramento County. The proposed Area is generally located south-southwest of the existing City of Elk Grove boundaries, close to the community of Franklin-Laguna. More specifically, the SOIA Area is described as the areas south of Bilby Road, Kammerer Road, and Grant Line Road, extending south to Eschinger Road and the edge of the 100-year floodplain boundary of the Cosumnes River; east toward the Cosumnes River and just past Freeman Road; and west toward Interstate 5 (I-5) and the Union Pacific Railroad tracks. The proposed boundary does not reach the Cosumnes River east of State Route 99 (SR-99) but follows the 100-year Federal Emergency Management Agency (FEMA)-designated floodplain.

C. Existing Land Uses in the SOIA Area

The 7,869-acre SOIA Area primarily contains agricultural uses consisting of fallow/row crops/nursery, orchards, vineyard, and dairy, poultry, livestock operations, and solar farms. Few structures exist within the project site, and these are limited to barns, rural housing, storage sheds with related structures, and solar array facilities. A small area surrounding the intersections of Hood Franklin Road/County Road J8 and Bilby Road/County Road J8 is developed with relatively suburban uses. This area is identified as the Old Town Franklin community. The existing land uses in this community can be described as a mix of rural housing, light industrial, commercial, and public facilities. Franklin Cemetery is located at the intersection of Franklin Boulevard and Hood Franklin Road. Sunset Skyranch Airport (Elk Grove Airport) was a privately owned airport that lies in the eastern portion of the SOIA Area, immediately adjacent to the existing Elk Grove city limits. Effective July 1, 2010, the airport was closed. Exhibit D shows the existing land uses on the SOIA Area.

The SOIA Area is mapped as containing 446.4 acres of Prime Farmland and 4,862.8 acres of Farmland of Statewide Importance. Both designations fall under the Important Farmland umbrella as classified by the California Department of Conservation Farmland Mapping and Monitoring Program.

Approximately 2,474 acres of the SOIA Area are covered by active, multiple Williamson Act contracts. Some property owners have filed a Notice of Non-Renewal on approximately 548.8 acres to initiate termination of the contract. (See Exhibit F).

Proposed South Sacramento Habitat Conservation Plan

The SSHCP process began in 1992 as a watershed study funded with monies granted from the United States Environmental Protection Agency (EPA). In 1993, state and federal regulatory agencies proposed shifting from a watershed study to a more comprehensive approach such as a habitat conservation plan. After an initial assessment confirmed that an HCP would be politically, economically, and biologically feasible, further work was conducted to identify possible strategies and economic constraints.

The proposed SOIA Area is located within the proposed South Sacramento Habitat Conservation Plan area. The SSHCP, which is in draft form and is currently being prepared, will be a regional approach to addressing issues related to urban development, habitat conservation, and habitat protection. The SOIA Area is located within the Urban Development Area. The current Draft SSHCP identifies the Urban Development Area (UDA) as 122,658 acres within the Plan Area where urbanization is anticipated to occur. Geographically, the UDA is that portion of the SSHCP Plan Area that is within the Sacramento County Urban Services Boundary (USB); the incorporated cities of Rancho Cordova, Elk Grove, and Galt; Galt's Sphere of Influence; and Elk Grove's proposed Sphere of Influence.

No significant conservation or mitigation sites exist with the SOI project area except in the westernmost portions, where some parcels within the Stone Lakes National Wildlife Refuge are protected by a perpetual conservation agreement or owned by a conservancy group.

The proposed SSHCP area encompasses 345,000 acres in southern Sacramento County. The proposed SSHCP will consolidate environmental efforts to protect and enhance wetlands (primarily vernal pools) and upland habitats to provide ecologically viable conservation areas. It will also minimize regulatory hurdles and streamline the permitting process for development projects. The proposed SSHCP is planned to cover 40 different species of plants and wildlife including ten that are state or federally listed as threatened or endangered.

The SSHCP will be an agreement between state/federal wildlife and wetland regulators and local jurisdictions, which will allow land owners to engage in the incidental take of listed species (i.e., to destroy or degrade habitat) in return for conservation commitments from local jurisdictions. The options for securing these commitments are currently being developed and will be identified prior to the adoption of the SSHCP. The geographic scope of the SSHCP includes U.S. 50 to the north, Interstate 5 to the west, the Sacramento County line with El Dorado and Amador counties to the east, and San Joaquin County to the south. The Study Area excludes the City of Sacramento, the City of Folsom, the Sacramento-San Joaquin Delta, and the Sacramento County community of Rancho Murieta. Sacramento County is partnering with the cities of Rancho Cordova, Galt, and Elk Grove as well as the Capital SouthEast Connector Joint Powers Authority (JPA), the Sacramento Regional County Sanitation District and Sacramento County Water Agency to further advance the regional planning goals of the SSHCP.

Your staff has met several times with various stakeholders participating in the SSHCP process, including the City of Elk Grove, the County of Sacramento, SCWA, the Capital SouthEast Connector, the Sierra Club/Save the Sand Hill Cranes ("SOS"), Friends of Swainson's Hawk,

Habitat 2020/Environmental Council of Sacramento (“ECOS”), The Nature Conservancy, the Cosumnes River Preserve and Stone Lakes NWR Assoc. No consensus was reached from these meetings. These diverse parties expressed a range of positions, from full support to complete opposition to the proposed SOIA, as well as support of the Enhanced Regional Alternative.

The California Department of Fish and Wildlife (“DFW”) believes that the SSHCP, if revised to reduce the level of impacts to habitat in the mixed agricultural croplands in the western portion of the planning area, will be cumulatively and regionally the best biological scenario for achieving the standards required by FGC § 2080 et. seq.

Therefore, the DFW does not support the SOIA as proposed. Although the DFW prefers the CEQA “No Project” alternative, as it may best allow for successful implementation of the SSHCP. The DFW also believes that with the current draft of the SSHCP, it may be possible to implement the SSHCP successfully if the CEQA Enhanced Regional Alternative (ERA) were selected, since the ERA is limited to approximately one-half of the area of the proposed SOIA.

D. Surrounding Land Uses

At the time of adoption of the Elk Grove General Plan Update: 2003 Environmental Impact Report (EIR), and currently, the vicinity of the project is characterized by agricultural and rural residential land uses. While additional residential development may have occurred in the project area since certification of the Final EIR, all development activity within the SOIA Area has been consistent with existing Sacramento County General Plan land use designations.

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.

South

The unincorporated communities of Bruceville and Point Pleasant lie to the south and are not part of the proposed SOIA Area boundary. These communities are within the unincorporated community of Franklin-Laguna. Land uses in this area are similar to the adjacent agricultural land uses within the project site. County of Sacramento General Plan land use designations south of the project site include Agricultural Cropland. In addition, land within the legislative

boundary of the Stone Lakes National Wildlife Refuge, but not under conservation easement, is located south of the project between Franklin Boulevard and Interstate 5. This land is within the Cooperative Wildlife Management Area as described below.

East

The unincorporated communities of Wilton and Sheldon lie to the east and are not part of the proposed SOIA. Wilton is primarily rural in character, and rural residential development on large lots is typical of the area. Rural residential and agricultural uses exist immediately east of the project boundary. Land in this area also lies within the FEMA 100-year floodplain of the Cosumnes River. County of Sacramento land use designations east of the project site include General Agriculture, Agricultural Cropland, Natural Preserve, and Resource Conservation.

West

The Stone Lakes National Wildlife Refuge, managed by the U.S. Fish and Wildlife Service and which protects natural habitats and agricultural resources, forms the western boundary of the project site. The boundary for Stone Lakes National Wildlife Refuge was established in 1994 and includes a core refuge area of approximately 9,000 acres and an approximately 9,000-acre “Cooperative Wildlife Management Area” where the U.S. Fish and Wildlife Service may seek to enter into cooperative agreements and memoranda of understanding with landowners or the purchase of conservation easements. The Stone Lakes National Wildlife Refuge lies within the Sacramento-San Joaquin Delta. Land uses within the refuge include aquatic habitat, annual grasslands, seasonal wetlands, pastures, oak woodlands, and agricultural uses. In addition, grazing land within the Stone Lakes National Wildlife Refuge boundary between Franklin Boulevard and Interstate 5 is under a permanent conservation easement. Agricultural uses occupy the area immediately adjacent to the proposed SOIA Area’s western boundary. The County of Sacramento General Plan land use designations west of the project site include Agricultural Cropland, Natural Preserve, and Resource Conservation.

E. Existing County General Plan Land Use Designations

The proposed SOIA does not change or propose to change any land use designations. The existing land uses for the project area are determined by the County’s General Plan designations for the area. The current land use and zoning designations, are defined by the County’s General Plan and Zoning Ordinance, the primary land uses within the project site are agricultural residential.

The current General Plan land use mix is shown below:

County General Plan Land Use	Acreage
Agricultural Cropland	6,047.5
Agricultural Residential	83.8
Commercial/Office	6.9
General Agriculture (20 acre)	1,511.2
Intensive Industrial	37.9
Low Density Residential	29.7
Natural Preserve	78.2
Total¹	7,795.1

Notes:

1. Total acreage does not equal 7,869 because it represents net acreage based on Sacramento County General Plan 2030 land use designations (adopted in 2009) without land assumed for right of way.

Source: City of Elk Grove.

County Zoning	Acreage
A2 ^a	53
Agricultural-20 acres (AG20)	302
Agricultural-40 acres (AG40)	53
Agricultural-80 acres (AG80)	7,328
Agricultural Residential-2 acres (AR2)	18
Agricultural Residential-10 acres (AR10)	50
Limited Commercial zone (LC)	8
Heavy Industrial (M2)	20
Single Family Zone (R-1-A)	35
RR	2
Total	7,869

Note:

^a Multiple zoning designations: Agricultural-40 acres (AG40), Agricultural-80 acres (AG80)

Source: County of Sacramento, 2009.

II. THE CITY OF ELK GROVE

A. Location and City Limits

With an estimated population of 157,594 the City of Elk Grove is the 31st largest city in California, (CA DOF 2011.) The City of Elk Grove consists of approximately 42 square miles

(26,974 acres) in the southern portion of Sacramento County. Urban land uses generally consist of residential, commercial, office, industrial, recreational, and public uses within and adjacent to the City of Elk Grove. Natural features within the City's General Plan planning area include the Stone Lakes National Wildlife Refuge, the Cosumnes River, the Sacramento River associated tributaries (such as Deer Creek, Morrison Creek, and Laguna Creek), vegetation communities consisting of valley oak woodland, annual grassland, valley foothill riparian, and agricultural lands.

The current City Limits represents all incorporated lands that are governed by the City of Elk Grove. The current City Limits are coterminous with the current Sphere of Influence and encompass 26,974 acres.

B. History

In 1850, Elk Grove was established as a hotel and a stage-stop. It is located about 15 miles south of historic Sutter's Fort in downtown Sacramento, and thus became a crossroads for business, entertainment, mail service and agriculture, and acted as home base for gold miners in nearby communities. After it played its part in the early gold rush and statehood history in California, a close-knit community evolved with a distinctly rural and western lifestyle.

Despite its close proximity to California's capital city, Elk Grove remained quietly independent of Sacramento's growth and development as it expanded into adjoining areas until the 1980s. Elk Grove had its start in agriculture and it is still a big part of the area's economy today, with vineyards, dairy and cattle and row crops; but, now, there are also high technology, professional service, and commercial and retail enterprises.

C. Governance

The City of Elk Grove incorporated on July 1, 2000. It is a general law city and operates on the Manager-City Council model of governance. Elk Grove is a "limited service" municipality, providing police, community development and public works services. Various other services are provided by independent special districts and the County of Sacramento.

D. Elk Grove General Plan Study Area

The Elk Grove 2003 General Plan defines "The Study Area" as the area within which information has been collected for the General Plan update process. This boundary is larger than the city limits and current SOI. This boundary does not indicate any specific intent or plan on the part of the City to expand into the area. It is rather an area where the City has concerns regarding future developments and their associated impacts on Elk Grove.

E. Population and Demographics

The following tables were prepared by City staff, and provide current demographic information for the City of Elk Grove. This information provides a general overview of the community's profile.

Current local population (2013) ¹	159,074
Current regional population (2013) ¹	1,418,788 (Sacramento County)
Avg. Household Size (2011) ²	3.2 persons per household
Median Age (2011) ²	36.3 years
Total Housing Units (2011) ²	51,784
Occupied Housing Units (2011) ²	47,641
Vacant Housing Units (2011) ²	4,143
<p><i>Sources:</i></p> <p>¹ <i>State of California, Department of Finance E-4 Historical Population Estimates for Cities, Counties, and the State, 2011-2013, with 2010 Census Benchmark, May 2013</i></p> <p>² <i>2011 American Community Survey 1-Year Estimates</i></p> <p>Note: Estimates provided by the 2011 American Community Survey 1-Year Estimates are based on a total population of 154,920 and not the latest population estimate of 159,074 as issued annually by the State of California Department of Finance.</p>	

Age Distribution of Population		
Age Group	Total (2011)	% Distribution
Under 19 years	48,658	31.4%
20 - 24 years	8,935	10.6%
25 - 44 years	39,971	25.8%
45 - 64 years	41,442	26.8%
65 years and older	15,914	10.2%

Source: 2011 American Community Survey 1-Year Estimates

Educational Attainment of Population over 25 Years of Age

Years of School Completed	Total (2011)	% Distribution
Less than High School	9,051	9.3%
High School	19,271	19.8%
Some College	24,818	25.5%
Associate's Degree	9,733	10%
Bachelor's Degree	21,217	21.8%
Graduate or Professional Degree	13,373	13.6%

Source: 2011 American Community Survey 1-Year Estimates

Income Level

Median Household (2011)	Average Household (2011)
\$73,250	\$93,339

Source: 2011 American Community Survey 1-Year Estimates

Household Income Distribution

Annual Income	Total (2011)	% Distribution
Under \$35,000	7,419	15.6%
\$35,000 - \$49,999	5,816	12.2%
\$50,000 - \$74,999	11,336	23.8%
\$75,000 - \$99,999	7,046	14.8%
\$100,000 - \$199,999	12,497	26.2%
Over \$200,000	3,527	7.4%

Source: 2011 American Community Survey 1-Year Estimates

Historic Population Estimates

Year	Population ^{1,2}	Increase	% Change From Prior Year
2001	76,298	----	----
2002	82,932	6,634	8.7%
2003	88,954	6,022	7.3%
2004	113,391	24,437	27.5%
2005	125,703	12,312	10.9%
2006	135,996	10,293	8.2%
2007	142,003	6,007	4.4%
2008	146,083	4,080	2.9%
2009	149,302	3,219	2.2%
2010	152,652	3,350	2.2%
2011	154,440	1,788	1.2%
2012	155,763	1,497	0.9%
2013	159,074	3,311	2.1%

¹ Population estimates are as of January 1st of the respective year.

² The population estimates includes the 2000 and 2010 decennial census counts. The revised estimates attempt to provide a consistent data series reflecting both decennial census counts by utilizing the Error of Closure (EOC) adjustment procedure.

Sources: State of California, Department of Finance, E-4 Historical Population Estimates for Cities, Counties, and the State, 2001-2010, with 2000 and 2010 Census Counts, Revised November 2012; and E-4 Historical Population Estimates for Cities, Counties, and the State, 2011-2013, with 2010 Census Benchmark, May 2013.

Labor Force and Unemployment

Employment Status	Total (2011)	% Distribution
Population 16 Years and Over	117,955	
Civilian Labor Force	80,331	68.1%
Employed	70,806	60.0%
Unemployed	9,525	8.1%
Armed Forces	165	0.1%
Not In Labor force	37,459	31.8%

Source: 2011 American Community Survey 1-Year Estimates

Industry		
Employment by Sector - City of Elk Grove		
Industry Sector	Total (2011)	% Distribution
Agriculture/Forestry/Fishing and Hunting/Mining	113	0.2%
Construction	3,115	4.5%
Manufacturing	2,551	3.6%
Wholesale	1,476	2.1%
Retail	10,136	14.3%
Transportation, Communications, Utilities	3,341	4.7%
Information	1,489	2.1%
Finance, Insurance, Real Estate	2,556	3.6%
Business/Professional Services/Waste Management	7,686	10.9%
Education/Health Care Services/Social Assistance	20,200	28.5%
Arts/Entertainment/Recreation/Accommodation/Food Services	5,405	7.6%
Other Services, except public transportation	3,272	4.6%
Public Administration	9,426	13.3%

Source: 2011 American Community Survey 1-Year Estimates

Principal Employers		
Company / Distribution		
Company	Estimated Employees	Percentage of Total City Employment
Elk Grove Unified School District	5,000	14.02%
Apple Computer, Inc.	1,800	5.05%
Kaiser Permanente	1,468	4.12%
Methodist Hospital of Sacramento	550	1.54%
AllData	400	1.12%
Cosumnes River College	330	0.93%
City of Elk Grove	289	0.81%
Wal-Mart	273	0.77%
Bimbo Bakeries, Inc.	265	0.74%
Elk Grove Bank of Stockton	237	0.66%

Source: City of Elk Grove Comprehensive Annual Financial Report Fiscal Year Ended 2011-2012

Transportation

Airports

Name	Type	Distance in Miles	FBO (Y/N)
Sacramento International (SMF)	Public / County of Sacramento	26.5 miles North I-5 / Airport Blvd. Exit	Yes
Sacramento Executive (SAC)	Public / City of Sacramento	13 miles North Freeport Blvd. / Airport Entrance	Yes
Stockton Metro (SCK)	Public / County of San Joaquin	40 miles South S. Airport Way / Airport Entrance	Yes

Source: Google Map (2013)

Distance to Markets

City	Distance in Miles/Direction	Drive Time
Stockton, CA	36 miles South	39 minutes
Sacramento, CA	17 miles North	23 minutes
San Francisco, CA	101 miles West	1 hour 42 minutes
Reno/Sparks, NV	144 miles North East	2 hours 19 minutes
Redding, CA	177 miles North	2 hours 40 minutes
Los Angeles, CA	372 miles South	5 hours 24 minutes
San Diego, CA	493 miles South	7 hours 14 minutes

Source: Google Map (August 2013)

Motor Freight & Contract Carriers (partial list)

Company	Terminal Location	Services	Area Served
Saia LTL Freight	Elk Grove, CA	Long-distance transport	All major
YRC Freight	Sacramento, CA	Long-distance transport	All major
Con-way Freight	Sacramento, CA	Long-distance transport	All major
Old Dominion Freight Line	West Sacramento, CA	Long-distance transport	All major

Source and Date: YellowPages.com (August 2013)

Parcel Carriers		
Name	Latest Drop-off	Services
FedEx	Mon-Fri Express 3:45 p.m. to 4:40 p.m.	Express, Ground, Packing, & Supplies
	Saturday Express: 2:00 p.m. to 2:45 p.m.	
United Parcel Service	Mon-Fri: (Ground) 4:30 pm to 6:00 pm	Air, Ground, International
	Mon-Fri: (Air) 4:30 p.m.	
	Sat. (Air Only) 1:30 p.m. to 2:00 p.m.	
US Postal Service		
Sources: FedEx Authorized Ship Centers within 5 miles of Elk Grove city center, www.fedex.com/us/ (August 2013); UPS Customer Centers within 5 miles of Elk Grove city center, www.ups.com (August 2013)		

Nearest Seaports		
Name	Distance	Services
Port of West Sacramento 916.371.8800	18 miles Industrial Blvd.	<ul style="list-style-type: none"> • Not Available
Port of Stockton 209.946.0246	38 miles South on Highway 99	<ul style="list-style-type: none"> • 200 Trucking companies service the port • Rail (UP, BNSF) • Berthing for 17 vessels • Customs inspection scheduled hours • 7.7 million sq. ft. of warehousing • Stevedoring • Truck Scales
Sources: Google Map (August 2013); www.portof Stockton.com/ (August 2013); www.ssmarine.com/locations/pacificSW/portofwestsacramento.asp (August 2013)		

Education

2-Year Colleges (within 25 miles)

Institution	Location	Distance	FTE Enrollment (2006)	Public/Private
Cosumnes River College	Sacramento, CA	5 miles	14,143	Public
Sacramento City College	Sacramento, CA	8 miles	24,381	Public
Carrington College	Sacramento, CA	11 miles	1,392	Private
Asher College	Sacramento, CA	18 miles	726	Private
Wyotech	West Sacramento, CA	21 miles	1,417	Private
Kaplan College	Sacramento, CA	21 miles	558	Private
Bryan College	Gold River, CA	26 miles	544	Private
Heald College	Rancho Cordova, CA	24 miles	1,329	Private
ITT Technical Institute	Rancho Cordova, CA	24 miles	577	Private
Universal Technical Institute of N. Cal.	Sacramento, CA	24 miles	1,953	Private
American River College	Sacramento, CA	23 miles	31,088	Public
MTI College	Sacramento, CA	24 miles	584	Private

Source: National Center for Education Statistics, <http://nces.ed.gov> (August 2013); Google Map (August 2013)

4-Year Universities and Colleges (within 30 miles)

Institution	Location	Distance	FTE Enrollment (2006)	Public/Private
CSU Sacramento	Sacramento, CA	16 miles	28,539	Public
The Art Institute of California – Sacramento	Sacramento, CA	19 miles	1,245	Private
University of Phoenix	Sacramento, CA	19 miles	3,885	Private
University of California, Davis	Davis, CA	31 miles	32,354	Public

Source: National Center for Education Statistics, <http://nces.ed.gov> (August 2013); Google Map (August 2013)

Vocational Training			
Provider	Location	Distance	Programs
Center for Employment Training	Sacramento, CA	10 miles	<ul style="list-style-type: none"> • Business Office Technology , • HVAC Technician & Green Technology • Medical Assistant , • Medical Administrative Assistant
Charles A Jones Skills Business Education Center	Sacramento, CA	11 miles	<ul style="list-style-type: none"> • Business Management and Marketing • Communications Technologies • Health Professions and Related Clinical Sciences • Legal Studies • Mechanic and Repair Technologies • Culinary Services • Transportation and Materials Moving
Anthem College	Rancho Cordova, CA	13 miles	<ul style="list-style-type: none"> • Dental Assisting • Health and Medical Administrative Services • Medical/Clinical Assistant • Rehabilitation and Therapeutic Professions • Pharmacy Technician
UEI College	Stockton, CA	34 miles	<ul style="list-style-type: none"> • Business Office Administration • Computer Systems Technology • Criminal Security Administration • Dental Assistant • Pharmacy Technician
National Career Education	Rancho Cordova, CA	24 miles	<ul style="list-style-type: none"> • Electrician • Medical Assistant • Optical-Optometric Assistant

Source: National Center for Education Statistics, <http://nces.ed.gov> (August 2013); Google Map (August 2013)

Safety		
Crime Rate		
Jurisdiction	Violent Crime Rate per 1,000 (2011)	Property Crime Rate per 1,000 (2011)
City of Elk Grove	3.4	21.1
City of Galt	1.8	17.6
City of Stockton	14.1	52.4
City of Lodi	3.8	38.8
City of Sacramento	7.1	39.3
Sacramento County (Unincorporated)	4.9	21
State of California	4.1	25.8

Sources: www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/offenses-known-to-law-enforcement/standard-links/city-agency; www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/offenses-known-to-law-enforcement/standard-links/county-agency; www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/tables/table-5; E-4 Historical Population Estimates for Cities, Counties, and the State, 2011-2013, with 2010 Census Benchmark, May 2013.

III. CURRENT REGIONAL PLANNING ACTIVITY

The table below shows twenty-six land use proposals in various stages of either the entitlement process or development process in Sacramento County (including Elk Grove), Sutter County, and Placer County. This provides context for the Commission regarding the proposed Sphere of Influence Application Area (SOIA Area) and it documents the amount of residential and employment acreage capacity pending, available on the ground, or in the “pipeline.”

Database date /1/	Plan Number	Plan Name	Housing Units	Employment Land Uses (SQ FT) /2/	Employment Land Uses (Acres) /2/
2010	1	Sac County- Easton Specific Plan	1,644	3,527,900	
2010	2	Sac County- Florin Vineyards Community Plan	9,919	unknown	1,306
2010	3	Sac County- North Vineyard Station Specific Plan	6,063	unknown	39
None	4	Sac County- East Franklin	unknown	unknown	
2010	5	Elk Grove- Laguna Ridge Specific Plan	7,762	3,342,000	
2010	6	Rancho Cordova- Rio Del Oro Specific Plan	11,771	unknown	522
2010	7	Rancho Cordova- Sunridge Specific Plan	8,763	unknown	174
2010	8	Rancho Cordova- Suncreek Specific Plan	5,616	unknown	

2010	9	Rancho Cordova- Ranch at Sunridge (Preserve)	2,713	165,000	
None	10	Sac City- North Natomas Community Plan	unknown	10,900,000	
2010	11	Sac City- Delta Shores Specific Plan	5,092	1,461,600	
2010	12	Sac City- Greenbriar Specific Plan	3,473	288,000	
2010	13	Folsom- SOI Specific Plan	10,210	5,054,616	
2010	14	Sutter- South Sutter Specific Plan	17,500	49,706,000	
2010	15	Placer- Regional University Specific Plan	4,387	unknown	622
2010	16	Elk Grove- South of Kammerer	unknown	unknown	
2010	17	Roseville- MOU North Creekview Specific Plan	2,011	190,000	
2010	18	Placer- Placer Vineyards Specific Plan	14,132	3,553,081	
2010	19	Sac County - Metro Air Park SPA	unknown	unknown	
2010	20	Sac City- Natomas Joint Vision Area	unknown	unknown	
2010	21	Sac County- Elverta Specific Plan	4,957	unknown	19
2010	22	Sac County- Cordova Hills Specific Plan	9,010	unknown	3,170,000
2013	23	Sac County- New Bridge	3,075	500,000	45
2013	24	Sac County-Jackson Township	6,143	1,996,100	101
2013	25	Sac County- Jackson West Specific Plan	17,893	17,276,332	1,433
2010	26	Sac County- South Mather	2,161		Neighborhood Comm - 10 acres, University Site (Net) - 152.87 acres, Sports Complex (net) - 126.19 acres
2010	27	Elk Grove- Southeast Planning Area	4,600	unknown	

/1/ Database date:

"2010": data collected circa 2010 to support update of the 2012 MTP/SCS.

"None": no data available.

"2013": data collected after 2012 MTP/SCS adoption.

EXECUTIVE OFFICER'S ANALYSIS

The Commission is considering the City of Elk Grove's application for a Sphere of Influence Amendment (SOIA), the provision of municipal services, the environmental considerations involved, and the need for the Sphere of Influence expansion. The following analysis details the applicable statutes, guidelines, regulations, and policies, and applies them to the instant SOIA application.

I. MUNICIPAL SERVICES REVIEW

In order to prepare the Sphere of Influence Amendment for the proposal, the Commission must conduct a service review of the municipal services provided in the affected territory. The Municipal Services Review ("MSR") is the instrument required to provide information and data to ensure that the Commission has access to all necessary information in a timely manner to make sound conclusions and determinations with respect to municipal services.

The MSR was prepared by the City of Elk Gove and reviewed by LAFCo staff. (The complete updated MSR was previously distributed to your Commission in August). The Draft MSR was posted to the Commission website, and notice provided to County departments affected agencies, interested parties and the general public. The MSR has been the subject of three review cycles of 45 days each, originally in 2008, then revised and updated per public and agency comments received again in 2010, and most recently in 2012. The Draft MSR was provided for information to your Commission in August 2008, and in March 2012. The Final Draft MSR was posted to the website in August 2013, and is presented for your consideration this evening. Upon your Commission making the necessary Determinations, the Draft will then become the Final MSR.

Information compiled through the MSR shows that the area proposed for inclusion within the Sphere of Influence of the City of Elk Grove will improve government structure options. Future residents will share common municipal services currently provided to City lands. This will result in a uniform expansion of land uses and allow the future residents to benefit from similar levels of service, governmental structure and vision presently provided within the City of Elk Grove.

The future extension of service to this project area by the City of Elk Grove and affected agencies will provide a well-planned and logical expansion of services currently provided to the existing residents within the City. Similarly, by providing for comprehensive service planning to the project area, the service levels to the existing City will not be negatively affected, and in some cases will be improved through future funding and construction of various proposed infrastructure improvements.

The MSR addresses the adequacy of each provider's current services, major infrastructure and facilities to serve existing users in Elk Grove's proposed Sphere of Influence Amendment (SOIA) Area and their abilities to extend services, in the event of annexation and related growth of the area. The adequacy of each provider's facilities is generally based on each provider's current and long range plans and service standards consistent with local policies, standards and procedures. This self-assessment is augmented, where necessary and appropriate, by comparison to surrounding communities or industry standards.

The MSR is organized by service, with each of the urban services considered in relation to the availability of infrastructure to meet the existing and future service demands. Several municipal services are provided by public service providers other than the City of Elk Grove. Some service providers may require amendments to respective service areas to provide service. Such action would be agency specific to any related SOIA with the required MSR in the event of any future annexation.

The MSR concludes that the City's rates and fees are reasonable compared to other comparable cities' and demonstrates efficient management of its rate structuring opportunities, as set forth in the MSR and the Record of Proceedings. The MSR further includes statements for each existing district specifying the functions or classes of services provided by those districts. The MSR also establishes the nature, location, and extent of any functions or classes of services provided by existing districts.

The MSR prepared by the City in consultation with LAFCo includes an assessment of services and providers and states how providers will plan for and implement the respective services SOIA, if approved. If the SOIA is approved, the County and affected agencies will be able to develop the required master plans regarding the financing and timing of proposed facilities.

The MSR is based on a review of all enabling legislation pertinent to the provision of services.

A. Required MSR Determinations

Pursuant to Government Code section 56430, the Commission shall include in the area designated for service review the county, the region, the sub-region, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed and shall prepare a written statement of its determination with respect to each of the following:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

In accordance with this requirement, the Sacramento LAFCo in consideration of the City of Elk Grove Proposed SOIA (LAFC #09-10) makes the following determinations.

1. Growth and Population

The SOIA Area was included for consideration as part of the long-term vision of the City with the 2003 Elk Grove General Plan to accommodate future growth and development. In accordance with the General Plan, the City will work with Sacramento LAFCo to establish and update the SOI.

Over the last decade Elk Grove has experienced significant residential growth. While much of this development is newer, particularly west of Highway 99, according to SACOG, the City is almost 75 percent built out in terms of residential uses and 56 percent built out in employment uses. The MTP/SCS forecast for Elk Grove adds 16,992 new housing units and 19,189 new employees to the city. Approximately 26 percent of these housing units and 47 percent of the employees are building out the city's Established Communities and Rural Residential Communities. The majority of the new growth, approximately 74 percent of the housing growth and 53 percent of the employment growth, will occur in the city's Developing Communities Laguna Ridge and the Triangle Special Planning Area. Three other new growth areas in the city, all in the southern portion of the city adjacent to Laguna Ridge, represent the next increment of new growth for the city. This area is covered by three Developing Communities, the adopted Lent Ranch Marketplace Special Planning Area and two policy areas, Sterling Meadows and Southeast Planning Area.

The City anticipates that a portion of the increased employment numbers will be accommodated in the SOIA Area. According to SACOG, Elk Grove will grow by 19,189 new employees for a total of 33,373, with an additional 16,992 new housing units. Also, SACOG's projects Elk Grove will reach a population of 192,889 by 2035 (SACOG 2012.)

2. Location and Characteristics of any Disadvantaged Unincorporated Communities

Several small communities are located adjacent or proximate to the proposed SOIA Area, including Bruceville, Old Town Franklin, Point Pleasant, and Wilton. Bruceville and Point Pleasant are south of the proposed SOIA Area and would not be affected by the SOIA. Old Town Franklin is immediately adjacent to the City and would be completely included within the SOIA Area. Implementation of the SOIA would place Old Town Franklin into the City SOI but would not result in any actions that may divide the community. Wilton is located across the Cosumnes River, outside of the proposed SOIA Area, and would not be included in the proposed SOIA Area. As such, the SOIA is consistent with the LAFCo policy requiring that an SOIA shall not split neighborhoods or divide an existing identifiable community of interest and no impact would occur.

None of these communities would be identified as a "Disadvantaged Unincorporated Community" (DUC) – defined as either inhabited territory, or a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

The City of Elk Grove is a general law city which provides limited municipal services, including land use governance, public works and law enforcement. For an update of a sphere of influence of a city or district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the Commission shall make a finding regarding any impacts to any existing DUC. The City does not provide, maintain or operate any of the noted public facilities or services. The affected special districts that would provide public facilities or services related to sewers, municipal and industrial water, or structural fire protection are not a part of this City application. (56425 & 56430.)

3. *Present and Planned Capacity of Public Facilities, Adequacy of Public Services, and Infrastructure Needs or Deficiencies*

Water

Water service to the area is currently accomplished with individual wells on private property. The City of Elk Grove does not provide any municipal water supply, treatment or delivery system. The proposed SOIA may be served by the Sacramento County Water Agency, the Elk Grove Water District. However, during the rezoning process in conjunction with any future annexation, the City will have to evaluate the water service demand on surrounding agricultural lands, and the appropriate water service provider. The City of Elk Grove is currently not a signatory of the WFA.

The Sacramento County Water Agency (“SCWA”) is a logical municipal and industrial (“M&I”) water service provider for future urban land uses in the proposed SOIA Area. SCWA would need to plan and extend infrastructure and services to fully serve the entire SOI Amendment area. The SCWA is not subject to LAFCo purview. The Board of Supervisors would oversee any changes to the SCWA service area.

The Elk Grove Water District (“EGWD”) is a potential M&I water service provider for future development in the proposed SOIA Area east of State Route 99. EGWD would need to plan and extend infrastructure and services to fully serve this portion of the SOI Amendment area. As mentioned above, the EGWD is subject to LAFCo purview.

The Omochumne-Hartnell Water District (“OHWD”) provides groundwater recharge and untreated irrigation water strictly for agricultural uses. OHWD’s current service area includes the entire northeastern portion of the proposed SOIA Area. Future growth of the proposed SOIA Area may not necessitate water services from OHWD as they do not currently provide M&I service. OHWD would remain the irrigation water service provider until urban growth occurs – affected territory may be proposed for detachment from the district, concurrently with an annexation proposal. However, OHWD has indicated that the District is preparing a plan regarding the provision of domestic water service within its boundaries. Should OHWD be able to provide M&I services in the future, they could be considered a service provider in the event of urban development in the proposed SOIA Area.

Prior to submittal of any application to annex territory within the SOIA Area, the City of Elk Grove will provide a Plan for Services that demonstrates compliance with Federal Clean Drinking Water Act standards; and that sufficient, sustainable potable water supplies adequate

for projected needs are available to accommodate the build-out of the annexation territory, with no adverse impact to existing ratepayers. In addition, other conditions regarding the timely availability of water and other water issues are contained later in this Report.

Wastewater

Portions of the proposed SOIA Area are within the service boundaries of the Sacramento Area Sewer District (local collection and conveyance) and the Sacramento Regional County Sanitation District (regional treatment). As the proposed SOIA Area is primarily agricultural, the predominant wastewater service consists of private onsite septic systems.

Urbanization in the proposed SOIA Area would require adequate municipal wastewater service. As no municipal wastewater services are currently provided to the proposed SOIA Area, future extension of wastewater service will require annexation into a wastewater service provider's boundaries. Some service providers may require amendments to the respective service areas to provide service. Such action would be agency specific to any related SOIA and MSR in the event of future annexation. As part of the annexation application, the City will have to demonstrate adequate wastewater service capacity availability for the SOIA territory based on rezoning and land uses designated by the City.

Storm Drainage and Flood Control

Sacramento County Water Agency ("SCWA") provides for the construction of major drainage facilities in the urban and urbanizing areas of the unincorporated county and the cities of Citrus Heights, Elk Grove, and Rancho Cordova. A majority of the City of Elk Grove and a portion of the proposed SOIA Area are within SCWA's Zone 11A. Fees collected within the Zone at the time of development fund the construction of the major drainage infrastructure in the urbanizing areas. The SCWA is not subject to LAFCo purview. The Board of Supervisors would oversee any changes to the SCWA service area.

SCWA Development Review staff evaluates new development proposals for subdivisions and commercial properties to ensure that improvement plans are in compliance with drainage and floodplain management policies. New development is required to conform to County standards, drainage ordinances, and floodplain development policies. SCWA also administers the Federal Emergency Management Agency ("FEMA") National Flood Insurance Program ("NFIP") for the unincorporated portion of the County.

The potential development and eventual build out of the SOIA will increase site runoff, and will require the construction and maintenance of additional drainage infrastructure and facilities to ensure adequate service. As part of any future annexation application, the City will have to demonstrate adequate planning for sufficient facilities to accommodate the increased drainage requirements related to the proposed development. Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall require that new projects in the SOIA Area not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas. These requirements have been included in the EIR mitigation measures in Mitigation Measure HYD-3

Solid Waste

The Sacramento Regional Solid Waste Authority (“SWA”) is a joint powers authority between two agencies, the County and the City of Sacramento. SWA regulates commercial solid waste collection by franchised haulers through the SWA Code. The proposed SOIA Area is currently within the service boundaries of the Sacramento County Municipal Services Agency, Department of Waste Management & Recycling, but service is provided by mostly private franchised hauling companies for the commercial and industrial customers.

In the event of annexation, solid waste service would be provided through the City Integrated Waste Department, which manages the City’s residential solid waste franchise and plans, coordinates, promotes and implements citywide solid waste reduction, recycling, composting, and public education activities. The City’s solid waste is currently managed under an exclusive franchise agreement by Republic Services.

Any future growth or change in organization is not anticipated to significantly affect the current solid waste services provided. Solid waste collection and disposal for commercial, industrial, and multifamily residential units would be serviced by the current private haulers. It is anticipated that single family residential customers would be served by the City contractors.

In the event of annexation, the City’s franchised hauler will collect all of the waste and recyclables within the City. There is adequate infrastructure at build out to ensure collection of solid waste generated within the area. The solid waste facilities that the City contractors utilize have indicated they have existing capacity to accommodate the build out of the proposed SOIA Area, ensuring sufficient disposal facilities.

Under Mitigation Measure USS-4, at the time of submittal of any application to annex any or all territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall identify solid waste services, including contract service operation if applicable, to be extended, the level and range of services, timing of services, improvements of facility upgrades associated with the services, and how the services will be financed to accommodate the build-out of the SOIA Area.

Circulation and Transportation

The County of Sacramento Department of Transportation will continue to provide adequate roadway service in the unincorporated area without the SOIA. In the event of an annexation, a Property Tax Exchange Agreement between the City and the County would not significantly reduce the County funds available to sufficiently maintain funding to provide adequate roadway services. As part of any future annexation application, the City will have to demonstrate that it can provide adequate roadway service to and within the SOIA Area proposed to be annexed.

Public Safety

Sacramento County’s Sheriff’s Department currently provides service without the SOIA. As part of any annexation application, the City of Elk Grove will have to demonstrate that it will be able

to provide law enforcement services to the proposed area to be annexed. This plan would be part of the required service plan submitted to LAFCo.

Cosumnes Community Services District (“CCSD”) will be the fire and emergency service provider regardless of annexation. Prior to any future annexation, the City of Elk Grove and Cosumnes Community Services District would have to develop a plan for service to the serve the SOIA Area proposed for annexation. The plan for service will need to address operations and maintenance and capital improvements that will be required.

The SOI Amendment will not increase the need for higher levels of law enforcement and fire protection within the area, as it is currently undeveloped. The City of Elk Grove’s Police Department is able to provide full services to the area. The Police Facility is located at 8400 Laguna Palms Way north of the SOIA Area. As part of the annexation application, the City of Elk Grove will be required to provide a plan for services for LAFCo consideration.

Animal Control

In the event of any future annexation, the City will provide animal control services. The City’s Animal Services Division provides animal control services for the entire City. Services include investigating public nuisance, investigating bite reports, licensing, pick-up, and checking on the humane conditions of animals. As part of any annexation application, the City of Elk Grove will be required to provide a plan for services for LAFCo consideration.

Code Enforcement

The County’s Code Enforcement Division is able to provide adequate service within the SOIA Area. The property will provide minimal demands for City of Elk Grove Code Enforcement Division and immediate needs are met with existing personnel and infrastructure. Any future annexation application will need to demonstrate that the City of Elk Grove can provide code enforcement services to any areas proposed for annexation.

Parks and Recreation

The City of Elk Grove is authorized to provide parks and recreational services within the City. The Cosumnes Community Services District (“CCSD”) is the current authorized parks and recreation service provider in the city and the proposed SOIA Area. As part of any future annexation application, the City of Elk Grove will have to prepare a finance and service plan for the area proposed to be annexed, in consultation with CCSD.

Libraries

The Sacramento Public Library Joint Powers Agreement is already providing service to the area and has sufficient capacity to adequately serve the project area. Upon any future annexation, the SOIA Area would be required to participate in the annual Library Fund assessments.

Electricity and Natural Gas

Pacific Gas and Electric is a private provider currently providing natural gas in the SOIA and is able to adequately serve future growth to the SOIA Area. Sacramento Municipal Utility District is currently providing electricity to the SOIA Area and is able to adequately serve any future growth. There will be no change in service providers.

Prior to annexation, the City of Elk Grove will have to demonstrate that SMUD is able to adequately serve the area.

Public Transportation and Mass Transit

The City operates the “e-tran” bus system. Routes are coordinated with Regional Transit (RT) buses and light rail and South County Transit/Link (SCT/LINK) to areas outside the city. Main transfer points are at the Cosumnes River College, Meadowview Light Rail Station and Laguna Town Hall. Services are funded with Transportation Development Act (TDA) and Federal Transit Administration (FTA) funds.

The City of Elk Grove Transit Services has also created a Transportation Demand Management Program (TDM) to promote and encourage the use of alternative transportation within Elk Grove. The City is developing partnerships with public and private employers within the City to work together in addressing local transportation and air quality issues. The goal is to promote innovative solutions to parking, commuting and air quality problems.

The City of Elk Grove TDM program is managed by the City of Elk Grove, Development Services, Transit Services. The program is funded by grants from the Sacramento Area Council of Governments, City Transportation Development Act (TDA) revenue and from revenue generated from major development projects within the City limits that may potentially contribute to increase congestion on local roadways.

“E-van” is a service of e-tran that provides services required under the Americans with Disabilities Act (ADA) and for seniors that are age 75 years old and older. Services are funded with Transportation Development Act (TDA) and Federal Transit Administration (FTA) revenues.

E-van offers ADA service within the city limits of Elk Grove and to medical facilities in South Sacramento for passengers that are unable to board e-tran fixed route vehicles. Seniors that are age 75 years old and older can also use e-van.

E-van also provides regional service to ADA certified passengers through the urbanized Sacramento area for medical related trips only. These communities and cities include Sacramento, Carmichael, Fair Oaks, Rancho Cordova, Citrus Heights, Rio Linda, Elverta, Arden/Arcade, Orangevale, Antelope, North Highlands, and portions of Folsom.

Prior to annexation, the City of Elk Grove will have to show that transportation services will be adequately provided to serve the area.

4. *Financial ability of agencies to provide services*

It should be noted that services which may be provided by other affected agencies will be subject to the policies, infrastructure and finance planning of the respective agencies. Such discussion is not addressed in this MSR. Some service providers may require amendments to respective service areas to provide service. Such action would be agency specific to any related SOIA with MSR and future annexation. The MSR therefore focuses on the financial ability of the City.

The City is financially stable, as has sufficient assets and funds available for its continued operation. Most City services are supported by the General Fund. The General Fund contains all the City's general revenues that are not specifically levied or collected for other City functions and related expenditures. The General Fund provides support to such areas as general governmental operations, public safety, roadways, and community development.

Specific municipal services, which depend on usage, are almost entirely supported by enterprise funds. Services include drainage, solid waste, and transit. Enterprise funds are generally sufficient to cover existing operating costs. Unlike most enterprise funds that are fully funded from user fees, the Transit operations receives its operating revenue from multiple sources including transit grants, local transportation funding and user fees.

Any application for annexation will have to demonstrate that the affected public agency is able to financially provide for its respective services through a Financial Plan and analysis or demonstrate that future development would be responsible for the related development impact fees and infrastructure implementation per the requirements of the City of Elk Grove or affected agencies to the satisfaction of LAFCo.

5. *Status of, and opportunities for, shared facilities*

The City utilizes a sufficient range of cost avoidance opportunities; including facilities sharing, utilizing technologies to improve workflow, use of volunteers, and cooperative coordination with other service providers. These arrangements shall be articulated in the required plan for services, in the event of an annexation proposal for the SOIA.

6. *Accountability for community service needs, including governmental structure and operational efficiencies*

The City is able to operate effectively under the current General Law statutes. The City of Elk Grove was incorporated as a general law city on July 1, 2000, and operates under the general law statutes defined under the California Government Codes, which enumerates their powers and specifies their structure. This form of government allows the City to provide the following services: public safety, streets, solid waste/recycling, sanitation, culture, parks and recreation, public improvements, land use planning and zoning, general administrative services. Services provided by others include: utilities, electricity, and other general governmental services contract, such as street lighting.

The City operates under the Council/Manager form of government, a system that combines the policy leadership of elected officials in the form of a city council, with the managerial expertise of an appointed city manager.

Elk Grove is a general law city under California law with five elected representatives on the City Council, the mayor and four councilmembers. The office of the elective mayor is decided by the voters, with the position elected citywide (at-large), having a residency requirement within the City limits, and serves a two-year term. There are four council residency districts, and councilmembers are elected citywide (at-large) and serve four-year terms. Each councilmember must reside within the district of the city that they oversee.

The City Council is the legislative body of Elk Grove, consisting of the mayor and four councilmembers. The office of the elective mayor elected citywide (at-large), and serves a two-year term. There are four council residency districts, and councilmembers are elected citywide (at-large) and serve four-year terms. Each councilmember must reside within the district of the city that they oversee.

The City Council has a broad range of municipal powers including the review and approval of an annual budget, establishing community goals and objectives, approving the City's general plan, reviewing and approving major projects and hearing community problems and concerns. The City Manager is appointed by the City Council and serves as the chief administrative officer of the organization. The City Manager is responsible for administration of City affairs, day-to-day operations, and implementation of Council policies. The City Attorney, also appointed by the City Council, advises and represents the City and City Council in all legal affairs. The Council meets on the second and fourth Wednesdays of each month. Council meetings can be viewed on Cable Channel 14, or reviewed online at <http://www.elkgrovecity.org>. City Hall is located at 8401 Laguna Palms Way.

No change in the current government structure is necessary to continue the adequate provision of municipal services in consultation and coordination with affected agencies and service providers. As a City, Elk Grove is a legally separate and fiscally independent agency. It can issue debt, set and modify budgets and fees, and sue or be sued.

The City works to meet its goals for each service provided. The overall management structure of the City is sufficient to account for necessary services and maintain operations in an efficient and effective manner.

7. *Any other matter related to effective or efficient service delivery, as required by commission policy*

All material and information required or requested by the Commission has been provided through the preparation of the draft submittals, and is included in the Final MSR of August, 2013.

B. Conclusion

The City of Elk Grove has made an effort to proactively plan to provide for future growth in this area. The determinations in the MSR quantify the ability of the City to provide for planning for services and financing to meet the needs of the project through inclusion into the SOI. The MSR determines that there is adequate government structure to provide services and accommodate successful growth under the Enhanced Regional Alternative.

II. SPHERE OF INFLUENCE AMENDMENT

A. Sphere of Influence Process

Under Government Code section 56425, LAFCo has the power to approve or disapprove applications for boundary changes for cities and special districts, modify boundaries of a proposal, and impose reasonable terms and conditions of approval. The Commission shall consider the application for a sphere of influence change, and receive any oral or written testimony. This is a discretionary action subject to the California Environmental Quality Act (CEQA). Sacramento LAFCo is the lead agency.

When considering an application for a Sphere of Influence Amendment, LAFCo must complete the following actions:

1. Environmental Review: CEQA requires that LAFCo assess the environmental consequences of its actions and decisions, and take actions to avoid or minimize a project's adverse environmental impacts.
2. Municipal Service Review: As discussed in detail above, LAFCo must conduct a service review of the municipal services provided in the county and prepare a written statement of its determinations.
3. Sphere of Influence Determinations: Pursuant to Government Code sections 56425(e) and 56668, in determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to specific enumerated items. (See pages 63-69).
4. Public Comments and "Meet and Confer" Process: The City and County conducted a "meet and confer" negotiation period regarding the Sphere of Influence boundaries, development standards, and zoning requirements for the areas within the proposed Sphere of Influence.
5. Compliance with Applicable Laws and Policies: As part of its determination as to a Sphere of Influence application, LAFCo will ensure that the recommended sphere of influence expansion is consistent with applicable laws, such as the Cortese-Knox-Herzberg Local Government Act, and applicable policies, such as the LAFCo Policies and SACOG policies.

As discussed in detail below, after the completion of this process, Staff recommends that the Commission find that the Enhanced Regional Alternative, as defined in the EIR for this project, is consistent with the Cortese-Knox-Hertzberg Local Government Act.

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: “The Commission shall have all of the ... powers and duties ... to review and approve or disapprove, with or without amendment, wholly, partially, or conditionally, proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the Commission A Commission shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements. When the development purposes are not made known to the annexing city, the annexation shall be reviewed on the basis of the adopted plans and policies of the annexing city or county. A Commission shall require, as a condition to annexation, that a city prezone the territory to be annexed. However, the Commission shall not specify how, or in what manner, the territory shall be prezoned.” The decision of the Commission shall be based upon the General Plan and pre-zoning of the City of Elk Grove in effect at the time of the decision. (Government Code section 56375(a).)

In addition, LAFCo is required to review proposals and consider discouragement of urban sprawl, the preservation of open space and prime agricultural land and the encouragement of orderly formation and development of local governmental agencies. (Government Code sections 56001 and 56668.)

The Executive Officer has reviewed the application for a SOIA, and is recommending terms and conditions that are consistent with the Commissions duties under the law. In addition, the Executive Officer has considered preservation of open space and agricultural lands, and recommended appropriate mitigation measures addressing this requirement.

B. Loss of Agriculture and Open Space

The issue of preserving agricultural lands and open space is integral to LAFCo’s consideration of applications for sphere of influence amendments. Specifically, Government Code section 56377 requires the following:

In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space uses, the commission shall consider all of the following policies and priorities:

- (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing non-prime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

Given the unique location of the City of Elk Grove in that its only area of growth would impact prime agricultural land, some loss of agricultural land is necessary to promote orderly growth.

- (b) Development of existing vacant or non-prime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow or lead to the development of existing open-space lands for non-open space uses which are outside the existing jurisdiction of the local agency or outside of the existing Sphere of Influence of the local agency.

To address this issue, the Executive Officer is recommending an infill policy condition and jobs-housing condition to ensure that development occur within the existing City if feasible before agricultural land is developed. In addition, the Executive Officer has proposed the agricultural preservation measure as stated previously.

LAFCo has also adopted policies and standards related to agricultural land conversion¹:

- Amendment proposals involving Sphere expansion which contain prime agricultural land will not be approved by the LAFCo if there is sufficient alternative land available for annexation within the existing Sphere of Influence. (LAFCo Policies § V.I.6).

For the reasons stated within this Executive Officer’s Report, there is insufficient alternative land available to the City. However, the Executive Officer has recommended numerous conditions to lessen the impact on prime agricultural lands.

- LAFCo will approve a change of organization or reorganization that will result in the conversion of prime agricultural land in open space use to other uses only if the Commission finds that the proposal will lead to the planned, orderly, and efficient development of an area. For purposes of this standard, a proposal leads to the planned, orderly, and efficient development of an area only if all of the following criteria are met:

- The land subject to the change of organization or reorganization is contiguous to either lands developed within an urban use or lands that have received all discretionary approvals for urban development.

The proposed SOI is contiguous to urban uses.

- The proposed development of the subject lands is consistent with the Spheres of Influence Plan, including the Master Services Element of the affected agency or agencies.

No development is planned at this time.

¹ Some of the listed policies relate to a “change of organization or reorganization.” Although a sphere of influence amendment is not a “change of organization or reorganization” under Government Code section 56021, LAFCo Policies section V.I state that “[t]he LAFCo policies will be applied to applications for amendment to a Sphere of Influence as if it were an annexation.” An annexation is considered a “change of organization or reorganization” under Government Code section 56021. Thus, listed policies and standards are applicable to the SOI Amendment.

- Development of all or a substantial portion of the subject land is likely to occur within 5 years. In the case of very large developments, annexation should be phased wherever feasible. If the Commission finds phasing infeasible for specific reasons, it may approve annexation if all or a substantial portion of the subject land is likely to develop within a reasonable period of time.

At the time of annexation, LAFCo will consider this requirement.

- Insufficient vacant nonprime lands exist within the applicable Spheres of Influence that are planned, accessible, and developable for the same general type of use.

At the time of annexation, LAFCo will consider this requirement.

- The proposal will have no significant adverse effect on the physical and economic integrity of other agricultural lands. In making this determination, LAFCo will consider the following factors: (1) the agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region; (2) the use of the subject and adjacent areas; (3) whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands that lie between the project site and existing facilities; (4) whether natural or human-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development; (5) applicable provisions of the General Plan open space and land use elements, applicable growth-management policies, or other statutory provisions designated to protect agriculture (LAFCo Standards, pgs. IV-5 and IV-6).

LAFCo has imposed numerous conditions including, but not limited to, agricultural and open space mitigation, infill conditions, jobs-housing balance, and the Enhanced Regional Alternative to accomplish these goals while allowing orderly growth for the City. Prior to annexation, the City shall demonstrate its compliance with these conditions.

- LAFCo will not make affirmative findings that the proposed development of the subject lands is consistent with the Spheres of Influence in the absence of an approved Sphere of Influence Plan. LAFCo will not make the affirmative findings that insufficient vacant non-prime land exists within the Spheres of Influence Plan unless the applicable jurisdiction has:

- Identified within its Spheres of Influence all “prime agricultural land” as defined herein.

See Table on page 44.

- Enacted measures to preserve prime agricultural land identified within its Sphere of Influence for agricultural use.

The Executive Officer has proposed several conditions to promote orderly growth while preserving prime agricultural land.

- o Adopted as part of its General Plan specific measures to facilitate and encourage in-fill development as an alternative to the development of agricultural lands.

The Executive Officer has recommended such specific measures.

The City of Elk Grove currently has a coterminous Sphere of Influence. The City is generally surrounded on the north, east, and west by existing development as well as habitat and open space constraints. The only logical way for the City to grow is along its southern and southeastern boundaries. As a result, growth in this direction impacts Prime Farmland, Farmland of Statewide Importance, and habitat areas that cannot be avoided.

The Enhanced Regional Alternative contains approximately 4,040 acres located both inside and outside the County Urban Services Boundary. Approximately one-half of the Enhanced Regional Alternative is located within the County USB and approximately one-half is located outside of the County USB.

The Enhanced Regional Alternative contains Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. The table below shows the allocation of farmland by major types within the Enhanced Regional Alternative.

Distribution of Farmland Type within Enhanced Regional Alternative			
	Acres	Prime Farmland	Statewide Importance
Enhanced Regional Alternative	4,040	151.2	1,640.6
Area within USB	2,064	0	368
Area Outside USB	1,976	151.2	1,272.6

As a result of the potential impact to agricultural lands, it is recommended that mitigation measures be imposed to preserve Agricultural and Open Space lands within the proposed SOIA boundary.

As a result of the potential impact to agricultural lands, habitat, and open space lands it is recommended that mitigation measures be imposed to preserve these resources lands if areas are annexed to the City.

The recommended mitigation measure for the conversion of agricultural land within the proposed Sphere of Influence is summarized as follows:

The City will require that applicants protect one acre of existing farmland of equal or higher quality for each acre of Prime, Unique, or Farmland of Statewide Importance that would be developed as a result of the project.

In addition, the City will be required to mitigate for the loss of habitat and other biological resources as determined by State and Federal regulatory agencies. If approved the City is also required to comply with the terms and conditions of any adopted habitat conservation plan.

Finally, Terms and Conditions have been proposed to require the City to efficiently utilize its existing inventory of vacant land within the City prior to requesting annexation of new territory.

C. Compliance with LAFCo Policies

The following LAFCo Policies are relevant to the Commission's review of the SOIA application.

- The LAFCo will favorably consider proposals that will provide urban services in areas with high growth potential rather than in areas with limited potential for future growth. (LAFCo Policies § III.4).

As discussed in detail below, Staff recommends reducing the SOI Area to that described in the EIR as the Enhanced Regional Alternative. This recommendation is made, in part, on the conclusion that the areas encompassed by the Enhanced Regional Alternative have higher growth potential than the larger SOI Area proposed in the application.

- The LAFCo will favorably consider those applications that do not shift the cost for services and infrastructure benefits to other service areas. (LAFCo Policies § III.6).

The SOI application does not shift costs.

- The LAFCo has determined that community needs for efficient services and orderly development are generally met most effectively by proposals which:
 1. Correct a threat to the public health and safety;
 2. Consolidate the activities of public agencies in order to obtain economies from the provision of consolidated services;
 3. Consolidate services and service providers if such consolidations enhance the efficiency and quality of service; and
 4. Restructure agency boundaries and service areas to provide more logical, effective, and efficient local government services. (LAFCo Policies § IV.G)

As discussed in detail above in connection with the MSR, the provision of local government services would be improved with the approval of SOIA.

- An applicant for an amendment to a Sphere of Influence must demonstrate a projected need or lack of need for service. (LAFCo Policies § V.I.5).

The need for the SOIA has been demonstrated by evidence that creating additional employment centers would improve the jobs-housing balance in the City, while still allowing

for orderly growth that addresses environmental and municipal services issues. The Enhanced Regional Alternative SOI expansion presents an appropriate balance between the City's need to grow and LAFCo's responsibility to provide logical boundary changes and ensure orderly growth.

- Sacramento LAFCo Policies section I.C state the following principles:
 1. LAFCo is charged with encouraging orderly urban growth and development to prevent urban sprawl, leap frog development, and scattered urbanization;
 2. LAFCo is responsible for encouraging logical formation and determination of boundaries to coordinate property development standards and encourage timely urbanization.;
 3. LAFCo should exercise its authority to ensure that affected populations receive adequate and efficient governmental services; to promote cooperative planning efforts between cities, special districts, and the County; to examine urbanization from a regional perspective; to promote an equitable distribution of costs, services, and to discourage overlapping and duplicative provision of public services; and
 4. LAFCo is required to guide development away from open space and prime agricultural land uses unless such actions would fail to promote the planned, orderly, and efficient development of a community.

The ERA Sphere of Influence expansion is consistent with LAFCo Policies section I.C because it encourages orderly growth and prevents urban sprawl by allowing the City to grow, but places terms and conditions on such growth to ensure that the City will annex and develop in an orderly fashion. Based on the Commission's requirements for phased annexation and approvals prior to annexation, LAFCo also encourages logical formation of boundaries.

LAFCo's careful consideration of municipal services and determinations based on the Municipal Services Review ensures that there will be adequate and efficient services, and coordination with other agencies in the County to provide public services. By adopting agricultural and open space land mitigation measures, LAFCo is allowing Elk Grove to grow but also guiding development away from open space and prime agricultural land. Thus, the recommended Sphere of Influence in this Report is consistent with LAFCo policies I.C.

Additionally, evidence is provided throughout this Report supporting the conclusion that the ERA Sphere of Influence Amendment conforms to LAFCo policies because:

1. The proposed SOI territory does not overlap the Sphere of Influence of any other city.
2. The MSR for the proposed SOI identifies types and adequacy of municipal services to be provided.
3. The MSR for the proposed SOI identifies existing land uses and reasonable projection of land uses that may occur.

4. The MSR for the proposed SOI identifies existing and proposed facilities.
5. The proposed SOI is consistent with the policies of the Elk Grove General Plan.
6. The SOI does not split neighborhoods or divide an existing identifiable community, commercial district, or other area having a social or economic identity.
7. The proposed ERA SOI does not create islands, corridors or illogical peninsulas or distort existing boundaries. The proposed SOI is abutted to the north by lands of the Stone Lakes National Wildlife Refuge, which is established, and designated for permanent preservation.
8. The proposed SOI does not exclusively contain revenue-producing properties.
9. The proposed SOI does not unreasonably split parcels or create an area difficult to serve. The EIR ERA has been further refined by staff from the Exhibit 5-2 version presented in the EIR to avoid the splitting of parcels between I-5 and Hwy 99. To the west of Hwy 99, the ERA follows the Sacramento County USB as well as FEMA floodplain mapping criteria, which is fixed and can be readily ascertained.
10. The proposed SOI is orderly and is not “leap frog” development in relation to existing development. The current SOI is coterminous with the City limits.
11. The proposed SOI does not pose a threat to public health and safety. Any 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. Further, the Central Valley Flood Management Planning Program will require 200-year floodplain protection for urban areas.
12. Projected population growth and development patterns for the City of Elk Grove indicates that the proposed SOI Amendment will provide future economic development opportunities for the City and improve the jobs-housing balance for this community.
13. The proposed SOI territory has targeted and selected property that, although currently agricultural lands, is in the logical path of urban development and adjacent to developed land, which promotes orderly growth and discourages sprawl.

D. City Of Elk Grove General Plan Consistency

The City of Elk Grove General Plan is a broad framework for planning the future of Elk Grove. It is the official policy statement of the City Council to guide the private and public development of the City in a manner to gain the maximum social and economic benefit to the citizens.

The Elk Grove General Plan addresses a Planning Area outside the city limits in which the proposed SOIA Area is located. The Planning Area is larger than the proposed SOIA Area and

represents the area that the City envisions may ultimately be included either in its Sphere of Influence or in the incorporated city limits. Although the City has no jurisdiction over the determination of land uses in the Planning Area, it can advise Sacramento County on land use policy within the Planning Area. While the Elk Grove General Plan provides a statement of the uses the City desires in the Planning Area, those statements are purely advisory.

The General Plan envisions the potential for converting agricultural land uses to urban land uses within the General Plan's Urban Study Areas located east of Grant Line Road and South of Kammerer Road. The majority of the proposed SOIA Area is located within the Elk Grove's General Plan Urban Study Areas.

The General Plan does not identify a land use plan for these areas but lays out policies to guide the study of future development in cooperation with the public and other agencies and parties. No specific land use designation or pre-zoning are proposed or required at this time. No pre-zoning is associated with this proposed SOIA. Pre-zoning is required prior to annexation of the area.

General Plan consistency is further discussed in the related CEQA documents.

E. Other Policy Considerations

The SOI Amendment must be considered in the context of applicable policy considerations. This section discusses SOI Amendment in the context of the following policy areas: (1) infill policies and (2) jobs-housing balance.

1. Infill Policies

During the public process, some have maintained that the City of Elk Grove has sufficient land within its current boundaries to accommodate all necessary City growth. In reviewing this issue, LAFCo staff is guided by its own policies and existing General Plan policies. Due to the documents provided, including the Market Study dated December 29, 2010, the City's own data, documents from public agencies, the Executive Officer has determined that the City does not need the entire acreage requested.

According to the City, an increase its jobs-housing balance cannot be met through infill development alone. Although there are approximately 3,000 acres of existing vacant lands within the City of Elk Grove, the December 29, 2010, Elk Grove Market Study prepared by the Center for Strategic Economic Research showed that it would be infeasible for the City to utilize much of this land for future development for the following reasons:

- To develop vacant parcels, the subject property must be of sufficient size and scale to accommodate a reasonably-sized development project.
- Environmental issues, access, circulation and other infrastructure constraints, and undesirable land use adjacencies can limit the development potential of vacant parcels that would otherwise be permitted to develop under the General Plan.

- Much of the vacant built space may be unsuitable for future development given shifting trends in land use and technology. This space may require repositioning in order to be usable.
- Increasing development densities would also be problematic because it would exceed current infrastructure capabilities and the cost of updating such infrastructure would be unreasonable.
- Vacant area on the east side of Waterman Road is designated to remain rural and increased density in this area would not be permissible.

Further, the MSR states that the City experienced rapid growth between the years of 2000 and 2007 with slowed growth between 2008 and 2013, and particularly rapid growth in the area west of State Highway 99. The MSR notes that the 2013 population for the City is 159,074 and is projected to reach 212,153 by 2035. Additionally, the number of employees in the City is estimated to increase by 68% between 2008 and 2035 and the number of housing units by 35%. A portion of the anticipated growth can be accommodated by the approximately 2,918 acres vacant lands within the City. However, increasing development densities in the City would exceed current infrastructure capacities, and the cost of updating such infrastructure would not be feasible.

In addition to the recommendation of the Enhanced Regional Alternative, the Executive Officer will recommend an infill policy condition to ensure orderly growth and reduce loss of agricultural land. That policy could incorporate provisions similar to those implemented by the County of Sacramento's infill policies, including:

- Fund an Infill Coordinator position and identify programs to promote infill development. The Infill Coordinator would conduct outreach to communities for their involvement and input.
- Establish a program to monitor the location and ratio of infill and reuse development and changes in holding capacity resulting from rezones or development with other uses. Establish an incentive program for owners of properties designated for infill and owners of property or property managers of larger commercial areas. Report annually on progress towards attaining objectives for residential infill, rezones to higher densities, build-out of planned communities, and residential development.
- Coordinate with public and private interests in the promotion of sites for infill development.
- Develop a strategy to incentivize priority development of residential vacant or underutilized sites within urban areas that have infrastructure available.

Upon submittal of an annexation application, the City must demonstrate that it has provided or accommodated feasible infill development of existing urban lands before annexing and developing new territory through adoption of infill policies. These adopted infill policies should encourage the development of vacant parcels, reuse or redevelopment of abandoned or derelict structures, rezoning of excess commercial and/or industrial lands to residential uses where appropriate, utilization of existing public infrastructure and services in an efficient manner, and intensification of uses on underutilized lands to accommodate as much residential, commercial and employment capacity as feasible within the existing city limit.

Due to terms and conditions imposed on any future annexation, concerns regarding infill have been adequately addressed to support approval of the Enhanced Regional Alternative SOI Area.

2. *Jobs-Housing Balance*

In support of its proposed SOIA, the City has a stated goal to improve its jobs-housing balance in its long-term land use planning. Approval of the Enhanced Regional Alternative supports a jobs-housing balance because it will allow the City to plan for additional employment opportunities, which will provide for economic growth, additional commerce needed within the City, and shorter commutes for Elk Grove residents.

A jobs-housing ratio is a policy planning tool used to gauge the relative balance of jobs and housing units within a community. The ratio does not necessarily measure the immediate proximity of the jobs to the housing. For example, a community with a 100 percent balance of jobs and housing could have the jobs concentrated in one portion of the community and the housing distributed throughout the balance of the community. It is important to note that a favorable jobs-housing balance or “fit” should be achieved on average for the entire City area, not on a project by project basis.

Historically, trends indicate that people are driving more places at longer distances. Land use patterns may increase travel distances because of the separation of home, jobs, and other destinations. Better planned, mixed-use communities with a balance of jobs and housing can help reduce travel distances, potentially decrease time in commuting, and have greater efficiency and use of public infrastructure and services.

As mentioned above, jobs-housing balance is more of a policy planning technique than a regulatory tool that local government can use to achieve a roughly equal number of jobs and housing units or households in its jurisdiction or part of a jurisdiction. The jobs-housing ratio should fit to the jurisdiction needs and be in line with population and employment forecasts for that area. Ideally, the jobs available in a community need to match the labor force skills, and housing should be available at prices, sizes, and locations for workers who wish to live in the area.

While many jurisdictions have a goal to develop and provide adequate housing close to employment centers that is attainable to all segments of their population, regulatory barriers may unknowingly impede the development of the range of housing types needed to meet the desired jobs-housing balance. Many times, local zoning and other regulations can prevent communities

from using land efficiently and providing enough life cycle housing. Because local zoning and regulations limit density and design options, and because low-density development costs per unit are higher, the market may be skewed toward more limited housing offerings.

The SACOG MTP/SCS also considers the relationship between jobs and housing and the important relationship between jobs and workers. Housing has long been used as a proxy for workers and worker residence. In reality, the number of workers per household varies widely across the region, and different housing types have the capacity for accommodating different numbers of workers. Additionally, areas with “good” jobs-housing balance may still force longer commutes for workers, if available housing in the area is unaffordable to workers filling local jobs.

With support from the Federal Partnership for Sustainable Communities, SACOG is now working on a “jobs-housing fit” measure that can better assess the “fit” at a smaller geographic scale between the wages paid to local workers and the cost of housing. This measure will provide more detailed information for regional and local planning efforts on local employment and housing demand.

The MTP/SCS outlines strategies for reducing regional traffic congestion and related air pollution. These strategies include promoting the use of public transit, walking, biking and carpooling, providing employment centers near housing, and promoting mixed use and compact development.

Approval of the SOIA using the Enhanced Regional Alternative would permit the City to develop employment centers within its boundaries and incentivize development of a sustainable community with reduced traffic and automobile pollution, which encourages “Smart Growth.” Prior to or in conjunction with any future annexation application, the City shall demonstrate, either through work with SACOG or the development of local policies, a jobs-housing implementation measure to support the annexation request.

Prior to annexation, the City shall demonstrate that its proposed annexation creates an improved quantitative and qualitative jobs-housing balance within the entire City to reduce commuting, traffic congestion, and environmental concerns related to vehicles on the road, and improve efficiency of public infrastructure and services. The City shall demonstrate population and employment forecasts and data for the proposed annexation area, and demonstrate an investigation into any identified skew between jobs in the area and the types and cost of housing. The City shall demonstrate that the annexation is necessary to create additional employment centers close to housing that matches the skills of people who live in the region to ensure that a greater percentage of the people who live in the region also work in the region. The City shall also demonstrate consultation and its efforts towards compliance with the jobs-housing goals stated in the SACOG MTP/SCS. The City shall present specific implementation measures to improve the jobs-housing balance within its boundaries, such as compact development, mixed use development, developer incentives to improve jobs-housing, and zoning which improves jobs-housing fit opportunities.

B. Review Under the California Environmental Quality Act

Prior to considering approval of the proposed Sphere of Influence Amendment Proposal, the Sacramento LAFCo must certify that the Environmental Impact Report (“EIR”) prepared for the project is adequate under the California Environmental Quality Act (“CEQA”) and that the Commission has considered the information presented in the EIR. After making this finding, LAFCo may consider approval of the proposed City of Elk Grove Sphere of Influence Amendment.

The EIR is an informational document that informs public agency decision makers of the significant environmental effects of a project, identifies possible ways to minimize the significant effects, and describes reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.

The Final Environmental Impact Report was prepared in accordance with the requirements of the Public Resources Code and CEQA Guidelines. CEQA requires that the lead agency take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project. Sacramento LAFCo is the lead agency for the proposed Sphere of Influence Amendment.

The Notice of Preparation was issued October 1, 2010. A Notice of Availability was issued September 29, 2011, to over 100 interested parties, including agencies and members of the public. The public comment period for the Draft Environmental Impact Report was initially open from September 29, 2011, through November 14, 2011. In response to public comments provided to your Commission at the regular meeting of November 2, 2011, staff extended the public comment period through November 21, 2011.

On May 2, 2012 your Commission directed staff to prepare a DEIR for recirculation for the review and comments of the public and affected agencies. A Notice of Availability was issued March 19, 2013, to over 100 interested parties, including agencies and members of the public. The Recirculated DEIR (RDEIR) was circulated for a sixty day public review period - March 21, 2013, to May 21, 2013. LAFCo also solicited public input throughout the EIR process by holding numerous public hearings.

The Final EIR was prepared and distributed during September, 2013. The Final EIR consists of the following:

- The Draft EIR and Recirculated Draft EIR prepared by Sacramento LAFCo as lead agency for the project to incorporate LAFCo factors and issues.
- Comments submitted to LAFCo received from persons, organizations, and public agencies on the Recirculated Draft EIR (RDEIR).
- The responses of Sacramento LAFCo related to significant environmental issues raised in the review and comment period which have been incorporated in the Final EIR.

The Final EIR evaluated potentially significant adverse environmental impacts that could be associated with the project, and identified mitigation measures and project alternatives that would reduce or eliminate these impacts. The Recirculated Draft EIR did not set forth policy for Sacramento LAFCo about the proposed project's desirability. Rather, the Recirculated Draft EIR was an informational document to be used by the public, decision-makers, and public agencies. During the project review process, Sacramento LAFCo must consider all feasible mitigation measures and alternatives developed in the Recirculated Draft EIR to substantially lessen anticipated environmental impacts of the proposed project.

1. *Alternatives to the Proposed SOIA*

In accordance with CEQA Guidelines section 15126.6, the EIR contains an assessment of alternatives to the proposed project. The three alternatives analyzed in the EIR are the following:

1) *No Project/Existing General Plan Alternative*

The project site would remain in its existing condition and no Sphere of Influence application would be submitted. The Sphere of Influence boundaries would be limited to the existing City of Elk Grove City limits. The SOIA Area is anticipated to continue to develop under the existing Sacramento County General Plan.

2) *Alternate SOI Boundary Alternative*

The Alternate SOI Boundary Alternative would entail the expansion of the City of Elk Grove's SOI to the northeast of the existing City limits and would encompass an area that is larger than the currently proposed SOI area. This Alternate SOI Boundary modification is aimed to encompass an unincorporated area of the County that would allow the City meet its objectives of future growth and expansion but focus on areas adjacent to the City that are currently processing specific plans and development applications. As such, the alternate SOI boundary would include the North Vineyards Station Specific Plan (1,590 acres); the Vineyard Springs Comprehensive Plan (2,650 acres); and an area west of these specific plans that includes 6,500 acres bounded by Eagle Nest Road to the east, Elder Creek Road to the north, Calvine Road to the south, and Grant Line Road to the southeast. The Alternate SOI Boundary Alternative is illustrated in Exhibit 5-1. Similar to the proposed SOIA Area, the land use designations for the 6,500 acres is General Agriculture-20: most of the land (about 90 percent) is grazing land, according to the Farmland Mapping and Monitoring Program (FMMP). This alternative would also avoid extension of the SOIA Area into or near the Stone Lakes National Wildlife Refuge.

3) *Enhanced Regional Alternative*

The Enhanced Regional Alternative would entail the expansion of the City of Elk Grove's SOI over 2,775 acres immediately to the south of the current City limits, generally 0.5 mile north of Eschinger Road, in the area between State Route 99 (SR-99) and Franklin Boulevard and approximately 1,575 acres in the area east of SR 99 that is

currently within the County General Plan Urban Services Boundary, for a total of 4,040 gross acres. This alternative is illustrated in Exhibit 5-2. The Enhanced Regional Alternative would be located within portions of the area identified by the Sacramento Area Council of Governments (SACOG) Blueprint Preferred Scenario for Elk Grove as a Medium Density Residential place type, and as Vacant Urban Designated Lands (2050) and it incorporates areas east of SR 99 within the County’s Urban Services Boundary. This alternative aims to encompass an unincorporated area of the County that would allow the City to meet many of its objectives for future growth and expansion but would focus on siting that growth in areas that meet regional as well as City objectives, as set forth in regional transportation and air quality planning documents (e.g. Sacramento Sustainable Communities Strategy (SCS)). By encouraging more compact urban development, the alternative would reduce potential environmental impacts to air quality and greenhouse gas emissions, and the loss of agricultural and biological resources as well. This alternative would also largely avoid FEMA designated floodplains and extension of the SOIA Area near the Stone Lakes National Wildlife Refuge

2. *Mitigation Measures*

The Final EIR contains an analysis of all significant environmental effects of the proposed SOIA. In order to mitigate these impacts to a less than significant level, where feasible, mitigation measures were included in the Final EIR and will be provided in a Mitigation Monitoring and Reporting Program (“MMRP”) for Commission approval. All mitigation measures in the Final EIR will be incorporated as conditions of project approval.

The following list of mitigation measures is not exhaustive. Instead, the mitigation measures listed here are those that were the most discussed during meetings with the public, interested parties, and public agencies. For a list of all mitigation measures for the project, please refer to the MMRP.

Conversion of Agricultural Lands

Mitigation Measure 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 (1) acre of existing farmland land 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 water supply to support agricultural 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 encumbrance 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.

Conversion of Open Space Lands

Mitigation Measure LU-4. To address impacts from conversion of open space, the EIR requires implementation of Mitigation Measure AG-1, stated above.

Habitat Preservation – Mitigation Measures BIO-1a, BIO-1b, and BIO-1c

Mitigation Measure 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 HCMP shall be submitted to the CDFW and the USFWS for approval. 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 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, 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 and non-invasive 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.

Mitigation Measure 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 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 more than 15 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. 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.
- 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.

Mitigation Measure Bio-1c. To mitigate impacts on foraging habitat for Swainson’s hawk, other raptors (including burrowing owl), and Greater Sand Hill cranes, the City of Elk Grove shall demonstrate to LAFCo prior to annexation of all or part of the Sphere of Influence Amendment (SOIA) Area, through policy or adopted planning documents, that conservation easements or other instruments to acquire and preserve suitable foraging habitat for Swainson’s hawk and Greater Sand Hill crane are identified and will be implemented, as determined by the California Department of Fish and Wildlife (CDFW). Foraging impacts mitigation shall be required for the following planning actions that would occur within the SOIA Area:

- A. Any request to change land use zoning or general plan designation from agricultural to a non-agricultural land use,
- B. Any request to subdivide five (5) acres or more of contiguous land zoned AR-1 or AR-2,
- C. Any request for land use entitlement for a nonagricultural use of land zoned with an agricultural designation,
- D. Any request for a land use entitlement for a nonagricultural use of land five (5) acres or more in size that is zoned AR-1 or AR-2, or
- E. Any public improvement project proposed by any department or agency of the City of Elk Grove on land with agricultural designation.

The project shall acquire conservation easements or other instruments to preserve suitable foraging habitat. In deciding whether to approve the land for proposed preservation, the City shall consider the benefits of preserving lands in proximity to other protected lands. The preservation should occur prior to the onset of any development activities that would cause the impact (i.e., land clearing or site grading) or the issuance of permits for grading, building or other site improvements, whichever occurs first.

- **Swainson’s hawk.** 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 shall be governed by a one-to-one (1:1) mitigation ratio for each acre developed. The land to be preserved shall be deemed suitable Swainson’s hawk foraging habitat by the City in consultation with CDFW.
- **Greater Sand Hill 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 Sand Hill crane foraging habitat by the City in consultation with CDFW.

Where impacts for these species overlap (lands that support foraging for both species) mitigation can occur at 1:1 if mitigation sites support both species.

The City of Elk Grove shall require minimum conservation easement content standards to be implemented to the satisfaction of LAFCo. Minimum conservation easement contents must include, but are not limited to: documentation and recorded encumbrances on the land, prohibition of activity which substantially impairs or diminishes the land's capacity as suitable foraging habitat, water rights protections, and requirements for the mitigation land to be held in trust in perpetuity.

This mitigation measure may be implemented in combination with Mitigation Measure AG-1, which requires the preservation of agricultural land, as long as the agricultural land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements listed above. In addition, this mitigation measure may allow the joint use of land for both Swainson's hawk and Greater Sand Hill crane foraging habitat mitigation, as long as the land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements listed above. In the event that it is infeasible to acquire the necessary easements prior to annexation and development, the City will apply its impact mitigation fee program, used to acquire available land with suitable foraging habitat values at the ratios and conditions

Development in Floodplain Areas: Mitigation Measures HYD-3, HYD-4a, and HYD-4b

Mitigation Measure HYD-3. Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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.

Mitigation Measure HYD-4a. Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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.

The City will not approve any discretionary permit or entitlement, or any ministerial permit that would result in the construction of a new residence; any tentative map, or any parcel map for which a tentative map was not required; or enter into development agreement for projects located within a 200-year flood zone, unless the City makes, based on substantial evidence, one of the findings found in Government Code Section 65865.5.

Mitigation Measure HYD-4b. 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 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 predevelopment levels within or downstream of the SOI Area.

SACOG Blueprint and Metropolitan Transportation Plan Consistency

Mitigation Measure POP-1a. At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove will demonstrate consistency 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.

Greenhouse Gases and Climate Change

Mitigation Measure GHG-1. Prior to annexation of any or part of the ERA area, the City of Elk Grove shall amend or augment the City's greenhouse gas emissions inventory projections to account for potential development of the ERA area. Analysis assumptions, methodology and emission factors used by the City shall be submitted for review to the Sacramento Metropolitan Air Quality Management District (SMAQMD). 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. The City will require that discretionary projects comply with any one of the following performance criteria:

- a. Efficiency Metric: Greenhouse gas emissions would be less than 6.6 annual metric tons of carbon dioxide equivalent per service population. Service population comprises both residents and employees that would be accommodated

- by the ERA area.
- b. **Percent Reduction:** Greenhouse gas emissions would be reduced by 29 percent from the year 2020 business-as-usual baseline. The business-as-usual baseline parameters will be determined in consultation with the SMAQMD.
 - c. **Climate Action Plan Consistency:** The City shall demonstrate that development in the ERA area will comply with applicable SECAP measures and the City's emission reduction goals.

Timely Availability of Sustainable Water Supplies Adequate for Projected Needs

Mitigation Measure USS-1. Prior to LAFCo approval of annexation of any portion of the City of Elk Grove ERA territory, the City must demonstrate that through the Plan for Services as required by Government Code section 56430, or its successor, to allow the Commission to determine that: (1) the requirement for timely water availability, as required by law, is met; (2) its water purveyor is a signatory to the Water Forum Successor Effort, (3) the amount of water provided will be consistent with the geographical extent of the SOIA territory and the groundwater sustainable yield described in the Water Forum Agreement; (4) water will be provided in a manner that ensures no overdraft will occur; and (5) existing water customers will not be adversely affected. The Plan for Services shall be sufficient for LAFCo to determine timely water availability to the affected territory pursuant to Government Code Section 56668, subdivision (k), or its successor.

Adequate Services

Wastewater Services and Capacity. **Mitigation Measure USS-2.** Prior to submittal of any application to annex territory within the SOIA Area, the City of Elk Grove will submit a Plan for Services that demonstrates that the wastewater transmission and treatment providers have requested that the SOIA Area be within their respective Spheres of Influence of a public agency, and that such providers have prepared or approved an infrastructure plan and funding program to ensure compliance with Federal Clean Water Act and applicable state standards; and that sufficient transmission infrastructure, and treatment and disposal capacity adequate for projected needs are available to accommodate the buildout of the annexation territory, with no adverse impact to existing ratepayers.

Solid Waste Capacity. **Mitigation Measure USS-4.** At the time of submittal of any application to annex any or all territory within the SOIA Area, the City of Elk Grove shall identify solid waste services, including contract service operation if applicable, to be extended, the level and range of services, timing of services, improvements of facility upgrades associated with the services, and how the services will be financed to accommodate the buildout of the SOIA Area.

Housing Element

Mitigation Measure POP-1b. At the time of submittal of any application to annex territory within the ERA area, the City of Elk Grove shall revise and update its General Plan in accordance with state law that addresses the annexed territory and update the Housing Element (updated to reflect the annexed territory) to establish that the City has or will meet its Regional

Housing Needs Allocation (“RHNA”) for all income levels as defined in Government Code Section 65588.

Air Quality Mitigation Plans: Mitigation Measures AIR-1 and AIR-2

The goal of these mitigation measures is to avoid air quality impacts by ensuring that the Elk Grove SOIA Area meets or exceeds the air pollution control requirements in the federally-mandated State Implementation Plan for the Sacramento Ozone Non-attainment Area (“SIP”), which consists of all or parts of Yolo, Solano, El Dorado, Placer, Sutter, and Sacramento counties, including the City of Elk Grove and the SOIA Area:

Mitigation Measure AIR-1. Prior to the submission of any application to annex any portion of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will prepare an Air Quality Mitigation Plan. 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.

Mitigation Measure 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 the most current SMAQMD measures at the time of construction to address construction-generated 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 any applicable SMAQMD Rules in effect at the time of construction will be demonstrated.

3. *CEQA Findings of Fact and Statement of Overriding Considerations*

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 the project. However, section 21002 recognizes 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.” Therefore, the Sacramento LAFCo

must make Findings of Fact and a Statement of Overriding Considerations in order to approve, or modify and approve, the proposed Sphere of Influence Amendment, or deny the proposed Sphere of Influence Amendment.

In order to approve the project or one of its alternatives, the Commission must make the following findings as part of a Statement of Overriding Considerations. The Statement of Overriding Considerations will provide detail supporting each finding, based upon the information included in this Report and the Final EIR:

- The Commission finds that the Project will have specific economic, legal, social, and community benefits for the City of Elk Grove including:
- The Proposed Sphere of Influence will provide the City opportunity to grow in accordance with its 2003 General Plan.
- The SOI territory represents a logical and reasonable extension of the Elk Grove city boundaries.
- The SOI territory can be best served by the City of Elk Grove, and affected special districts through existing and planned infrastructure, municipal services, and governance structure.
- Future annexation would allow economic development during and after construction. It will provide construction employment and promote jobs related to land uses designated for commercial, office, industrial and retail activities.
- The approval of the Enhanced Regional Alternative instead of the entire proposed SOIA territory significantly reduces the loss of prime agricultural land and mitigation measures and conditions have been imposed to mitigate agricultural and habitat impacts.
- Environmental commitments and a Mitigation Reporting and Monitoring Program have been included as part of this project approval.

D. Sphere of Influence Determinations

If the Commission certifies the Final EIR and adopts the Statement of Overriding Considerations, it may consider approval of the Sphere of Influence Amendment.

1. Government Code Section 56668

Pursuant to Government Code section 56668, factors to be considered in the review of a proposal shall include, but not be limited to, all of the following (although Government Code section 56668 applies to changes of organization only, LAFCo local policies indicate that change of organization policies will be applied to sphere of influence actions):

- (a) Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

See the Final EIR, Chapter 2, Project Description, for a detailed discussion of the project area.

- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

The Municipal Services Review discusses each of these issues in detail.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county

The MSR, this Report, and the EIR provide information regarding the effects of the SOIA.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

This Report and the Resolutions for this application evidence the conformity of the proposal with Commission polies and the priorities of section 56377.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

See above in this Report, detailing the effects of the project on agricultural lands. Conditions of approval have also been imposed to protect the physical and economic integrity of agricultural lands.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The attached map shows the definite boundaries of the Enhanced Regional Alternative SOIA.

- (g) A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.

Consistency with adopted regional transportation plans and the City's General Plan are discussed in detail above.

- (h) The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed.

No other Spheres of Influence are applicable to the proposal being reviewed.

- (i) The comments of any affected local agency.

The comments of local agencies are included in the Final EIR, Final MSR and in the Meet and Confer Process section of this Report. The comments were considered and incorporated to the greatest extent possible.

- (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The MSR discusses the provision of services to the SOIA Area, including the sufficiency of the City's revenues following the SOIA.

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

The Final EIR discussed the issue of water availability in detail and, as a result, demonstration of timely water availability at the time of annexation is a condition of approval of the project, as discussed below.

- (l) The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments.

Upon an application for annexation, the City will be required to show that it will achieve its fair share under the Regional Housing Needs Allocation.

- (m) Any information or comments from the landowner or owners.

All comments on the Recirculated Draft EIR or the proposed SOIA from landowners or owners were considered in the Final EIR.

- (n) Any information relating to existing land use designations.

Existing land use designations are discussed above in the Background section of this Report.

- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and provision of public service.

The location of public facilities is not applicable to the SOIA application. The provision of public service is discussed in detail in the MSR.

2. *Government Code Section 56425*

Pursuant to Government Code section 56425, subdivision (e), in determining the Sphere of Influence of each local agency, the Commission shall consider and prepare a written statement of its determinations with respect of each of the following:

- A. The present and planned uses in the area, including agricultural and open space lands.
- B. The present and probable need for public facilities and services in the area.
- C. The present capacity of public facilities and adequacy of public services that the agency (or agencies) provides or is authorized to provide.
- D. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

Based on the requirements of Government Code section 56425, the Executive Officer recommends the following determinations regarding each of the four elements as follows. These determinations assume approval of the ERA SOIA and would therefore need to be revised if the Commission selects the proposed SOIA or other alternative:

A. *Present and planned land uses in the area, including agricultural and open space*

For purposes of analyzing environmental impacts, LAFCo staff, in consultation with City staff, has developed land use assumptions to inform your Commission of the potential environmental effects that may result from growth resulting from future annexations. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA.

It should be noted that California Government Code Section 65300 provides that a city may comprehensively plan for lands outside of its jurisdiction without the area being within an approved SOI. However, while the Elk Grove City Council has expressed its desire to have the proposed SOI Area master planned, the Council has explicitly stated that no comprehensive planning of the area will occur until LAFCo approves an SOIA.

Although the proposed SOIA would amend the City’s Sphere of Influence boundaries, land within the amended SOI would not be within the City’s jurisdiction until future requests for annexation of territory are approved by your Commission. If and when future requests for annexation are approved, the newly annexed property would be within the City’s jurisdiction and subject to applicable City General Plan policies and regulations. Approval of the SOIA project

does not commit the City to development of any particular land uses. If the SOIA project is approved, future development will be driven by market conditions and future planning decisions by the City of Elk Grove, in terms of timing and type and intensity of development.

The current City boundaries and coterminous SOI encompass 26,974 acres. Having a coterminous SOI and city boundary is atypical because with a coterminous SOI, there is no extraterritorial area for a city to plan future growth. The proposed ERA SOIA would expand the existing SOI, not city limits, by approximately 4,040 acres. However, future growth and expansion through the annexation process would be limited to areas outside of the FEMA 100-year floodplain. This would limit future growth, leaving a portion much less area for non-urban uses, such as open space. The ERA consists of 151.2 acres of prime farmland, 1640.6 acres of farmland of statewide importance, 863 acres of farmland of local importance, and 13 acres of unique farmland.

The ERA SOIA Area includes agricultural uses consisting of fallow/row crops/nursery, orchards, vineyards, and dairy, poultry, and livestock operations. Few structures exist within the project site, and these are limited to barns, rural housing, storage sheds with related structures, and several solar farms. The 2030 Sacramento County General Plan designates the SOIA as Agricultural Cropland, Agricultural Residential, Commercial/Office, General Agriculture (20 acres), Intensive Industrial, Low Density Residential, and Natural Preserve.

The ERA SOIA is consistent with the City of Elk Grove General Plan Planning Area, which includes land within the incorporated City limits of Elk Grove and unincorporated areas of Sacramento County surrounding the City. The Elk Grove General Plan provides land use planning for the City and the larger Planning Area. The Planning Area represents areas not within the city limits in which the City has an interest in influencing land use decisions by the County of Sacramento, and is envisioned as the area into which the incorporated city boundaries may eventually expand.

There are no current or future City General Plan land use designations in the ERA SOIA Area, but the proposal is intended to provide sufficient land to accommodate an improved jobs-housing fit for the City of Elk Grove that provides for sufficient residential and employment-generating lands uses to minimize the need for commuting to or from other jurisdictions. There is no alternative land available within the City's current Sphere of Influence to accommodate the needed growth because the City's current SOI and City boundaries are co-terminus.

B. The present and probable need for public facilities and services in the area

The ERA SOIA Area is presently largely undeveloped and unserved. The existing need for public facilities and services is minimal. These public services include electricity, roads, telephone, sheriff's patrol, fire protection, garbage collection, and animal control.

The SOIA will not require the immediate need for additional public facilities or services. Subsequent annexations will facilitate the need and provision of additional public services prior to and at the time this area is developed. Future development within Elk Grove's Sphere of Influence boundary, as a result of annexations, will require additional public facilities and services including extension of sewer lines, treatment capacity, extending water lines and

increasing water supply capacity, flood control and drainage facilities, road improvements, police and fire protection, schools, libraries and parks. The Final Environmental Impact Report for the proposed Sphere of Influence Amendment identifies the probable impacts that will occur from future development based on the proposed land use designations.

The City of Elk Grove will be required to prezone the property prior to submitting an annexation application and approving development. Specific mitigation requirements and impacts will be identified during that process.

C. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide

The City of Elk Grove is a general law city which provides limited municipal services, including land use governance, public works and law enforcement. The City coordinates the land use entitlement review process with County agencies and affected special districts that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection.

The Municipal Services Review more fully discusses the capacity, means and financing for the full array of services necessary to support future development, in the event of annexation approvals. Approval of the SOIA Area will not change the current service providers. At this time minimal services are provided to this area because of its rural character. At the time of annexation, the City will be required to provide plans for all services, which will include financing and necessary funding to implement the required infrastructure.

The MSR and comments from affected entities evidence that the ERA SOIA will not result in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area

D. The existence of any social or economic communities of interest in the area

The areas included with the proposed Sphere of Influence Amendment boundary have economic and social communities of interest that are similar to the existing characteristics within the City of Elk Grove. In many cases, this territory directly benefits from the services provided by the City of Elk Grove and indirectly from the economic and social community, such as businesses, social clubs, recreational activities, churches and other community organizations.

E. Conclusion

Approximately 2,000 acres of the proposed ERA SOIA are substantially within the Sacramento County General Plan Urban Service Boundary line (i.e., the ultimate boundary for the delivery of municipal services provided by the County). Even though this includes agricultural land, it is agricultural land that has previously slated for future development. Therefore, inclusion of this land in the SOIA Area is consistent with LAFCo policies. Inclusion of the remaining ERA SOIA Area, south of Kammerer Road, was necessary to meet jobs-housing balance goals. The area (approximately 2,040 acres) located outside of the USB is generally consistent with the SACOG

Blueprint. The SACOG Blueprint is a regional policy document for long range transportation planning and funding. The City of Elk Grove currently has a coterminous Sphere of Influence.

The City of Elk Grove has requested the SOIA to establish an urban growth boundary to accommodate and enhance economic development and anticipated future growth. Given County USB policies, the City of Elk Grove is the most proximate municipal entity to guide development and coordinate the necessary related of municipal services to the SOIA Area if the area should be annexed to a city. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 promotes the view that urban development should occur within municipal boundaries (ideally i.e., that municipal services are more efficiently provided by a single municipal provider, rather than a myriad of single purpose providers).

E. Meet and Confer Process and Agency and Public Comments

Meet and Confer process with the County of Sacramento. The City of Elk Grove staff and County of Sacramento staff met in compliance with Government Code Section 56425, subdivision (b). No formal agreement has been executed. A copy of the letter from Lori Moss, Sacramento County Community Development Director, dated March 12, 2013, is attached. The primary purpose of the meet and confer process was to establish commonly shared conservation and open space principles.

City of Galt. The City of Galt has provided comments that express supports for the efforts of Elk Grove to establish a Sphere of Influence for their future growth potential. Galt also wants to ensure that the potential impacts of planned growth in the SOIA are fully considered and mitigated so there is no adverse effect on Galt's future.

The comment raises concerns regarding the water supply 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. SCWA provides water service to much of 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 development in the proposed SOIA Area. Due to the nature of the proposed SOIA, specific development cannot be predicted with accuracy at this stage. In the event that SWCA were to provide water to the proposed SOIA Area, SCWA would need to modify the respective service area, plan for, and extend infrastructure and services to serve the SOIA Area, subject to further environmental review.

Sacramento Area Council of Governments. The Sacramento Area Council of Governments ("SACOG") is comprised of six counties and 22 cities in the region. SACOG's has provided comments throughout the review of the proposed SOIA. SACOG's primary responsibility is developing and implementing the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), a document that establishes transportation spending priorities throughout the region. The MTP/SCS must be based on the most likely land use pattern to be built over a 20+ year planning period, conform with federal air quality regulations and achieve state greenhouse gas reduction targets.

The MTP/SCS must effectively address the linked challenges of reducing regional traffic congestion levels and mobile-source air pollutants, including particulate matter, ozone and greenhouse gases. The SACOG Blueprint Study (Blueprint), conducted from 2002-2004, revealed that there is a strong connection between land use patterns, travel behavior and air quality. Specifically, certain land use strategies lead to increased walking, biking and transit use, shorter automobile trips, and reduced mobile-source air pollution. These land use strategies include higher density housing and employment, locating jobs and housing near each other, and providing strong connectivity in the design of street and bicycle/pedestrian systems. In support of these findings, the SACOG Board adopted the Blueprint principles and conceptual map as a depiction of a way in which the region could grow and achieve these transportation and air quality benefits, as well as many other environmental and quality of life benefits.

Of the project alternatives analyzed in the RDEIR, the Enhanced Regional Alternative to the proposed project is the most consistent with the Blueprint, particularly if Elk Grove plans the area for future employment growth. As noted above, one of the land use strategies that achieves congestion and air pollution reduction is jobs/housing balance. For the region to realize these reductions, communities that currently have a low ratio of jobs to housing, such as Elk Grove, need to plan for and attract enough job growth over time to minimize the need for long-distance commuting out of the city.

Sacramento County Farm Bureau. The Farm Bureau expressed concerns about potential impacts on the continued viability of agricultural operations. The Farm Bureau opposes the current SOI expansion of the City of Elk Grove to include over 7,600 acres of agriculture land. The Farm Bureau further feels any expansion SOIA should not exceed the number of acres projected by the market studies that project future acreage needed for the City of Elk Grove to grow in an orderly and logical manner.

The Elk Grove Market Study released in December 2010 indicates the land supply and demand analysis supports the need for an additional 200 to 1,400 acres of land to accommodate projected 2029 levels of demand. (Page iii, Elk Grove Market Study, 12/29/2010.)

Sacramento Metropolitan Air Quality Management District. In their letter dated May 20, 2013, the District does not object to the proposal. SMAQMD is supportive of the Air Quality mitigation measures, as revised to reflect SMAQMD comments.

Sacramento Municipal Utility District. Prior to rezoning or any annexation proposal for the proposed SOIA territory SMUD will need to be contacted to plan transmission and distribution systems to serve this area. Typically, this issue will be addressed at the time of development and construction.

Cosumnes Community Service District. The District indicated that the SOIA would not affect existing recreation, parks or fire services. Prior to development the City and District will need to address financing additional operation, maintenance and capital costs related to new development within the SOIA territory.

The CCSD is the primary fire protection and emergency medical response service within the proposed SOIA area. Sacramento Metro Fire District (SMFD) and the CCSD share common jurisdictional boundaries and participate in a regional mutual aid agreement. If the proposed SOIA is approved, the area may develop over time. As the recognized primary service provider for fire protection and emergency medical and rescue services, the CCSD and the City will be encouraged to work together closely to identify fire station locations, equipment and personnel needs to support any increased demands on the CCSD. The development review process should minimize service impacts to joint responder agencies, such as SMFD.

Sacramento Metropolitan Fire District (SMFD). SMFD provided a comment requesting that necessary facilities, equipment, and personnel for the Cosumnes Community Services District fire service be considered to support increased demands which may result from future annexation and development in the SOIA Area, if approved. During the course of any subsequent City land use entitlement process related to annexation, the City and CCSD will need to address financing additional operation, maintenance and capital costs related to new development within the SOIA territory. The City's General Plan includes policies and requirements for development impact fees to finance new fire protection facilities, equipment, and personnel.

Water Service Providers. Water service is more fully discussed in the project Municipal Services Review and the related CEQA documents.

Portions of the proposed SOIA Area are within the water service boundaries of the Sacramento County Water Agency (SCWA) (municipal and industrial - M&I) and the Omochumne-Hartnell Water District (OHWD) (groundwater recharge and irrigation). In addition, the Elk Grove Water District (EGWD) (M&I) also directly serves the City in some areas east of State Route 99. As the proposed SOIA area land uses are primarily agricultural, the primary water service demands in the area are for irrigation water. Domestic demand is currently met with private onsite wells.

Sacramento County Water Agency. SCWA is a logical M&I water service provider for future urban land uses in the proposed SOIA Area. SCWA would need to plan and extend infrastructure and services to fully serve the entire SOIA area. The SCWA is not subject to LAFCo purview. The Board of Supervisors would oversee any changes to the SCWA service area.

Omochumne-Hartnell Water District. The OHWD has indicated that the District is preparing a plan regarding the provision of domestic water service within its boundaries. Should OHWD be able to provide M&I services in the future, they could be considered a service provider in the event of urban development in the proposed SOIA Area.

Elk Grove Water District (Florin Resource Conservation District). EGWD could be a municipal water service provider in the proposed SOIA area. As the proposed SOIA Area is currently unserved, the extension of EGWD's boundaries would not cause overlapping service boundaries with SCWA, as currently configured.

Sacramento Area Sewer District and Sacramento Regional County Sanitation District. Portions of the proposed SOIA Area are within the service boundaries of the Sacramento Area Sewer District (local collection and conveyance) and the Sacramento Regional County Sanitation

District (regional treatment). As the proposed SOIA Area is primarily agricultural, the predominant wastewater service consists of private onsite septic systems.

Urbanization in the proposed SOIA Area would require adequate municipal wastewater service. As no municipal wastewater services are currently provided to the proposed SOIA Area, future extension of wastewater service will require annexation into a wastewater service provider's boundaries. Some service providers may require amendments to the respective service areas to provide service. Such action would be agency specific to any related SOIA with MSR and future annexation.

California Dept. of Conservation - Williamson Act Contracts. The California Land Conservation Act of 1965, commonly called the Williamson Act, has long been the mainstay of Sacramento County's agricultural land preservation program. The purpose of the Williamson Act is to secure a long-term landowner commitment to maintain farmland in agricultural uses in exchange for assessment of the land based upon use rather than market value.

Approximately 2,474 acres of the project site are covered by active, multiple Williamson Act contracts. Some property owners have filed a Notice of Non-Renewal on approximately 548.8 acres to initiate termination of the contract. The Williamson Act expiration dates for the non-renewal lands within the SOI Area range from 2013 to 2016, with the majority of expirations occurring in 2014.

Sacramento Transportation Authority. There will be no impact to the Sacramento Transportation Authority.

County of Sacramento Department of Public Works. The Department has provided several comments on service delivery issues. Since, the proposed SOIA will have no impact on any existing service providers, these comments and issues will need to be addressed as part of any future annexation application and process.

Public Comments. The Commission has also received written and verbal comments from the public, both in favor and opposed to the proposed SOIA.

III. STAFF RECOMMENDATIONS

Staff recommends that the Commission approve the Enhanced Regional Alternative SOIA and said approval will be subject to the following terms and conditions, in addition to the mitigation measures described in this report, the EIR, and the Mitigation Monitoring and Reporting Program.

A. Recommendation to Approve the Enhanced Regional Alternative

Staff's recommendation for approval of the ERA is based on the following considerations after careful review of the EIR, application, and all the evidence contained in the administrative record for this application.

CEQA Guidelines Section 15126, subdivision (e)(2), requires an EIR to identify an environmentally superior alternative. The No Project Alternative is the environmentally superior alternative, as the project site would remain in its existing condition, thereby avoiding any potentially adverse environmental impacts. If the No Project Alternative is environmentally superior, the EIR must also identify another environmentally superior alternative among the remaining alternatives.

The Sacramento Local Agency Formation Commission Enhanced Regional Alternative would be environmentally superior because it would reduce the severity of the proposed project's significant unavoidable impacts associated with aesthetics, loss of prime agricultural land, other agricultural resources, air quality, biological resources, habitat, geology, soils, and seismicity, hazards and hazardous materials, land use and planning, transportation and utilities.

Specifically, the ERA is environmentally superior for the following reasons:

- a) *Species Protection & Habitat Conservation* – The ERA provides for habitat conservation in addition to satisfying Elk Grove's need to expand. The reduction in size of the SOI area combined with the imposed conditions and the FEIR mitigation measures are effective measures to reduce impacts. Although a statement of overriding consideration is still required given environmental impacts, the ERA provides an effective compromise between the City's need for growth and environmental considerations. The Mitigation Monitoring and Reporting Program (as a condition to approval of the SOI) will ensure implementation and effectiveness of the mitigation measures. The City will also need to demonstrate participation in the South Sacramento County Habitat Conservation Plan ("SSCHP") or develop its own conservation plan consistent with the requirements of state and federal regulatory agencies to mitigate for habitat and loss of agricultural land within and without the SOI area. The ERA also avoids identified Swainson's hawk nesting sites. Thus, the ERA will allow Elk Grove to grow, but also limit the effect to species and habitats within the approved SOI Area.
- b) *Ag Lands & Open Space* – The ERA protects agricultural lands and open space while allowing orderly growth. Because the City is hemmed in on three sides with existing developed or dedicated land non-agricultural lands are not available for annexation. Urbanization abuts the City on the north and east, with the Stone Lakes National Wildlife Refuge to the west. Thus, the City may only grow to the south, on lands currently used for agriculture and open space. However, the ERA will limit loss of agricultural and open space lands within the region and require Elk Grove to set aside permanent conservation easements at a ratio of one acre converted to urban land uses to one acre of agriculture preserved.
- c) *Air Quality* – Reducing the SOI size to 4,040 acres as opposed to the 7,869 proposed by Elk Grove promotes regional air quality goals by limiting the territory for development, commensurate with less traffic generation within the region. This will enable the City to comply with its greenhouse gas requirements as set forth in Elk Grove's General Plan and recently adopted Climate Action Plan. Air quality mitigation measures will also reduce the impacts of future development to air quality.

- d) *Water Supply* – The ERA represents a lesser potential development footprint, resulting in a reduction of demand for water service. This will contribute to the long-term management of an adequate and sustainable water supply.
- e) *Jobs-Housing Balance* – The ERA supports a jobs-housing balance because it will allow the City to plan for additional employment opportunities which will provide for economic growth, additional commerce needed within the City, and shorter commutes for Elk Grove residents. SACOG’s 2004 Blueprint and the Metropolitan Transportation Plan / Sustainable Communities Strategy (“MTP/SCS”) outline strategies for reducing regional traffic congestion and related air pollution. These strategies include promoting the use of public transit, walking, biking and carpooling, providing employment centers near housing, promoting mixed use development and compact development. By approving a SOI amendment of 4,040 acres, LAFCo will permit the City to develop employment centers within its boundaries and incentivize development of a sustainable community with reduced traffic and automobile pollution. LAFCo will thus be encouraging “smart growth” by the City of Elk Grove. Furthermore, the City will be required to demonstrate in the future that any annexation provides and contributes to a greater jobs-housing balance citywide. Further, the Executive Officer recommends an infill condition be imposed to ensure that the City demonstrate that infill development is prioritized where feasible and growth in the SOI is managed in an orderly process.
- f) *Orderly Growth* –By limiting the SOI expansion, LAFCo would be encouraging orderly growth and avoiding urban sprawl. This is an important policy goal of LAFCo. LAFCo policies state that it will only approve a change of organization or reorganization which will result in the conversion of prime agricultural land in open space to other uses if the Commission finds that the proposal will lead to the planned, orderly, and efficient development of the area. (LAFCo Policies § IV.E). The ERA will allow LAFCo to promote this important goal of orderly and logical growth by:
- i. Limiting the size of the SOI.
 - ii. Imposing conditions that encourage infill development where feasible before expansion into the SOI
 - iii. Imposing conditions that require mitigation for loss of agricultural land
 - iv. Imposing conditions that require mitigation for loss of habitat
 - v. Imposing conditions to ensure that the SOI growth follows a pattern to accomplish a jobs-housing employment center land use balance rather than suburban residential sprawl.
 - vi. Imposing a condition that the City demonstrate, either through work with SACOG or the development of local policies, jobs-housing implementation measures to support any annexation request.

The ERA provides Elk Grove with all of the adjacent land within the County General Plan Urban Services Boundary and thus provides sufficient area to grow in area previously identified as appropriate for urbanization, while promoting orderly growth. By limiting the SOI extension, LAFCo would discourage urban sprawl and promote the more efficient use of existing lands.

- g) *Infill* – The County of Sacramento’s General Plan and LAFCo policies both emphasize build out of infill sites prior to development of new territory. Infill development refers to new development within an established urban area where basic municipal infrastructure and services exist. This type of development includes development of vacant parcels, redevelopment of abandoned or derelict structures, and intensification of uses on underutilized lands. By approving the ERA, LAFCo will ensure that Elk Grove is able to grow, but LAFCo will promote infill development by linking limiting the permissible boundaries for Elk Grove. Infill development is the re-use of land or existing developed sites within an urban/suburban area. Infill development promotes better use of sites through reuse and repositioning of obsolete or underutilized buildings. Infill uses vital land left vacant during early development and contributes to community revitalization. Infill is representative of smart growth. Infill development is valuable not only for the environmental benefits of using land more efficiently and directing growth into existing urbanized areas, but also the benefit that quality projects bring to neighborhoods and communities. Good infill conserves open space, helps to energize communities and contributes to jobs, housing and area sustainability.

Opportunities for infill exist throughout the current City limits, and there are vacant and underutilized properties within established communities that are available for reuse or revitalization. Prior to proposing annexation of any territory in the SOIA, the city focus should be on revitalization efforts in older commercial corridors to encourage infill development, transportation improvements and blight reduction. This should include maximizing development opportunities in these areas that will support walking, biking and transit; provide residents with new nearby housing, employment and shopping opportunities; improve air quality and reduce GHG emissions; and encourage economic growth. Infill should continue to be encouraged in appropriate locations outside of the major transportation corridors; while maintaining a policy balance between seeking infill and ensuring that development is compatible with existing neighborhoods. In any annexation application, the City shall demonstrate its implementation of policies that encourage the most efficient use of the city land inventory, including the infill of vacant parcels and intensification of development on underutilized lands where appropriate to maintain or improve the quality, character and identity of existing neighborhoods and communities, as well as to relieve growth pressure on the urban fringe. The application shall demonstrate that the annexation is consistent with LAFCo orderly growth policies.

- h) *Efficient Services* – The ERA ensures that residents of Elk Grove receive efficient and adequate governmental facilities and services, such as wastewater, solid waste, law enforcement, fire, emergency, code enforcement, parks and recreation, gas/electric, and library. If LAFCo reduces the SOI from that proposed by Elk Grove, there will be no immediate need for additional public facilities or services. The reduced acres of the ERA provides adequate economy of scale for facility and infrastructure master planning for water, wastewater, fire and park services.

- i) *Traffic and Transportation* – As noted in the jobs-housing paragraph above, limiting the SOI extension to 4,040 acres will limit the impact of development on traffic, transportation and related issues such as noise and pollution.
- j) *Conformity with LAFCo Policies* – LAFCo policies state that LAFCo are charged with encouraging development that occurs in a manner that provides efficient and quality services and preserves open space land resources. (LAFCo Policies § I.B). LAFCo’s policies also state that LAFCo will favorably consider proposals that result in the provision of urban services in densely developed and populated areas, and favorably consider proposals that will provide urban services in areas with high growth potential rather than in areas with limited potential for future growth. (LAFCo Policies§ III.3-4). Accordingly, the ERA will permit Elk Grove to grow and develop, but ensure that such development conforms to LAFCo’s policies and overall goals.
- k) *Support by Agencies with Jurisdiction Over the SOIA Area* – In its comment letter dated May 20, 2013, the California Department of Fish and Wildlife states that it supports the no project alternative first, but the letter then acknowledges SSHCP compatibility of the ERA: “We also believe that with the current draft of the SSHCP, it may be possible to implement the SSHCP successfully if the RDEIR’s Enhanced Regional Alternative (ERA) were selected, since the ERA is limited to 4,040 acres, and assuming that the acquisition of farm lands in the western portion of the SSHCP planning area with the ERA selected would then be much closer to the 15% acquisition rate experienced with the SJHCP.” In its comment letter dated May 13, 2013, SACOG also supports the ERA and stated that “We note that the size and location of the Enhanced Regional Alternative is generally consistent with the Blueprint conceptual map, which contemplated future growth south of the current city limits of Elk Grove.”
- l) *Terms and Conditions* – Staff recommends approval of the alternative SOI subject to certain terms and conditions that Elk Grove must follow, as outlined in detail below. The terms and conditions will include requirements that the City implement mitigation measures and phase its annexations. By placing these terms and conditions on approval of the SOI, the Commission will allow Elk Grove to grow, but ensure that it grows in a manner that is orderly and accounts for environmental considerations.
- m) *Lack of Need for Entire SOIA Area* –Although the City’s experienced an 80.3% increase in population between 2001 and 2007, the City’s rate of growth has slowed since the economic downturn beginning in 2008. Thus, the City no longer needs the entire 7,869 to accommodate the growth within its jurisdiction. The City would have sufficient capacity with the ERASOIA to accommodate expected growth without further expansion of its boundaries. Because the vacant land within the City is unable to accommodate all anticipated growth, the City needs additional lands. However, Staff believes that ERA provides sufficient land at this point in time for the City to accommodate its projected growth and the City of Elk Grove could return to LAFCo in the future to request another SOI amendment if a larger SOIA is appropriate at that time.

B. Terms and Conditions

The Executive Officer recommends including the following terms and conditions in the Resolutions for the SOIA Amendment. These terms and conditions apply to the recommended ERA Sphere of Influence amendment. As a result, should the Commission approve the ERA SOIA as proposed or if it selects an alternative other than the ERA, Staff will prepare Resolutions with terms and conditions appropriate to enforce the Commission's decision.

- (1) All mitigation measures adopted pursuant to CEQA by LAFCo under Resolution 2013-12-1106-09-10 are incorporated herein by reference as conditions of approval. Prior to annexation of the property within the SOIA Area, LAFCo shall review the Mitigation Monitoring and Reporting Plan approved as part of the SOI Amendment for compliance and shall undertake additional environmental review if required under CEQA.
- (2) Before annexing any territory, the City must demonstrate that the annexation:
 - a) Conforms to an orderly expansion of city boundaries within planned urban growth areas and provides for a contiguous development pattern.
 - b) Includes a comprehensive land use plan for the affected territory, including pre-zoning and a plan for services, including for infrastructure financing and phasing.
 - c) Constitutes a fiscally sound addition to the existing City, with efficient service delivery boundaries, and ensures the provision of adequate municipal services.
 - d) Is consistent with state law and LAFCo policies, standards and criteria.
 - e) Preserves neighborhood identities.
 - f) Is consistent with the City's General Plan and any applicable Community Plan land use policies.
 - g) Incorporates Smart Growth criteria for sustainable economic growth while maintaining environmental integrity, and providing for social equity. This includes creating more housing and jobs near public transit, providing a variety of places where people can live, creating smaller lots and mixed-use development, and utilization of existing assets.
 - h) Includes development that is limited to areas outside the 100-year floodplain, and development that takes place in compliance with the goals and policies of the General Plan.
 - i) Is accompanied by an environmental evaluation of the potential impacts of development.

(3) Prior to annexation, the City must also satisfy the following conditions:

- a) The City shall demonstrate that it has the means, ability and capacity to provide municipal services to the annexed area and that other service providers have the means, capacity and ability to provide services not provided by the City of Elk Grove.
- b) The City must prezone and provide the following plans of services, which will include financing and necessary funding to implement the required infrastructure:
 1. Drainage Plan
 2. Bikeway Plan to delineate bikeway and pedestrian facilities within the Sphere of Influence Amendment Area consistent with the goals and policies of the City's General Plan.
 3. Transit Master Plan consistent with the policies of the City's General Plan. The Plan shall identify the roadways to be used by bus transit routes, locations for bus turnouts and pedestrian shelters, locations for bus transfer stations, alignments for fixed route rail service, and the location of rail service stations.
 4. Traffic, Transportation, and Road Plan
 5. Park and Open Space Plan within territory proposed to be annexed
 6. Water Supply Plan for Services that demonstrates compliance with Federal Clean Drinking Water Act standards; and demonstrates that sufficient, sustainable potable water supplies adequate for projected needs are available to accommodate the build out of the annexation territory, with no adverse impact to existing ratepayers.
 7. Wastewater Plan for Services must demonstrate adequate wastewater conveyance, service, and treatment capacity and availability for the annexation territory based on pre zoning and land uses designated by the City.
 8. Housing Element demonstrating compliance with Regional Housing Needs Allocation (RHNA)
 9. Air Quality Plan
 10. School Mitigation Plan where permitted by law, the City of Elk Grove shall incorporate feasible school impact mitigation requirements into any applicable development agreements that would take effect upon annexation of property within the SOIA Area. The extent to which mitigation requirements may be necessary will depend upon availability of school facilities at the time of development, the type of development that occurs within the SOIA Area (residential compared to non-residential uses) and school district policies on providing enrollment space for non-residents who are employed within district boundaries.
 11. Financing Plans. The plans shall be prepared in consultation with the affected agency or service provider, consistent with criteria applicable at the time of annexation.. –
 12. Right to Farm Ordinance
 13. Code Enforcement
 14. Animal Control
 15. Electricity and Natural Gas
 16. Library Fund Assessment

- c) The City should demonstrate compliance with regional planning policies, such as the current Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS).
- d) If the proposal would result in the annexation to the City of land that is subject to Williamson Act contract (Chapter 7 (commencing with Section 51200) of Division 1), then the petition shall state whether the city shall succeed to the contract pursuant to Section 51243 or whether the city intends to exercise its option to not succeed to the contract pursuant to Section 51243.
- e) Prior to annexation, the City shall demonstrate that its proposed annexation creates an improved better quantitative and qualitative jobs-housing balance within the entire City to reduce commuting, traffic congestion, and environmental concerns related to vehicles on the road, and improve efficiency of public infrastructure and services. The City shall demonstrate population and employment forecasts and data for the proposed annexation area, and demonstrate an investigation into any identified the skew mismatches between jobs in the area and the types and cost of housing. The City shall demonstrate that the annexation is necessary to create additional employment centers close to housing and employment centers that matches the skills of people who live in the region to ensure that a greater percentage of the people who live in the region also work in the region. The City shall also demonstrate compliance with the jobs-housing goals stated in the SACOG MTP/SCS. The City shall present specific implementation measures to improve the jobs-housing balance within its boundaries, such as compact development, mixed use development, developer incentives to improve jobs-housing, and zoning which improves jobs-housing.
- f) The City must demonstrate that the annexation proposal is needed to provide an adequate supply of land to meet projected residential, industrial, and commercial growth to maintain a market equilibrium. The City shall demonstrate adequate available infrastructure in the vicinity of the proposed annexation area to promote sustainable economic development and prevent leapfrog development.
- g) The City and Sacramento County must enter into a property tax exchange agreement before the application can be deemed complete.
- h) The City of Elk Grove shall comply with requirements for water service with the Sacramento County Water Agency (SCWA) and/or the Elk Grove Water District (EGWD/FRCD;) and shall annex into the appropriate service area either Zone 40 and 41, as required by the SCWA, or EGWD, as applicable. This may entail a district specific Sphere of Influence amendment.
- i) The City of Elk Grove shall coordinate with Sacramento Regional County Sanitation District (SCRSD) and Sacramento Area Sewer District (SASD) for sanitary sewer service. The City will be required to annex into these two Special Districts as part of any proposed annexation. This may entail district specific Sphere of Influence amendments.

- j) The City must demonstrate that its proposed annexation is part of a plan for orderly growth within logical boundaries, as identified in LAFCo policies.
 - k) The City must provide information to LAFCo in compliance with FEMA and DWR flood-plain development measures adopted.
 - l) The City shall re-confirm that the proposed annexation is surrounded by or adjacent to lands planned for urban uses.
 - m) The City shall obtain a determination of substantial compliance from the California Department of Housing and Community Development consistent with Government Code section 65585, subdivisions (d) or (h) regarding the Regional Housing Needs Allocation.
 - n) The City shall adopt appropriate land use designations for all property within the SOIA Area noting open space and habitat preservation measures at a minimum as set forth in the FEIR Mitigation Monitoring and Reporting Plan and this Resolution.
 - o) Prior to submittal of an application for annexation, the City shall revise and update its General Plan to include the SOIA Area in accordance with state law.
 - p) At the time of submittal of any application to annex territory within the ERA area, the City of Elk Grove will demonstrate compliance with Policy COS 7-1 of the City's General, or the current version of that Policy, regarding Greenhouse Gas Emission Reduction.
 - q) Identify specific actions that will be undertaken by the City to meet the emission reduction targets set by the City.
 - r) Upon submittal of an annexation application, the City must demonstrate that it has provided or accommodated feasible infill development of existing urban lands before annexing and developing new territory through adoption of infill policies. These adopted infill policies should encourage the development of vacant parcels, reuse or redevelopment of abandoned or derelict structures, rezoning of excess commercial and/or industrial lands to residential uses where appropriate, utilization of existing public infrastructure and services in an efficient manner, and intensification of uses on underutilized lands to accommodate as much residential, commercial and employment capacity as feasible within the existing city limit.
- (4) Pursuant to Government Code section 56375, the City shall pre-zone the property consistent with the City of Elk Grove General Plan, as amended. In pre-zoning within the SOI Amendment Area, the City must identify the process the affected water service provider will undertake to acquire and secure a water supply sufficient for LAFCo to determine timely water availability as required by law, in compliance with the terms and conditions of the Water Forum Agreement. The information provided shall be sufficient for LAFCo to determine water availability to the area pursuant to Government Code section 56668, subdivision (k), or its successor.

- (5) The City of Elk Grove should cooperate and collaborate with Stone Lakes National Wildlife Refuge to enhance this natural resource that is a recognized amenity to the City of Elk Grove. Proposed development along the western boundary of the SOI should be compatible with the Stone Lakes National Wildlife Refuge mission. The City also should cooperate and collaborate with the Nature Conservancy to enhance the preservation of the Cosumnes River within the SOI boundary. The City, when possible, should partner with Stone Lakes National Wildlife Refuge and the Nature Conservancy to preserve and enhance wildlife resources.
- (6) Any other specific issue that becomes known during public hearings.

CONCLUSION

As evidenced throughout this report, Staff's recommendation of a 4,040 acre expansion of the City of Elk Grove's Sphere of Influence pursuant to the ERA would permit the City to grow in compliance with applicable requirements and in furtherance of LAFCo's goals of promoting orderly growth. Based on a review of environmental consideration, provision of municipal services, and the need of the City to expand, the Commission has ample evidence to approve the SOI Amendment.

The proposed SOI Amendment will also be subject to the terms and conditions included in this Report and mitigation measures set forth in the Report and in the Mitigation Monitoring and Reporting Program. The purpose of these conditions and mitigation measures is to respond to issues and concerns raised during the public hearing process and mitigate impacts that may have been identified in the Environmental Impact Report. Furthermore, because a number of issues will need to be resolved prior to annexation, these terms and conditions will ensure that the City addresses these concerns prior to annexation. The terms and conditions require that the City consult a number of agencies that will weigh in on these issues and determine various requirements that will need to be met at the time of annexation. Further, the conditions require the City to demonstrate compliance with LAFCo requirements regarding infill, jobs-housing fit, orderly growth, agricultural preservation and habitat preservation.

The proposed SOIA Area for the City of Elk Grove represents a logical and orderly path of development. Currently, development is occurring along the southern portion of the SOIA territory within the City limits. Therefore, there are a number of benefits to comprehensively plan the SOIA Area due to existing projects and infrastructure development that are already occurring or being planned near the SOIA Area.

Additionally, although a significant amount of growth and development has occurred in the Sacramento region over the last 50 years, growth rates, the economy, and real estate activity have cooled off considerably in the last few years. Although it is difficult to predict market changes, it is prudent to plan for growth during a slow cycle to allow for consideration of issues without undue market pressures.

Staff recommends that the Commission approve an expanded SOI as constituted by the Enhanced Regional Alternative, Exhibit B, to the City's SOI, as opposed to the 7,869 acres that the City requested in its application.

Therefore, staff recommends that the Commission adopt the attached Resolutions:

1. Adopt LAFC Resolution No. 2013-10-1106-09-10: A Resolution of the Sacramento Local Agency Formation Commission Certifying the Final Environmental Impact Report for the City of Elk Grove Sphere of Influence Amendment [State Clearing House No. 2010092076].
2. Adopt LAFC Resolution No. 2013-11-1106-09-10: A Resolution of the Sacramento Local Agency Formation Commission Adopting Findings of Fact and A Statement of Overriding Considerations for the City of Elk Grove Sphere of Influence Amendment.
3. Adopt LAFC Resolution No. 2013-12-1106-09-10: A Resolution of the Sacramento Local Agency Formation Commission Adopting a Mitigation Monitoring and Reporting Program for the City of Elk Grove Sphere of Influence Amendment.
4. Adopt LAFC Resolution No. 2013-13-1106-09-10: A Resolution of the Sacramento Local Agency Formation Commission 1) Making Written Determinations for the City of Elk Grove Municipal Services Review; and 2) Determinations Approving the City of Elk Grove Sphere of Influence Amendment.

Respectfully,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Peter Brundage
Executive Officer

Documents previously distributed to the Commission and public:
Note: these documents are available at www.saclafco.org.

- City of Elk Grove Municipal Service Review
- Draft Environmental Impact Report
- Recirculated Draft Environmental Impact Report
- Final Environmental Impact Report
- Mitigation Monitoring and Reporting Program
- CEQA Findings of Fact and Statements of Overriding Considerations

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

**1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458**

November 6, 2013

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **ERRATA**
**PROPOSED CITY OF ELK GROVE SPHERE OF INFLUENCE
AMENDMENT (L AFC 09-10) (CEQA EIR SCH #2010092076)**

**CONTACT: Don Lockhart AICP, Assistant Executive Officer
(916) 874-2937 (Don.Lockhart@SacLAFCo.org)**

EXECUTIVE OFFICER'S COMMENTS:

The following clarifications are hereby made to the Executive Officer's Report regarding the Proposed City of Elk Grove Sphere of Influence Amendment:

1) Section III.B.3.c is replaced with the following:

At the time of submittal of an application for annexation, the City shall provide information sufficient for LAFCo consideration of compliance with required regional transportation plans and general plan consistency, as required by Government Code section 56668, subdivision (g).

2) Section III.B.3.e, second to last sentence, is replaced with the following:

The City shall also demonstrate consultation and its efforts towards meeting the jobs-housing goals stated in regional plans.

3) Section II.E.2, page 51, second to last sentence of the last paragraph, is replaced with the following:

The City shall also demonstrate consultation and its efforts towards meeting the jobs-housing goals stated in regional plans.

4) Page 4, last paragraph is replaced with the following:

The Enhanced Regional Alternative (“ERA”) was initially defined on page 5-3 of the Recirculated Draft Environmental Impact Report (“RDEIR”) as containing approximately 4,350 acres. However, LAFCo staff subsequently refined the ERA to avoid parcel splitting. The refined ERA is now approximately 4,040 acres, as described in the map attached hereto, and would represent an increase of approximately 15 percent to City acreage.

5) All additional references to 4,350 acres refer to the ERA as described in the RDEIR and Final EIR, and all references to 4,040 acres refer to the ERA as refined by LAFCo staff.

Support Materials

for

City of Elk Grove
Sphere of Influence (SOI)
(LAFC 09-10)

Exhibit A

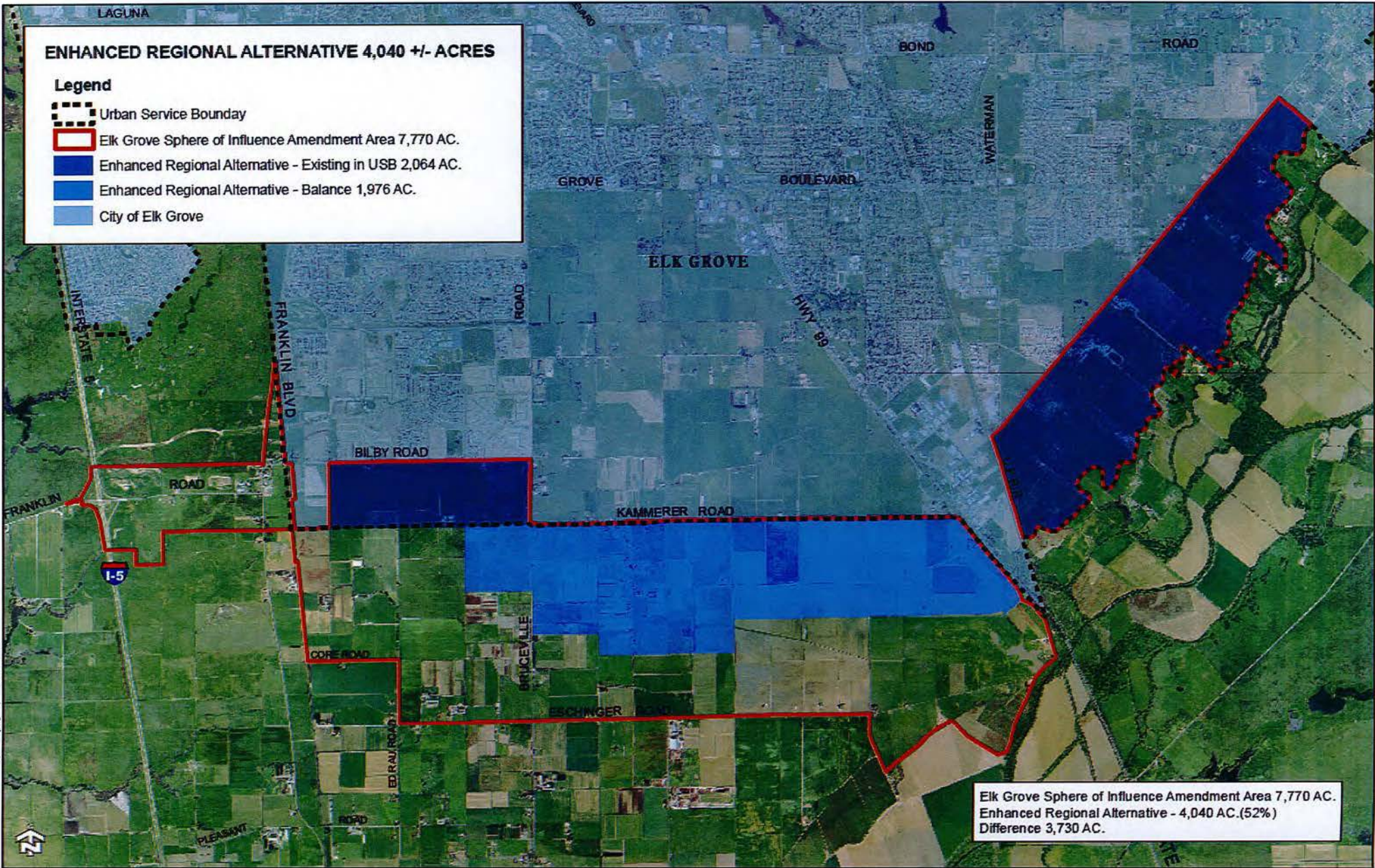
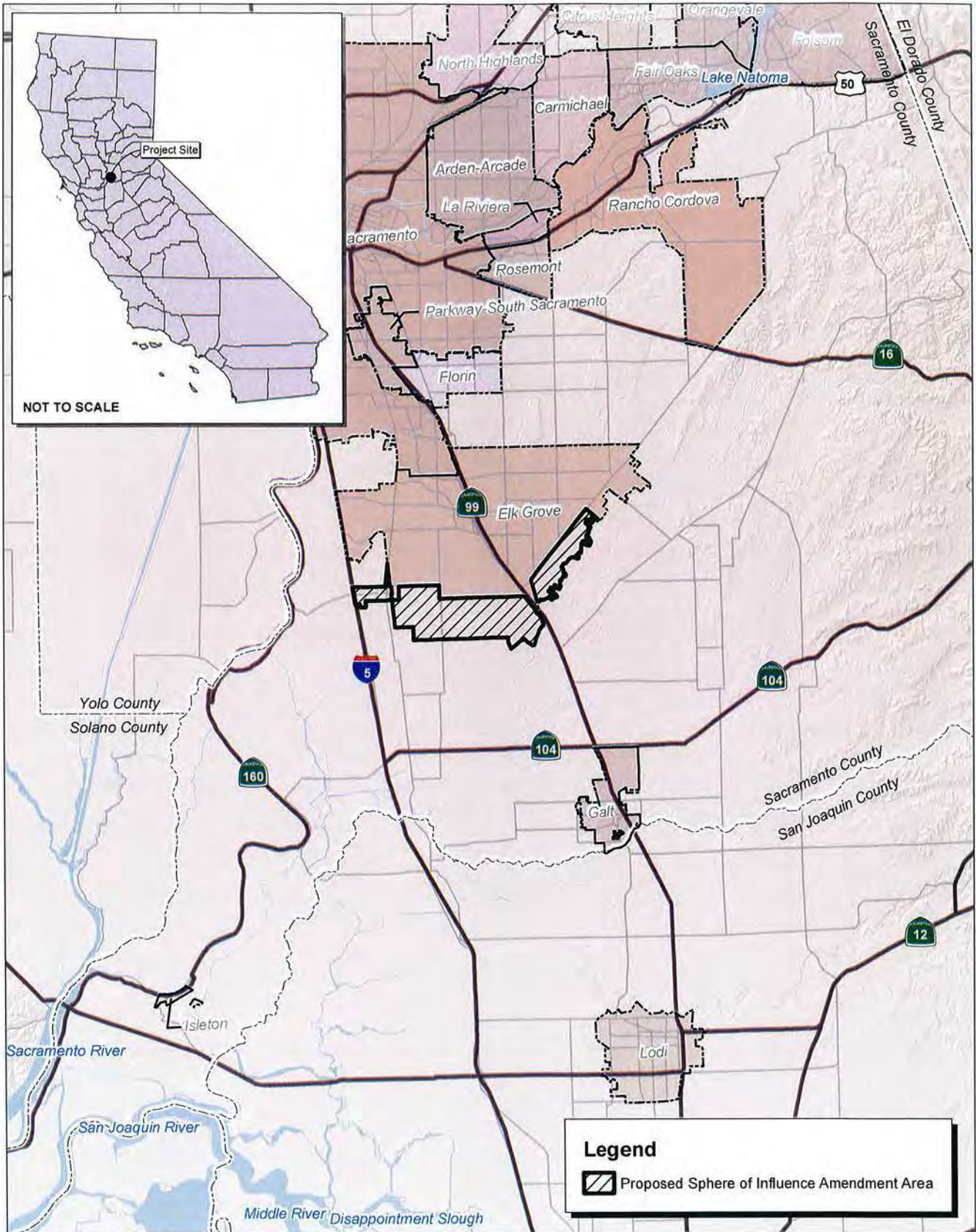


Exhibit A



Source: Census 2000 Data, The CaSIL, MBA GIS 2010.

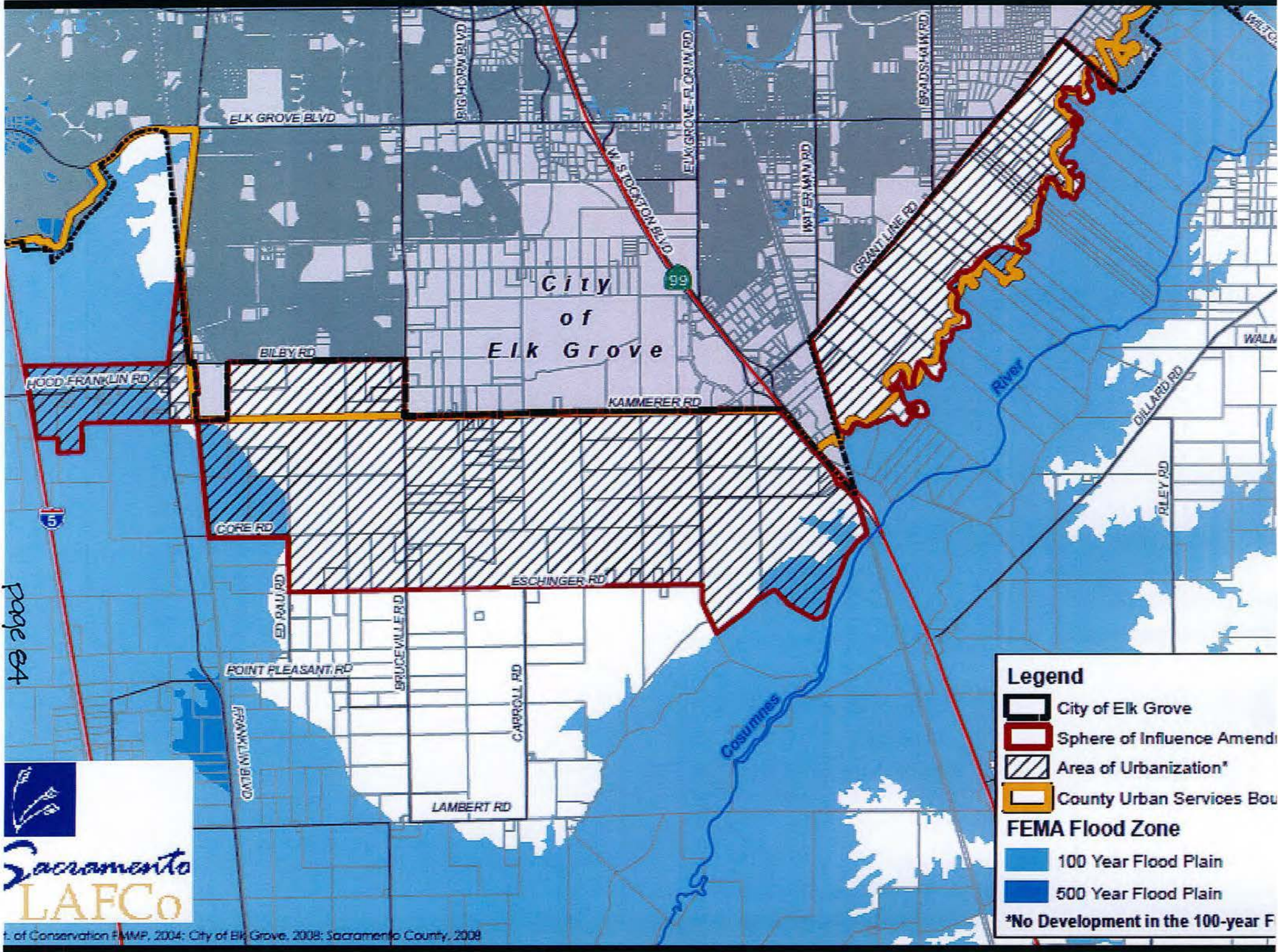


32330002 • 09/2011 | 2-1_regional.mxd



Exhibit 2-1 Regional Location Map

SACRAMENTO LAFCo • ELK GROVE SPHERE OF INFLUENCE AMENDMENT
RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT



page 24



Legend

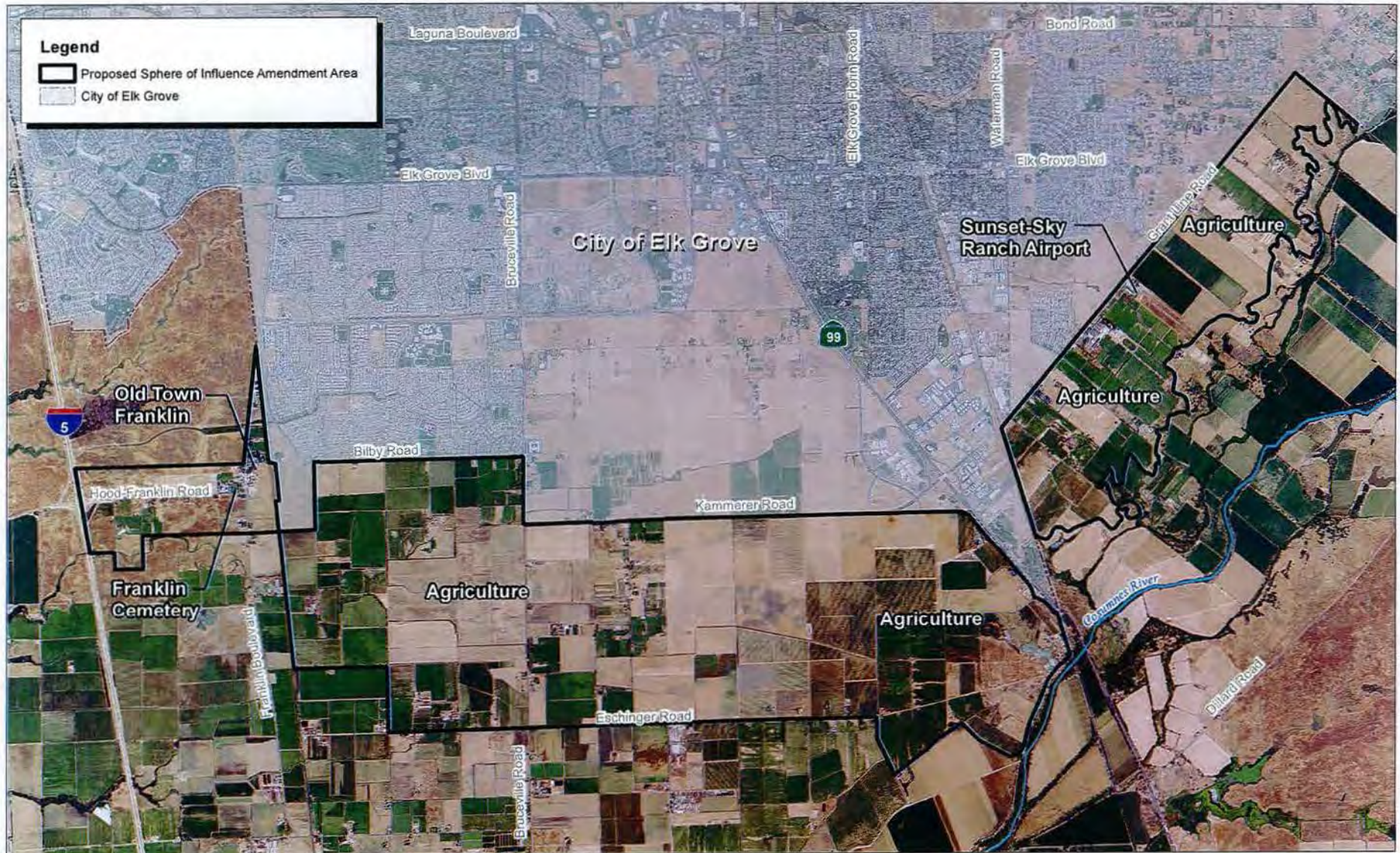
- City of Elk Grove
- Sphere of Influence Amendment
- Area of Urbanization*
- County Urban Services Boundary

FEMA Flood Zone

- 100 Year Flood Plain
- 500 Year Flood Plain

*No Development in the 100-year Flood Zone

page 25



Source: Sacramento County NAIP, 2009, County of Sacramento, City of Elk Grove, 2009.



Michael Brandman Associates
32330002 • 09/2011 | 2-4_existing_land_uses.mxd

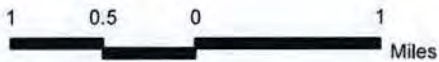


Exhibit 2-4 Existing Land Uses

LEGEND

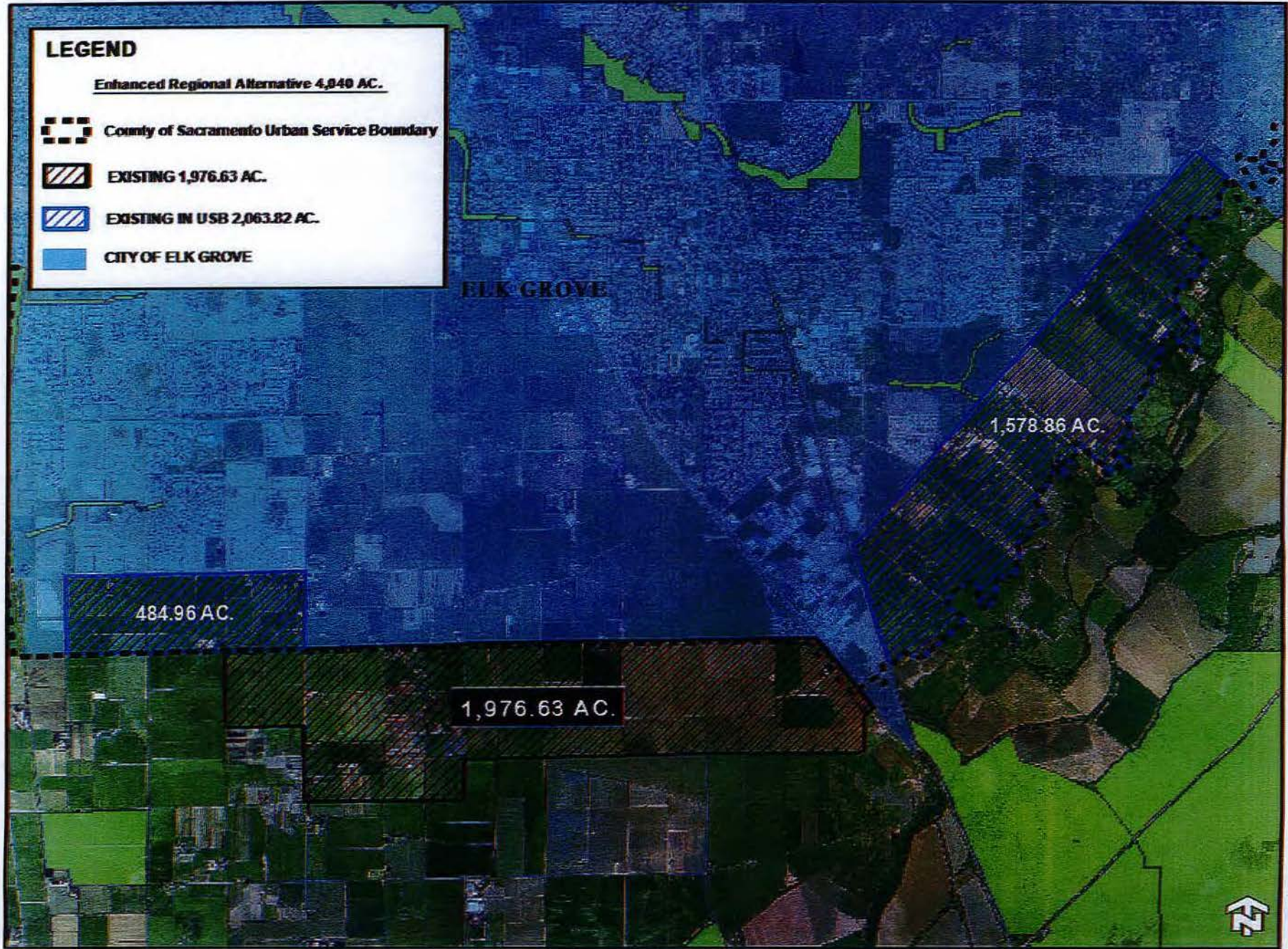
Enhanced Regional Alternative 4,040 AC.

 County of Sacramento Urban Service Boundary

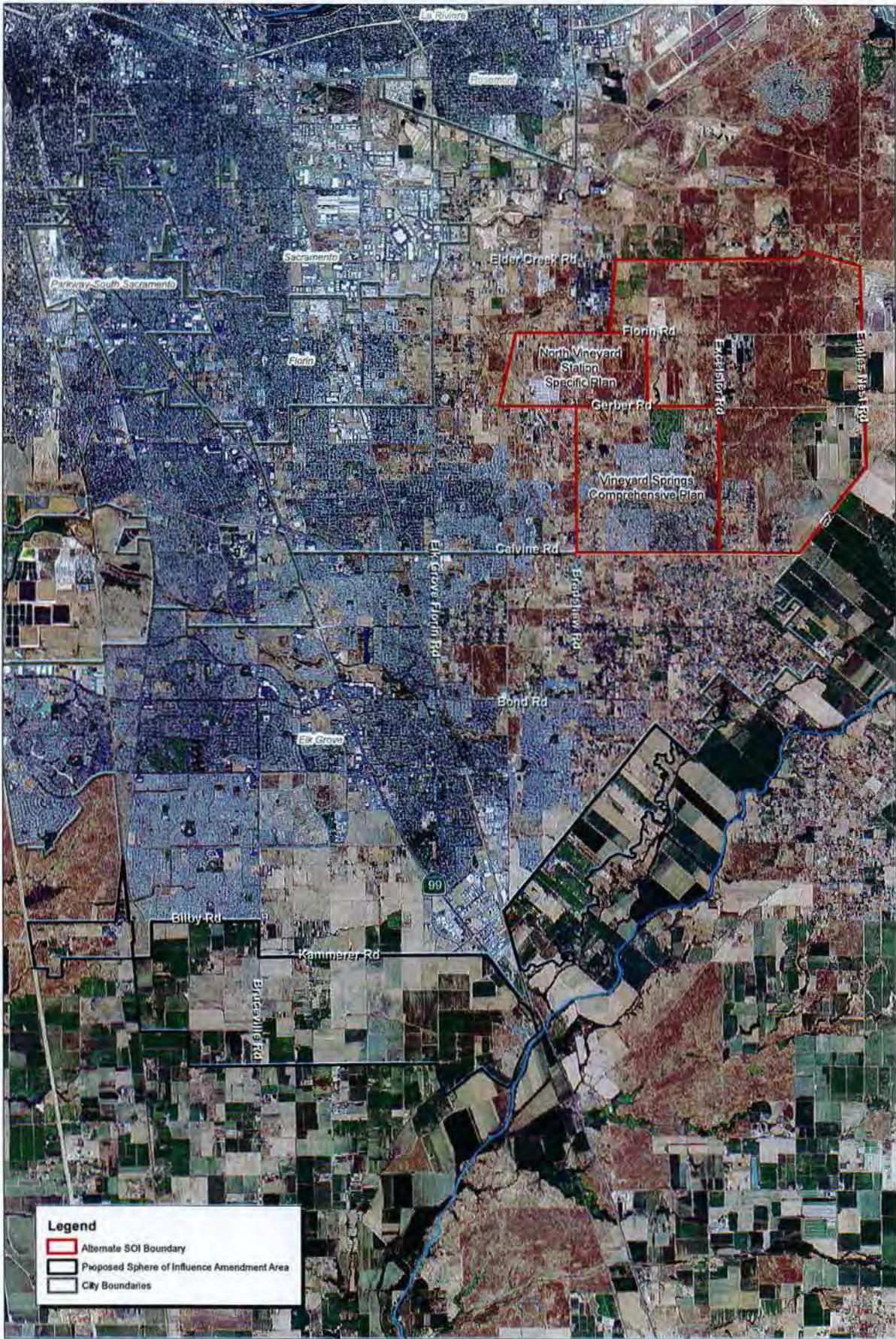
 EXISTING 1,976.63 AC.

 EXISTING IN USB 2,063.82 AC.

 CITY OF ELK GROVE

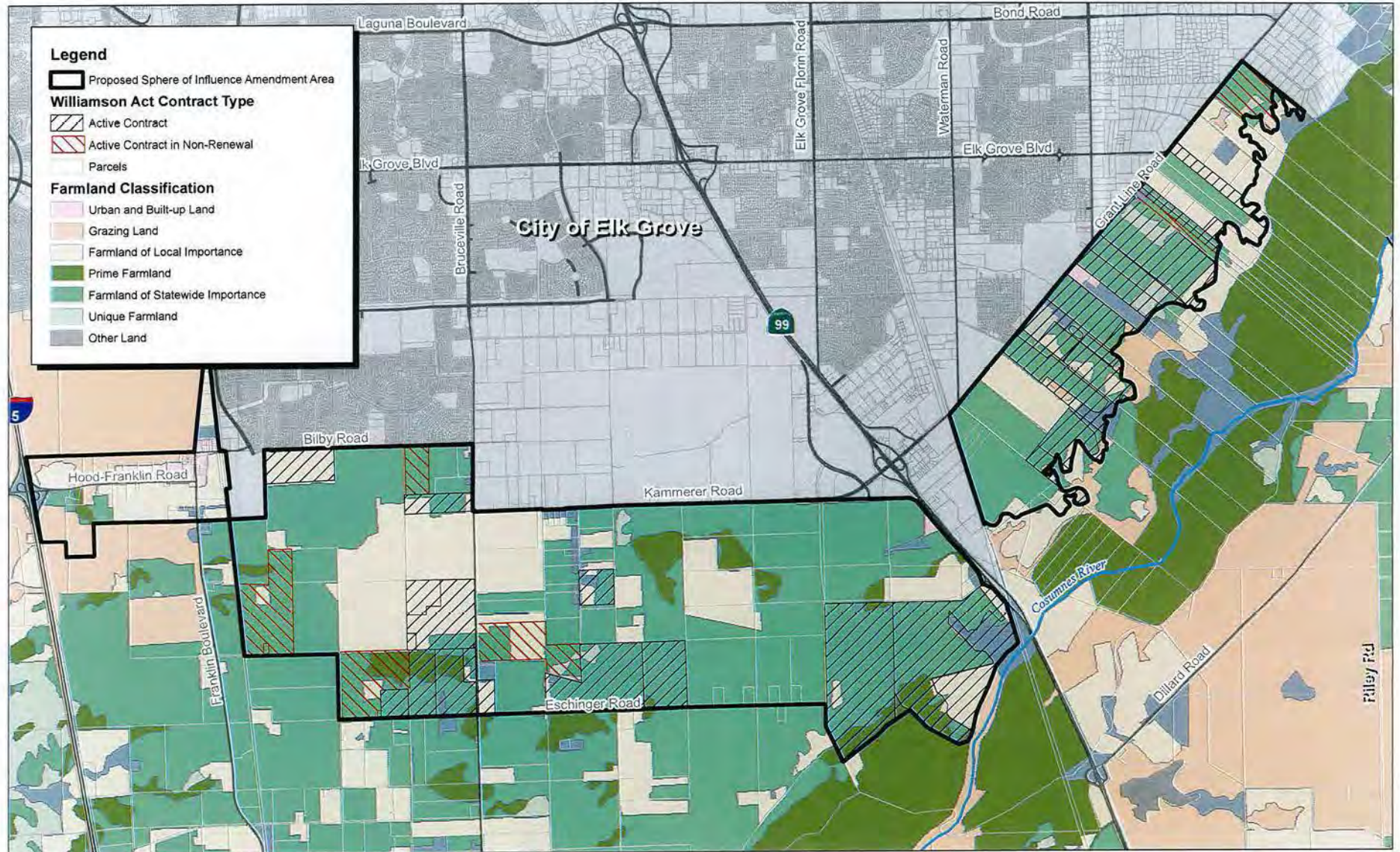


page 86



Source: Sacramento County NAIP, 2009.

page 30



Source: County of Sacramento, City of Elk Grove, Farmland Mapping and Monitoring Program, 2008.

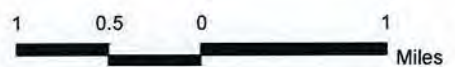
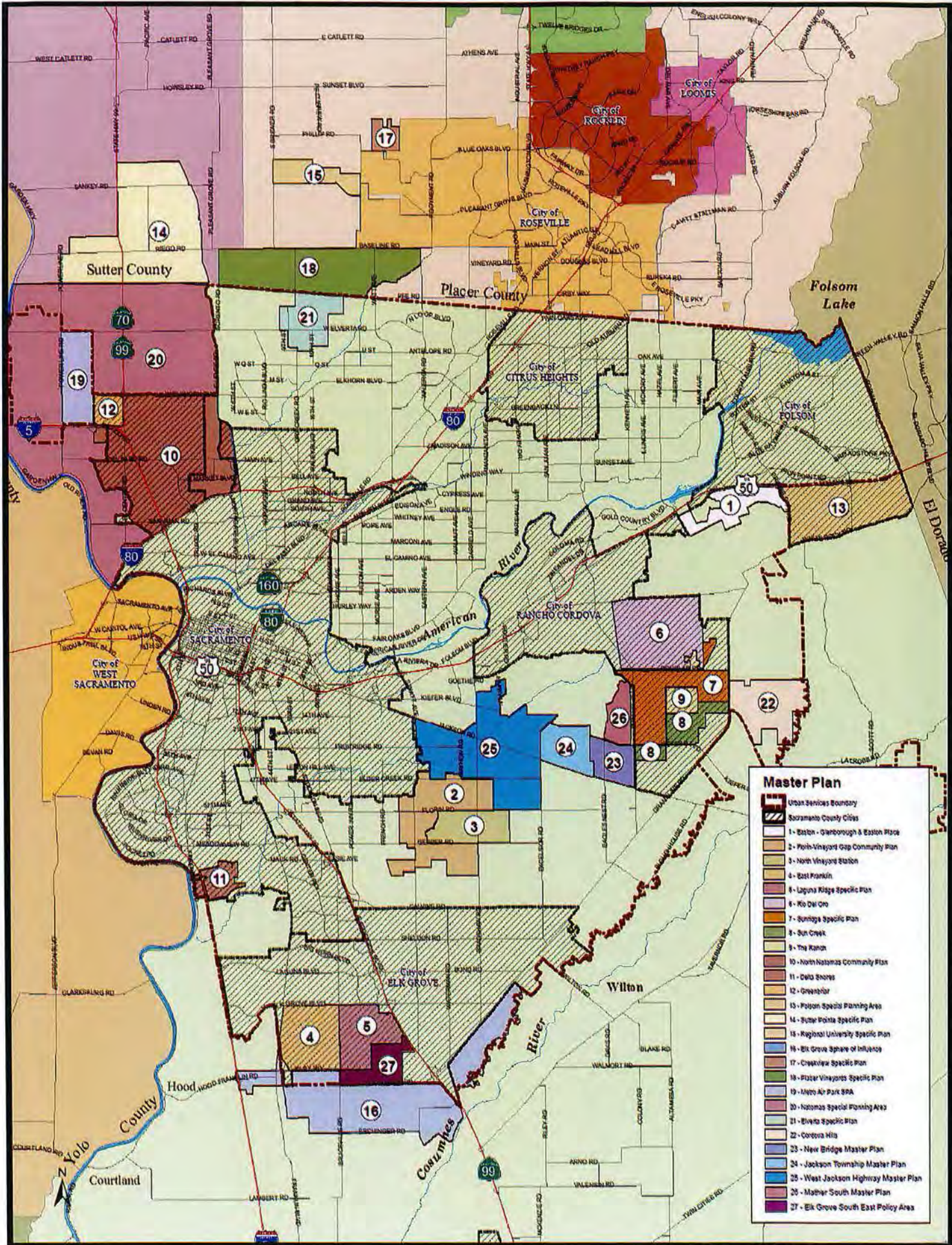


Exhibit 3.2-1 Farmland Mapping & Monitoring Program Agricultural Lands

Regional Development Activity



Master Plan	
	Urban Services Boundary
	Sacramento County Cities
	1 - Easton - Clarendon & Easton Place
	2 - North-Vinyard Gap Community Plan
	3 - North Vinyard Station
	4 - East Franklin
	5 - Laguna Ridge Specific Plan
	6 - Rio Del Oro
	7 - Sunnyside Specific Plan
	8 - Sun Creek
	9 - The Ranch
	10 - North Natomas Community Plan
	11 - Delta Shores
	12 - Greenleaf
	13 - Folsom Special Planning Area
	14 - Sutter Pointe Specific Plan
	15 - Regional University Specific Plan
	16 - Elk Grove Sphere of Influence
	17 - Creekside Specific Plan
	18 - Placer Vineyards Specific Plan
	19 - Metro Air Park SPA
	20 - Natomas Special Planning Area
	21 - Elverta Specific Plan
	22 - Corvina Hills
	23 - New Bridge Master Plan
	24 - Jackson Township Master Plan
	25 - West Jackson Highway Master Plan
	26 - Mother South Master Plan
	27 - Elk Grove South East Policy Area

Department of Community
Development
Lori A. Moss, Director



Divisions
Building Permits & Inspection
Code Enforcement
County Engineering
Planning & Environmental Review

March 12, 2013

Peter Brundage, LAFCO
700 H Street Rm. 7650
Sacramento, CA 95814

Subject: Memorandum of Understanding (MOU) Regarding The City of Elk
Grove's proposed Sphere of Influence (SOI)

Dear Mr. Brundage:

The purpose of this letter is to inform you that the County of Sacramento does not intend to pursue an MOU with the City of Elk Grove regarding its proposed SOI expansion. The primary purpose of the MOU was to establish commonly shared conservation and open space principles for the Cosumnes River and land within the unincorporated County in the context of the proposed SOI expansion.

The County, in consultation with City of Elk Grove staff, has determined that an MOU is no longer necessary due to concessions made by the City to reduce the size of the SOI from its original 16,000 acres to its current size of approximately 8,000 acres and the decision to exclude areas within the floodplain from the proposed SOI.

The County applauds the City for this compromise and intends to continue partnering in conversations with the City in the interest of the SOI area. We look forward to the release of the SOI Draft EIR.

If you have any questions please feel free to contact me at 874-2558 or by email at moss1@saccounty.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Moss", is written over a horizontal line.

Lori Moss,
Community Development Director

C: Brad Hudson
Rob Leonard
Leighann Moffitt
Laura Gill
Rebecca Craig
Taro Eschiburo

RECEIVED

MAR 12 2013

SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION



May 13, 2013

Don Lockhart, AICP, Assistant Executive Officer
Sacramento Local Agency Formation Commission
1112 I Street #100
Sacramento, CA 95814

RECEIVED

MAY 21 2013

SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

Dear Mr. Lockhart,

On behalf of the Sacramento Area Council of Governments, I am submitting the following comments on the Recirculated Draft Environmental Impact Report (RDEIR) for the Proposed City of Elk Grove Sphere of Influence Amendment (LAFC # 09-10).

Background

The Sacramento Area Council of Governments (SACOG) is comprised of six counties and 22 cities in the region. SACOG's primary responsibility is developing and implementing the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), a document that establishes transportation spending priorities throughout the region. The MTP/SCS must be based on the most likely land use pattern to be built over a 20+ year planning period, conform with federal air quality regulations and achieve state greenhouse gas reduction targets.

The MTP/SCS must effectively address the linked challenges of reducing regional traffic congestion levels and mobile-source air pollutants, including particulate matter, ozone and greenhouse gases. The SACOG Blueprint Study (Blueprint), conducted from 2002-2004, revealed that there is a strong connection between land use patterns, travel behavior and air quality. Specifically, certain land use strategies lead to increased walking, biking and transit use, shorter automobile trips, and reduced mobile-source air pollution. These land use strategies include higher density housing and employment, locating jobs and housing near each other, and providing strong connectivity in the design of street and bicycle/pedestrian systems. In support of these findings, the SACOG Board adopted the Blueprint principles and conceptual map as a depiction of a way in which the region could grow and achieve these transportation and air quality benefits, as well as many other environmental and quality of life benefits (Attachment - 12 page BP report).

Comments

Of the alternatives analyzed in the RDEIR, the Enhanced Regional Alternative to the proposed project is the most consistent with the Blueprint, particularly if Elk Grove plans the area for future employment growth. As noted above, one of the land use strategies that achieves congestion and air pollution reduction is jobs-housing balance. For the region to realize these reductions, communities that currently have a low ratio of jobs to housing, such as Elk Grove, need to plan for and attract enough job growth over time to minimize the need for long-distance commuting out of the city (measured in vehicle miles traveled¹).

¹A vehicle mile traveled, or VMT, is one vehicle traveling on a roadway for one mile. VMT correlates to vehicle emissions and congestion.

Auburn
Citrus Heights
Colfax
Davis
El Dorado County
Elk Grove
Folsom
Galt
Grass Valley
Lincoln
Live Oak
Loomis
Marysville
Placer County
Placerville
Rancho Cordova
Rocklin
Roseville
Sacramento
Sacramento County
Sutter County
West Sacramento
Wheatland
Winters
Woodland
Yolo County
Yuba City
Yuba County

Don Lockhart, AICP, Assistant Executive Officer

Page 2

May 13, 2013

To illustrate the effectiveness of this land use strategy, SACOG conducted a sketch-level analysis of the vehicle miles traveled (VMT) effects of using the proposed sphere of influence (SOI) for jobs. Daily VMT per capita within the City of Elk Grove was slightly higher than the regional average in 2008. VMT per capita is projected to decline by 2035 in the adopted MTP/SCS at a faster rate than the decline in the regional average VMT per capita, largely due to a projected improvement in the Elk Grove jobs-housing balance from 0.58 jobs per household in 2008 to 0.72 jobs per household in 2035. Our sketch level modeling indicates that additional improvements in jobs per household would further reduce VMT per capita in Elk Grove, producing benefits within the city but also for the region's congestion and air pollution challenges. It is the goal of the MTP/SCS to reduce regional VMT per capita by 2035 to achieve federal clean air standards, state greenhouse gas emissions reduction targets, and Blueprint growth principles. Based on this analysis, it appears that the Enhanced Regional Alternative, if used for employment uses, would aid the region in achieving congestion and air quality goals.

We note that the size and location of the Enhanced Regional Alternative is generally consistent with the Blueprint conceptual map, which contemplated future growth south of the current city limits of Elk Grove. Some level of variance is expected within a given geography since the Blueprint is a conceptual map and not intended to be interpreted or implemented in a literal, parcel-specific manner. The Enhanced Regional Alternative includes approximately the same amount of acreage west of State Highway 99 that is included in the Blueprint. While the area east of State Highway 99 is not shown in the Blueprint map, the acreage makes up less than half of the acreage of the entire Enhanced Regional Alternative, is confined to an area bounded on three sides by the current city limits and on one side by the floodplain, and sits within the Urban Service Boundary. These conditions make it a logical future extension of the city limits.

Gov. Code Sec. 56668 (g) requires Sacramento LAFCo to consider, in the review of the sphere of influence proposal, the adopted MTP/SCS. The purpose of the MTP/SCS is to forecast actual constructed development during a 20+ year planning period (the current MTP/SCS covers 2012-2035). This is different from a land supply contingency needed to support a healthy land market. We agree that Elk Grove may need additional land outside of the current city limits at some point to support additional job growth to help the city's current imbalance of jobs and housing. The key issues around such an expansion would involve the timing of urbanization and conditions for development.

Thank you for your consideration. Please don't hesitate to contact me if you have any questions.

Sincerely,



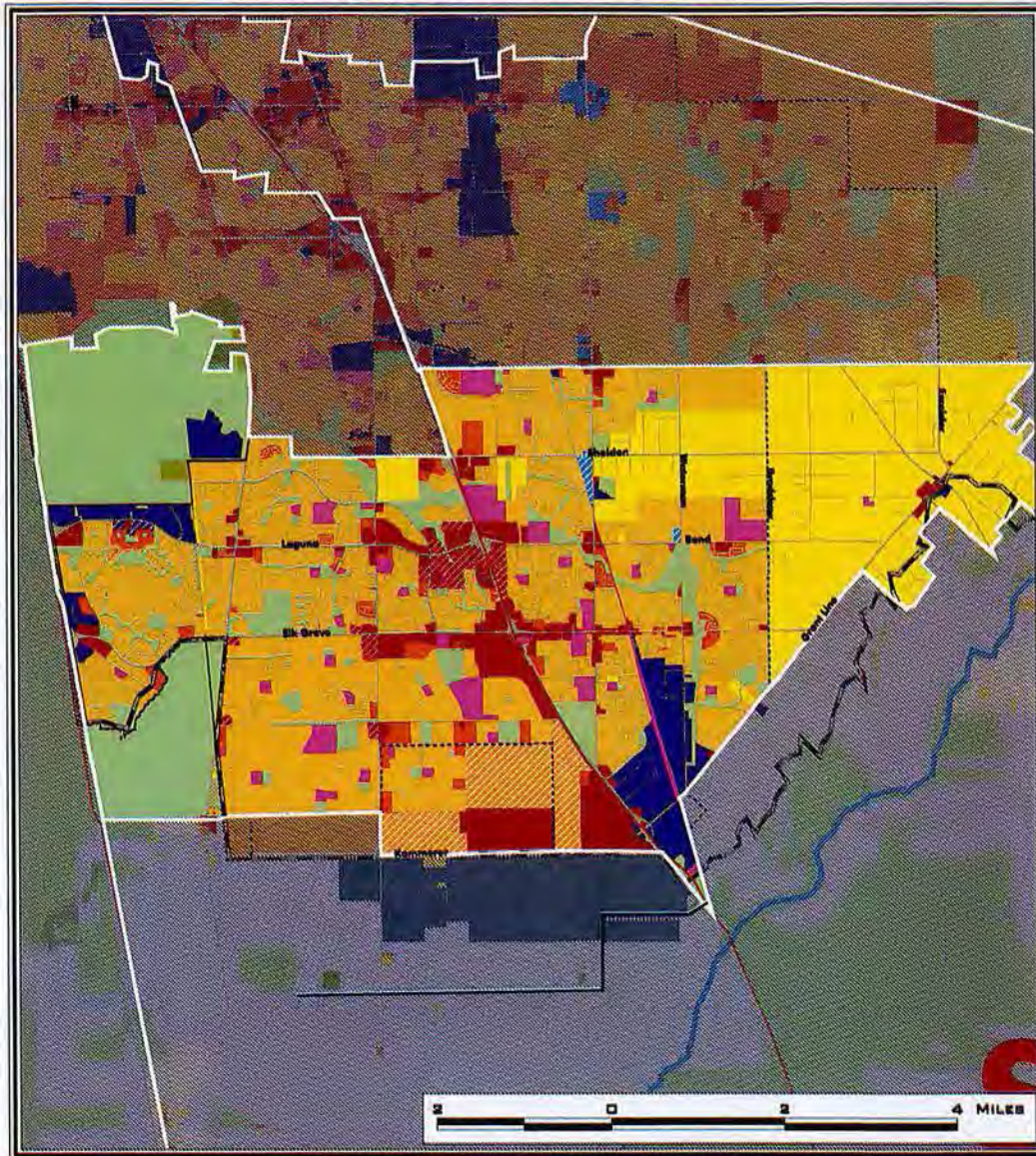
Mike McKeever
Chief Executive Officer

cc: Gary Davis, Mayor
City of Elk Grove

Scenario Map - Elk Grove, Sacramento County (printable)

[Return to the previous page](#) | [High-res PDF](#)

ELK GROVE



RESIDENTIAL "BUILDING" TYPES	NON-URBAN "LAND USE" TYPES	MIXED USE "PLACE" TYPES
Rural Residential	Agriculture	Low Density Mixed-use Center or Corridor
Single Family Large Lot	Forest	Medium Density Mixed-use Center or Corridor
Single Family Small Lot	Open Space	High Density Mixed-use Center or Corridor
Attached Residential	Parks	Employment Focus Mixed-use Center or Corridor
	Water	
EMPLOYMENT "BUILDING" TYPES	RESIDENTIAL "PLACE" TYPES	Vacant Urban Designated Lands (2050)
Retail	Medium Density Mixed Residential	Vacant Rural Residential Lands (2050)
Office	High Density Mixed Residential	
Industrial		
Public		

City of Elk Grove
Sphere of Influence (SOI)
(LAFC 09-10)

Public Comments

Thorpe, Diane

From: Michael Cruikshank at Pleasant Grove HS <MCruiksh@egusd.net>
Sent: Monday, October 28, 2013 12:16 PM
To: Commission. Clerk
Subject: Elk Grove's SOI application

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.

Mike Cruikshank
7816 Del Webb Blvd.
Elk Grove, CA 95757

Thorpe. Diane

From: jrlq@comcast.net
Sent: Monday, October 28, 2013 1:48 PM
To: Commission. Clerk
Subject: from a bird lover

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Laura Quezada

8593 Kermes Ave

Fair Oaks, CA 95628

Thorpe. Diane

From: John Huls <johnhuls@sbcglobal.net>
Sent: Monday, October 28, 2013 3:33 PM
To: Commission. Clerk

Dear Commissioners,

Elk Grove again turns a blind eye toward the environment by trying to expand into farm and range lands. We do not need more suburban McMansions to further draw down water tables and tie up our freeways. What our communities need is to tear down and rebuild the older neighborhoods with affordable housing and to invest in housing for limited income seniors like me. The open land around Elk Grove must be preserved because it is prime habitat and buffer habitat for sandhill cranes who spend 6 months of the year here and for Swainson's Hawks and others who breed in this area of the central valley. Please put the needs of nature ahead of the wants of the developers.

Sincerely,
John Huls
Central Valley Resident since 1948

Thorpe. Diane

From: Jean Jackman <jeanjackman@gmail.com>
Sent: Monday, October 28, 2013 3:58 PM
To: Commission. Clerk
Subject: Elk Grove Application to Expand

Sacramento Local Agency Formation Commission.
1112 I Street, Suite 100 , Sacramento, CA 95814-2836

Dear Commissioners,

Kindly deny the Elk Grove application to expand. This goes against all common sense planning. There is no need for it. We need compact, walkable, more dense cities to save our AIR, save water, save Habitat Conservation Plans. This would not make for a sustainable community. Please do not go with monied interests. Consider the COMMON good. Consider the next generation. Save the farmland. There are other places to build.

Thank you,
Jean Jackman
306 Del Oro Ave
Davis, CA 95616

Thorpe. Diane

From: Erin Reddy <ereddy@ucdavis.edu>
Sent: Tuesday, October 22, 2013 4:30 PM
To: Commission. Clerk
Subject: Please Deny Elk Grove SOI

Commissioners,

Please deny Elk Grove's Sphere of Influence application.

Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand it's SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets.

Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you,

Erin Reddy
340 Cadillac Dr.
Sacramento, CA 95825

Thorpe. Diane

From: Mohammad S. Ahmadi <afgn_pro@yahoo.com>
Sent: Monday, October 28, 2013 5:29 PM
To: Commission. Clerk
Subject: Denial of Elk Grove Expansion

Hi;
I Strongly deny expansion of Elk Grove

Thanks

Sent from my iPhone

Thorpe. Diane

From: dempseys123@gmail.com on behalf of Dempseys3 <dempseys3@yahoo.com>
Sent: Tuesday, October 22, 2013 6:19 PM
To: Commission. Clerk
Subject: Please Deny Elk Grove's application to expand

Commissioners,

I write to urge you to deny Elk Grove's Sphere of Influence application. Elk Grove has 3000 acres of undeveloped land within the existing city boundaries, and has no need to expand its sphere of influence at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Furthermore, its application is unquestionably to favor some land speculator. This is neither useful nor productive, nor in the public interest.

Please deny their application

Thank you,
Mark Dempsey
9047 Clarissa Dr.
Orangevale, CA 95662

Thorpe. Diane

From: Elliot Chasin <sparverius@live.com>
Sent: Tuesday, October 22, 2013 7:03 PM
To: Commission. Clerk
Subject: Elk Grove Sphere of Influence Expansion

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand it's SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a city that has other options. Deny the application.

Thank you,
Elliot Chasin
Sacramento, CA

Thorpe. Diane

From: megan elsea <meganelsea@gmail.com>
Sent: Wednesday, October 23, 2013 8:41 PM
To: Commission. Clerk
Subject: deny Elk Grove sphere of influence app

Commissioners,

Please deny Elk Grove's application to expand its sphere of influence. We don't need more sprawl which increases green house gas emissions. Elk Grove has 3000 acres of undeveloped land within existing city boundaries. We need consistency with the Sac area Metro Transportation plan/Sustainable Communities strategy.

Thank you very much,

Megan Elsea
resident of Sacramento
works in Elk Grove

Thorpe. Diane

From: Sarah Mayhew <slmayhew77@gmail.com>
Sent: Tuesday, October 22, 2013 9:31 PM
To: Commission. Clerk
Subject: Elk Grove Expansion

Commissioners,

I moved to Elk Grove in 1975 and by 1981 had moved to Davis. I am so glad I did. I was just in Elk Grove today and it is just appalling to me what that city has become. It is one of the ugliest strip mall cities in California. It is unrecognizable from the time I lived there and there has not been improvement. It seems there has been no city planning. It is simply one big housing tract with fast food places lining the main street. I don't know how anyone can live there. Sure glad I don't.

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.

Sarah Mayhew
2713 Cumberland Place
Davis, CA 95616

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Visit my Websites at: www.sarahmayhew.com
<http://sarahmayhewphotography.zenfolio.com/>
All Photographs © All Rights Reserved

Thorpe. Diane

From: Dylan Perry <dylanrp@comcast.net>
Sent: Monday, October 28, 2013 10:21 PM
To: Commission. Clerk
Subject: Elk Grove SOI Expansion Concerns

Hello,

As a long time resident of the city of Elk Grove I've seen the city explode in population and sprawl across hundreds of acres in a reckless time frame and with little to no thought of many problems associated with such growth. Given the chance and the amount of money developers are spending on keeping this housing sprawl going with the support of their paid city council members I believe the Sacramento County LAFCO is obligated to deny the city's request to expand Elk Grove's Sphere of Influence without making full use of the land that the city limits currently encompass. The long term economic and environmental repercussions would be disastrous to the city, the surrounding land, and the 160,000 people that already live here. Thank you for your time.

Regards,

Dylan Perry

Lockhart. Don

From: Brooke Kopff <brookekopff@gmail.com>
Sent: Tuesday, October 29, 2013 9:07 AM
To: Commission. Clerk
Subject: Expansion

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.
Brooke Kopff

Sent from my iPhone

Lockhart. Don

From: steff799@aol.com
Sent: Tuesday, October 29, 2013 9:19 AM
To: Commission. Clerk
Subject: Elk Grove's Sphere of Influence application

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.

Stephanie Cyr
1009 Fienza Ave
Sacramento, CA 95815

Lockhart. Don

From: Tom Reavey <treavey@yahoo.com>
Sent: Tuesday, October 29, 2013 10:28 AM
To: Commission. Clerk
Subject: Please DENY Elk Grove's Sphere of Influence (SOI) Application

10/29/13

Dear LAFCO Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3,000 acres of undeveloped land within the existing city boundaries, has no need to expand it's SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you for your consideration.

Thomas Reavey, Jr., MBA, Westlake, Sacramento
916-419-9207 home
170 Vista Cove Circle
Sacramento, Ca. 95835
treavey@yahoo.com

Lockhart. Don

From: hotmail_c11052cbe3ae9d6b@live.com on behalf of Dan Tankersley
<dtankers@winfirst.com>
Sent: Tuesday, October 29, 2013 12:11 PM
To: Commission. Clerk
Subject: Elk Grove's Sphere of Influence Application

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.

Dan Tankersley
2807 Toronja Way
Sacramento, CA 95833

Thorpe. Diane

From: Lisa Phenix <lisap@winfirst.com>
Sent: Tuesday, October 29, 2013 9:24 PM
To: Commission. Clerk
Subject: Elk Grove Sphere of Influence application

Commissioners,

Please deny Elk Grove's Sphere of Influence application. Elk Grove, with 3000 acres of undeveloped land within the existing city boundaries, has no need to expand its SOI at this time. Such an expansion would endanger regional water supplies, threaten the ability to successfully implement the South Sacramento Habitat Conservation Plan, and is inconsistent with the Sacramento Area Metropolitan Transportation Plan/Sustainable Communities Strategy which is the best plan the region has to meet mandated greenhouse gas emission targets. Don't risk the loss of thousands of acres of valuable local farmland and crucial wildlife habitat for a City that has other options, and deny the application.

Thank you.

Lisa Phenix
5181 Finlandia Way
Carmichael, CA 95608
916-719-6106
lisap@winfirst.com

lisa phenix

<http://www.lisaphenix.com>

Thorpe. Diane

From: John Berry <jr.berry@mindspring.com>
Sent: Wednesday, October 30, 2013 11:24 AM
To: Commission. Clerk
Subject: Elk Grove Proposed SOI Expansion

Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814

Dear Commissioners:

I hope that you will firmly deny Elk Grove's application to expand its sphere of influence (SOI). Such an expansion would undermine the region's farmers by putting thousands of acres of farmland at risk of development. This farmland, part of the Central Valley's rich agricultural heritage, is more than a source of livelihood for local families. It is also key foraging habitat for the threatened Swainson's hawk and for many other migratory bird species. The farmland plays an important role buffering the Cosumnes River watershed from urban traffic and pollution, and it provides important environmental service to county residents.

Moreover, Elk Grove already has about 3,000 acres of undeveloped land within its boundaries, so there is no actual need to expand the SOI. If Elk Grove wants to promote business and residential development, it has plenty of room within its existing boundaries.

Sincerely,

John Berry
(La Sierra High School, Carmichael, 1980)

851 Springfield Ave. Apt. 20-O
Summit, NJ 07901

Thorpe. Diane

From: Sarah Johnson <sjohnson@surewest.net>
Sent: Wednesday, October 30, 2013 12:35 PM
To: Commission. Clerk
Subject: Please distribute to all members

Dear LAFCO Members:

My name is Sarah Johnson, a long time resident of Elk Grove. The latest news that you are considering a "compromise" on the Elk Grove expansion is most distressing! No compromise can be good here! This entire expansion idea is driven by politics and money and is in direct opposition to what is best for Elk Grove and what is best for the Cosumnes River area

We need to preserve and protect our farmland, not destroy it. You are the last line of defense that we have. Please remember us as you consider this issue.

The City of Elk Grove has been irresponsible in almost everything they have done over the past thirteen years and continues to lurch around trying desperately to make themselves look good. The South Sacramento Country Habitat Protection Plan (SSCHPP) is STILL not completed and that is just unacceptable! There is no reason to approve this. I can't think of a single reason, can you??

The ONLY acceptable action is to deny Elk Grove's request!

Thank you,
Sarah Johnson
9612 Kent Street
Elk Grove, CA 95624
916 686 5858
sjohnson@surewest.net

RESOLUTION NO. LAFC 2013-10-1106-09-10

**RESOLUTION OF THE
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
SPHERE OF INFLUENCE AMENDMENTS FOR THE CITY OF ELK GROVE
(State Clearinghouse # 2010092076)
(LAFC #09-10)**

WHEREAS, on May 21, 2008, the City of Elk Grove (“City”) submitted an application, and on August 18, 2010, submitted a revised application to the Sacramento Local Agency Formation Commission (“Commission”) for an amendment of its Sphere of Influence;

WHEREAS, a Notice of Preparation was issued October 1, 2010. A Notice of Availability of a Draft Environmental Impact Report (“DEIR”) was issued September 29, 2011, to over 100 interested parties, including agencies and members of the public. The public comment period for the DEIR was initially open from September 29, 2011, to November 14, 2011. In response to public comments provided to the Commission at the regular meeting of November 2, 2011, the public comment period was extended through November 21, 2011;

WHEREAS, on May 2, 2012, the Commission directed staff to prepare a Recirculated Draft Environmental Impact Report (“RDEIR”) for recirculation for the review and comments of the public and affected agencies. A Notice of Availability was issued March 19, 2013, to over 100 interested parties, including agencies and members of the public. The RDEIR was circulated for a sixty day public review period - March 21, 2013, to May 21, 2013. The Commission also solicited public input throughout the EIR process by holding numerous public hearings;

WHEREAS, a Final Environmental Impact Report (“FEIR”) that incorporated the DEIR and RDEIR by reference and provided responses to public comments was prepared and distributed to the public on September 27, 2013; and

WHEREAS, the Commission considered the FEIR during its meeting on November 6, 2013;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION RESOLVES AS FOLLOWS:

1. The FEIR is hereby certified as being completed in compliance with the provisions of the California Environmental Quality Act (“CEQA”) and its implementing regulations and the Commission Policies and Procedures. Certification of this EIR does not constitute approval of any project. (Pub. Res. Code, §§ 21000, 210001, 21002.)

2. The FEIR was presented to members of the Commission on September 27, 2013, and the Commission considered the contents of the FEIR during its meeting on November 6, 2013;

3. The Commission has reviewed and considered the information contained in the FEIR prior to taking any action on the project.

4. The Commission hereby ratifies and adopts the conclusions of the FEIR. The FEIR represents the independent judgment and analysis of the Commission. The Commission has held numerous public meetings on the Sphere of Influence Amendment process and has considered the information provided to it during the Sphere of Influence Amendment process.

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this _____ day of November, 2013, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

ATTEST:

Commission Clerk

RESOLUTION NO. LAFC 2013-11-1106-09-10

**RESOLUTION OF THE
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING
CONSIDERATIONS FOR THE SPHERE OF INFLUENCE AMENDMENT FOR THE
CITY OF ELK GROVE SPHERE OF INFLUENCE AMENDMENT
(State Clearinghouse #2010092076)
(LAFC #09-10)**

WHEREAS, on May 21, 2008, the City of Elk Grove (“City”) submitted an application, and on August 18, 2010, submitted a revised application to the Sacramento Local Agency Formation Commission (“Commission”) for an amendment of its Sphere of Influence;

WHEREAS, a Notice of Preparation was issued October 1, 2010. A Notice of Availability of a Draft Environmental Impact Report (“DEIR”) was issued September 29, 2011, to over 100 interested parties, including agencies and members of the public. The public comment period for the DEIR was initially open from September 29, 2011 to November 14, 2011. In response to public comments provided to the Commission at the regular meeting of November 2, 2011, the public comment period was extended through November 21, 2011;

WHEREAS, on May 2, 2012, the Commission directed staff to prepare a Recirculated Draft Environmental Impact Report (“RDEIR”) for recirculation for the review and comments of the public and affected agencies. A Notice of Availability was issued March 19, 2013, to over 100 interested parties, including agencies and members of the public. The RDEIR was circulated for a sixty day public review period - March 21, 2013, to 4:00 p.m. May 21, 2013. LAFCo also solicited public input throughout the EIR process by holding numerous public workshops and hearings;

WHEREAS, a Final Environmental Impact Report (“FEIR”), which incorporated the DEIR and RDEIR by reference and provided responses to public comments, was prepared and distributed to the public on September 27, 2013;

WHEREAS, the Commission considered the FEIR during its meeting on November 6, 2013; and

WHEREAS, the Commission has, by means of Resolution No. LAFC 2013-10-1106-09-10, certified that the FEIR has been prepared in full compliance with the terms of the California Environmental Quality Act;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION RESOLVES AS FOLLOWS:

1. The Commission hereby approves and adopts the Findings of Fact and Statement of Overriding Considerations attached hereto as Attachment A, which are incorporated herein, pursuant to CEQA Guidelines sections 15091, 15092, and 15093. The FEIR sets forth environmental impacts that would be significant or potentially significant in the absence of

mitigation measures. As to each such impact, the Commission finds that changes or alterations incorporated into the project mitigate or avoid the significant or potentially significant environmental impacts. The FEIR also sets forth impacts that are significant and unavoidable and cannot be mitigated or avoided through the adoption of feasible mitigation measures or feasible alternatives. As to these impacts, the Commission finds that there exist certain overriding economic, social, and other considerations for approving the project that the Commission has determined justify the occurrence of those impacts.

2. The Commission certifies that the FEIR has been presented to it, the Commission has reviewed the FEIR and has considered the information contained in the FEIR prior to acting on the proposed project, and that the FEIR reflects the Commission's independent judgment and analysis.

3. The Commission directs that, upon approval of the Sphere of Influence Amendment, the Executive Officer is directed to file a Notice of Determination with the County Clerk of Sacramento County and with the State Office of Planning and Research, pursuant to the provisions of CEQA, Public Resources Code section 21152.

4. Pursuant to CEQA Guidelines section 15091, subdivision (e), the documents and other materials that constitute the record of proceedings upon which the Commission has based its decision are located in and may be obtained from, the Commission Clerk at 1112 I Street, Suite 100, Sacramento, California.

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this _____ day of November, 2013, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

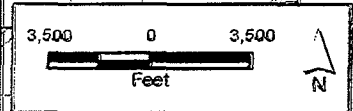
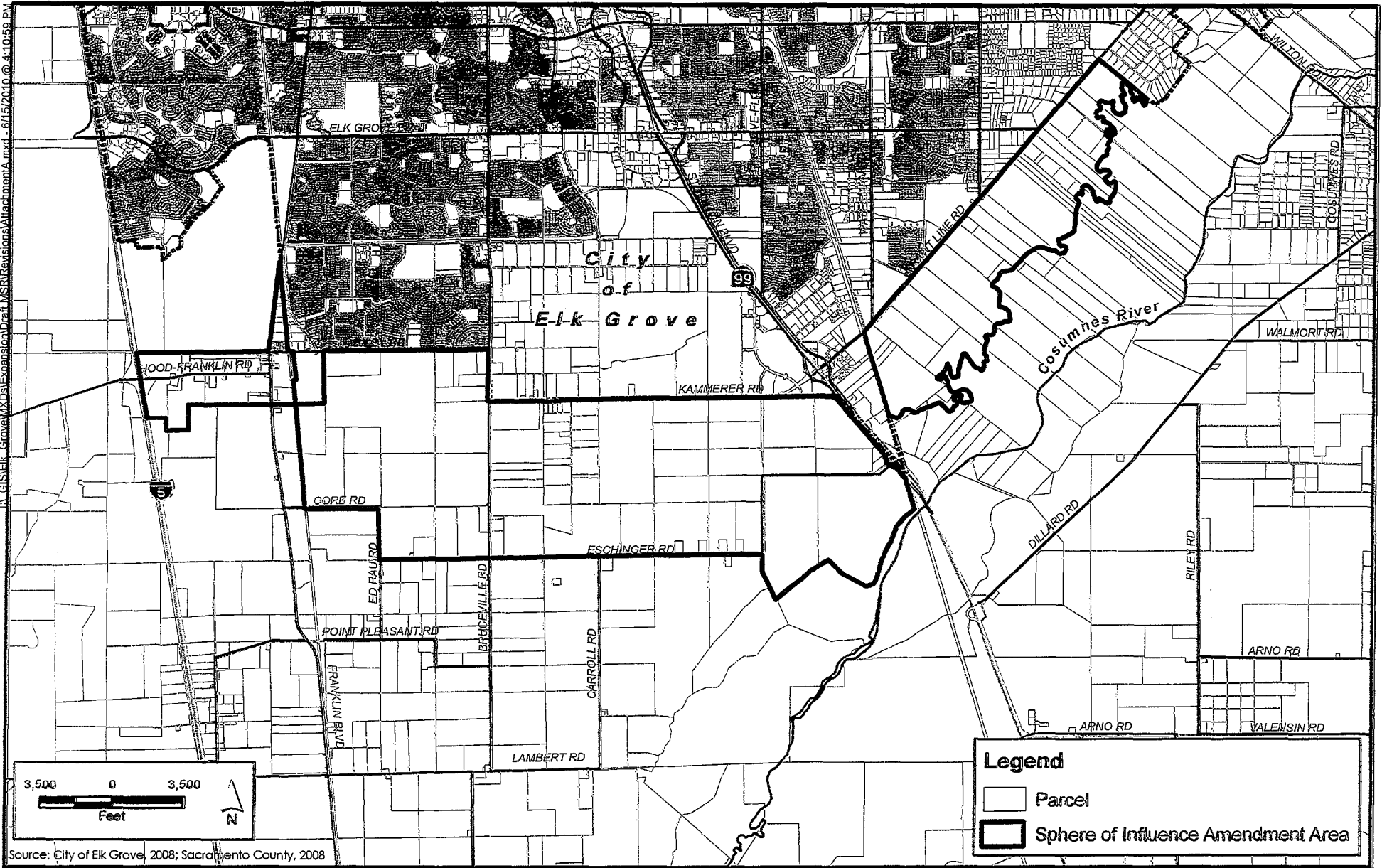
ATTEST:

Commission Clerk

Exhibit A





T:\GIS\Elk_Grove\IXD\IE\Expansion\Draft\MSR\Revisions\AttachmentA.mxd - 6/15/2010 @ 4:10:58 PM



Source: City of Elk Grove, 2008; Sacramento County, 2008

Legend

-  Parcel
-  Sphere of Influence Amendment Area



City of Elk Grove
Development Services

Attachment B
Sphere of Influence Amendment Area

Attachment A to Resolution No. LAFC 2013-11-1106-09-10

Sacramento Local Agency Formation Commission

**City of Elk Grove (LAFC #09-10)
Sphere of Influence Amendment
(CEQA EIR SCH #2010092076)**

*Findings of Fact
& Statement of
Overriding Considerations*

**Prepared by the
Sacramento Local Agency Formation Commission**

November 2013

FINDINGS OF FACT
ENVIRONMENTAL IMPACT REPORT
for the
CITY OF ELK GROVE SPHERE OF INFLUENCE AMENDMENT

I. INTRODUCTION

A. Purpose of CEQA

The California Environmental Quality Act (“CEQA”), Public Resources Code section 21000, et seq., generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project.

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.

Once an EIR has been completed that 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 alternatives 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 alternatives 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 Draft Environmental Impact Report (“DEIR”). (Pub. Resources Code, § 21081.)

B. Proposed Project

The proposed Sphere of Influence Amendment (“SOIA”) consists of a request initiated by the Elk Grove City Council (Resolution #2008-54) to the Sacramento Local Agency Formation Commission (“LAFCo”) to amend the City of Elk Grove’s Sphere of Influence (“SOI”). The

current City boundaries and coterminous SOI encompass 26,974 acres. Having a coterminous SOI and city boundary is atypical because with a coterminous SOI, there is no extraterritorial area for a city to plan for future growth through annexation and related boundary changes.

The application to amend the SOI requests 7,869 acres generally described as the areas south of Bilby Road/Kammerer Road and Grant Line Road, as shown in Exhibit B. The City of Elk Grove application includes land use projections that indicate that future growth may require additional lands outside of the current City boundary. The City's available residential, industrial, and commercial land inventory is in the process of building-out and may be unable to accommodate all anticipated urban growth within the City limits. As a result, the City seeks to establish a direction to accommodate its anticipated future growth by designating an area for long-term planning that may also allow for a beneficial jobs-housing balance.

For purposes of analyzing environmental impacts, LAFCo staff, in consultation with City staff, has developed land use assumptions that would allow the Commission and the public to understand environmental effects of expanding the City's SOI that may result from potential growth during future annexations. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. California Government Code section 65300 provides that a city may comprehensively plan for lands outside of its jurisdiction without the area being within an approved SOI.

However, while the Elk Grove City Council has expressed its desire to have the proposed SOI area master planned, the Council has explicitly stated that no comprehensive planning of the area will occur unless and until LAFCo approves the SOIA. The City's General Plan currently does not include any land use designations for the proposed SOIA Area. The General Plan designations cover only the current City boundaries. The majority of the SOIA area is included in the General Plan planning area, as a "Study Area." Therefore, for the purposes of analyzing potential environmental impacts of the projects, land use assumptions were developed by LAFCo in consultation with City staff by considering existing land uses under the General Plan for other areas within the City, then projecting reasonably foreseeable land uses within the proposed SOIA Area based on the existing land use designations.

The current City boundaries with the coterminous SOI encompass 26,974 acres. The proposed SOIA would expand the existing SOI, not the city limits, by 7,869 acres, or by 29 percent, to a total SOI of 34,843 acres. However, anticipated future growth and expansion through the annexation process would be limited to areas outside of the Federal Emergency Management Agency ("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. This would limit future growth to 6,882 acres of the proposed 7,869-acre SOI expansion, leaving 13 percent of the area for non-urban uses, such as open space. The following table shows the total acreages in the existing and proposed SOIA areas:

	Acres
Current City boundaries/SOI	26,97
Proposed SOI Amendment	7,869
Overall SOI area	34,84
Source: City of Elk Grove, Sphere of Influence Amendment Application, 2010.	

C. The Enhanced Regional Alternative

The Enhanced Regional Alternative (“ERA”) contains approximately 4,040 acres located both inside and outside the Sacramento County General Plan Urban Services Boundary (“USB”). Approximately one-half of the ERA is located within the County USB and approximately one-half is located outside of the County USB. The ERA was initially defined on page 5-3 of the Recirculated Draft Environmental Impact Report (“RDEIR”) as containing 4,350 acres. However, after publication of the Final Environmental Impact Report (“FEIR”), LAFCo staff further refined the ERA to avoid parcel splitting between Interstate 5 and State Route 99 (“SR-99”). The refined ERA is now 4,040 acres, as described in Exhibit A, attached hereto. To the west of SR-99, the ERA follows the Sacramento County USB as well as FEMA mapping criteria, which is fixed and can be readily ascertained. The reduction from 4,350 acres to 4,040 acres eliminated acreage south of Kammerer Road which contains agricultural lands. The staff refinement of the ERA thus preserves additional agricultural land.

The ERA would allow the expansion of the City of Elk Grove’s SOI over 2,775 acres immediately to the south of the current City limits, generally 0.5 mile north of Eschinger Road, in the area between SR-99 and Franklin Boulevard and approximately 1,575 acres in the area east of SR-99 that is currently within the County General Plan Urban Services Boundary, for a total of 4,040 gross acres. This alternative is illustrated in Exhibit 5-2 of the RDEIR. The ERA would be located within portions of the area identified by the Sacramento Area Council of Governments (“SACOG”) Blueprint Preferred Scenario for Elk Grove as a Medium Density Residential place type and as Vacant Urban Designated Lands (2050) and it incorporates areas east of SR-99 within the County’s USB.

This ERA aims to encompass an unincorporated area of the County that would allow the City to meet many of its objectives for future growth and expansion but would focus on siting that growth in areas that meet regional as well as City objectives, as set forth in regional land use policy, and transportation and air quality planning documents (e.g. County General Plan and Sacramento Sustainable Communities Strategy (“SCS”). By encouraging more compact urban development, the ERA would reduce potential environmental impacts to air quality and greenhouse gas emissions, and the loss of agricultural and biological resources. This alternative would also largely avoid FEMA designated floodplains and extension of the SOIA Area near the Stone Lakes National Wildlife Refuge.

D. Selection of the Enhanced Regional Alternative

The ERA to the proposed project is the environmentally superior alternative, as determined in the RDEIR. CEQA allows a lead agency to select an alternative to the project instead of the

proposed project, especially if the alternative has less impacts on the environment than the proposed project. The ERAERA meets all of the project objectives with the least environmental impacts.

Therefore, the Commission selects and approves the ERA, as illustrated in Exhibit A attached hereto and incorporated herein, for the amended boundary of the City of Elk Grove's SOI. As a result, the ERA is referred to throughout these Findings as the SOIA or the SOIA Area. The SOI Amendment as originally proposed by the City of Elk Grove is referred to as the proposed project.

II. FINDINGS REQUIRED UNDER CEQA

A. **Procedural Findings**

Based on the initial study conducted for the proposed project, LAFCo determined, on substantial evidence, that the proposed project may have a significant effect on the environment and prepared an EIR. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*, the CEQA Guidelines (14 California Code of Regulations § 15000 *et seq.*) and the LAFCo policies, as follows:

- a. The Notice of Preparation was issued October 1, 2010. A Notice of Availability was issued September 29, 2011, to over 100 interested parties, including agencies and members of the public. The public comment period for the DEIR was initially open from September 29, 2011, through November 14, 2011. In response to public comments provided to the Commission at the regular meeting of November 2, 2011, staff extended the public comment period through November 21, 2011.
- b. On May 2, 2012, the Commission directed staff to prepare a DEIR for recirculation for the review and comments of the public and affected agencies. A Notice of Availability was issued March 19, 2013, to over 100 interested parties, including agencies and members of the public. The RDEIR was circulated for a sixty day public review period - March 21, 2013, to May 21, 2013. LAFCo also solicited public input throughout the EIR process by holding numerous public hearings and workshops.
- c. The FEIR was prepared and distributed during September 2013. The FEIR consists of the following:
 - i. The DEIR and RDEIR prepared by Sacramento LAFCo as lead agency for the project to incorporate LAFCo factors and issues.
 - ii. Comments submitted to LAFCo received from persons, organizations, and public agencies on the RDEIR.

- iii. The responses of Sacramento LAFCo related to significant environmental issues raised in the review and comment period which have been incorporated in the FEIR.
- d. The FEIR evaluated potentially significant adverse environmental impacts that could be associated with the project, and identified mitigation measures and project alternatives that would reduce or eliminate these impacts. The RDEIR did not set forth policy for Sacramento LAFCo about the proposed project's desirability. Rather, the RDEIR was an informational document to be used by the public, decision-makers, and public agencies. During the project review process, Sacramento LAFCo must consider all feasible mitigation measures and alternatives developed in the RDEIR to substantially lessen anticipated environmental impacts of the proposed project.
- e. The FEIR was prepared and distributed during September 2013. As required by CEQA Guidelines section 15088, subdivision (b), public agencies that commented on the DEIR and/or the RDEIR were provided at least 10 days to review the proposed responses prior to the date for consideration of the FEIR for certification. A hearing to certify the FEIR will be held on November 6, 2013.

B. Record of Proceedings

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e). The record of proceedings for LAFCo's decision on the SOIA consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The City of Elk Grove Application package for the SOIA, and all attachments and supplemental information thereto, including but not limited to, the Master Services Element, dated August 2013.
- All environmental documents prepared in compliance with CEQA, public notices, public review comments, and supporting reports that were received or were prepared for the proposed SOIA, together with all documents that the CEQA documents relied upon or incorporated by reference.
- All relevant, non-privileged communications, staff reports, memoranda, maps, letters, meeting minutes, or other documents that were prepared for, or received by, Sacramento LAFCo which are available to the public in accordance with the California Public Records Act, and all documents cited or referred to therein.
- Matters of common knowledge to the Sacramento LAFCo, including, but not limited to:

- 1) The September 5, 1990 Policies, Standards and Procedures for LAFCo, as amended through May 5, 1993;
 - 2) The City of Elk Grove 2003 General Plan and all updates, including the Land Use map and all elements thereof;
 - 3) The 1993 and 2030 County of Sacramento General Plans, as amended, including the Land Use map and all elements thereof;
 - 4) Zoning Ordinance of the City of Elk Grove;
 - 6) Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004;
 - 7) The 1994 Air Quality Attainment Plan for the County of Sacramento
 - 8) All adopted laws, rules, regulations, and policies of the Sacramento Metropolitan Air Quality Management District;
 - 9) The State of California Clean Air Act, and all adopted policies, requirements, and plans of the State of California Air Resources Board and the State Department of Transportation; and
 - 10) The Federal Clean Air Act, the California State Improvement Plan, and all applicable federal rules and regulations.
- The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, codified as section 56000 of the California Government Code, as amended.
 - Other formally adopted laws, ordinances, and policies, including, but not limited to section 65000 of the California Government Code, known unofficially as the Planning and Zoning law.
 - Sources of information relied upon in the DEIR, RDEIR and FEIR for the City of Elk Grove SOIA, as listed in such documents, and as maintained in the files of Sacramento LAFCo.
 - Any documents expressly cited in these findings, in addition to those cited above.
 - Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to CEQA Guidelines section 15091, subdivision (e), the administrative record of these proceedings is located, and may be obtained from Sacramento Local Agency Formation Commission, 1112 I Street, Suite 100, Sacramento, CA 95814.

C. Findings on Environmental Impacts

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such measures are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, subs. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, 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, §§ 15093, 15043, subd. (bb); see also Pub. Resources Code, § 21081, subd. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid 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*") (1988) 47 Cal.3d 376, 400-403.)

These Findings are divided into sections according to category of impact. Each section begins with a general discussion of how the impacts of the ERA, referred to as the Project, are the same as, or less than the impacts of the proposed project studied in the EIR. In these Findings, LAFCo first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable, does LAFCo address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Pub. Resources Code, § 21081, subd. (b); see also CEQA Guidelines, §§ 15093, 15043, subd. (b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

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." (*Citizens of Goleta Valley v. Board of Supervisors* ("*Goleta II*") (1990) 52 Cal.3d 553, 576.)

These findings constitute LAFCo's best efforts to set forth the evidentiary and policy bases for its decision to approve the SOIA in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the FEIR are feasible and have not been modified, superseded or withdrawn, LAFCo hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when LAFCo adopts a resolution approving the SOIA and expansion.

The DEIR identified a number of beneficial, significant, and potentially significant environmental effects (or "impacts") that the SOIA will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. Some of these unavoidable significant effects can be substantially lessened by the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section XII *infra*, however, LAFCo has determined that the significant, unavoidable effects of the Project are outweighed by overriding economic, social, and other considerations.

Pursuant to CEQA Guidelines section 15091, LAFCo makes the following findings:

Summary of Impacts to Aesthetics

Compared to the proposed project, under the ERA, future annexation and development activities would occur within a smaller footprint located immediately adjacent to the southern City of Elk Grove city limits. The proposed project's visual character and scenic vista impacts were found to be significant and unavoidable from potential future urbanization of the SOIA Area under the proposed project. Future urban growth under this alternative would be similar to the proposed project. Therefore, this alternative would not reduce visual impacts to less than significant, since development would occur in an area that is currently rural, and any future development would continue to exhibit similar visual characteristics associated with urban growth. However, because this alternative would result in less land converted to urban uses, this alternative would have impacts on aesthetics that are less than the proposed project.

Impact AES-1: The Project may have a substantial adverse effect on a scenic vista.

Mitigation: No feasible mitigation measure is available.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Although the proposed SOIA would amend the City's Sphere of Influence boundaries, property within the SOIA Area would not be within the City's jurisdiction until LAFCo approves future requests for annexation of property. Upon approval of those future requests for annexation, the newly annexed property would be within the City's jurisdiction and subject to applicable City General Plan policies and regulations. General Plan Policy LU-35 and associated action items ensure that new development complies with the City's Design Guidelines. Compliance with these General Plan policies and associated action items would ensure development is consistent with the character of the developed portion of the City. However, the existing character of the SOIA Area would change as the area is developed, and scenic vistas could still be adversely affected by the Project, making this impact significant and unavoidable.

Reference: RDEIR, Section 3.1.6.

Impact AES-3: The Project may degrade the visual character of the project site and its surroundings.

Mitigation Measure AES-3: Effects on Visual Character: To mitigate impacts on visual character, prior to the submittal of any application to annex 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: (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. (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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure AES-3 would reduce some impacts related to the alteration of scenic resources. However, land uses and the visual character of the SOIA Area would change with implementation of the proposed SOIA. Therefore, this impact is considered significant and unavoidable.

Reference: RDEIR, Section 3.1.6.

Impact AES-4: Implementation of the ERA may result in the introduction of substantial new sources of light and glare.

Mitigation Measure AES-4: Impacts on Light and Glare: To mitigate impacts on light and glare, prior to the submittal of any application to annex 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: 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Upon approval of those future requests for annexation, the newly annexed property would be within the City's jurisdiction and subject to applicable City General Plan policies and regulations. City General Plan Policy LU-35 Actions 2 and 3 ensure that the City's Design Guidelines include provisions to minimize the use of reflective materials in building design and for the design of outdoor light fixtures to be directed/shielded downward and screened. Compliance with these City General Plan actions would ensure that the increase in light and glare within the SOIA Area is reduced to a less than significant level. Implementation of Mitigation Measure AES-4 would reduce the increase in light and glare within the SOIA Area to

a less than significant level by requiring the design to avoid spillover and sky glow impacts.

Reference: RDEIR, Section 3.1.6.

Summary of Impacts to Agricultural Resources

As discussed in Section 3.2, Agricultural Resources, the potential development of the SOIA Area would result in significant and unavoidable impacts associated with the loss of Important Farmlands, conflict with Williamson Act contracts and involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use. The ERA would result in loss of Important Farmland and Williamson Act land, as most of the land is identified as prime farmland or farmland of statewide importance, and some is identified as under Williamson Act contracts. However, this alternative would affect less acreage of Important Farmland and Williamson Act land than the proposed project. Therefore, this alternative would have fewer agricultural impacts than the proposed project.

Impact AG-1: The Project may convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (“Farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.

Mitigation Measure AG-1: Conversion of Farmland: 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 (1) acre of existing farmland land 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 water supply to support agricultural 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 encumbrance 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project by itself would not directly result in development proposals or proposed changes to General Plan land use designations or zoning classifications that would have the potential to convert Farmland; therefore, direct conversion of Farmland would not occur. However, approval of the SOIA by LAFCo would indicate that the Commission has considered the revised SOIA Area for future urbanization; therefore, indirect impacts related to permanent conversion of agricultural uses to urban uses would be potentially significant. Implementation of Mitigation Measure AG-1 would reduce the conversion of Farmland by setting aside lands in permanent conservation easements.

However, because it is reasonably foreseeable that annexation and development would ultimately follow the expansion of the SOIA, the SOIA would indirectly result in the permanent loss of Important Farmland; impacts would remain significant and unavoidable.

Reference: RDEIR, Section 3.2.5.

Impact AG-2: The Project may conflict with existing zoning for agricultural use or a Williamson Act contract.

Mitigation Measure AG-2: Implement Mitigation Measure AG-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of Mitigation Measure AG-1, as noted above, would reduce the conversion of farmland, including Williamson Act contract land, by setting aside lands in permanent conservation easements. However, this mitigation would not reduce the impact to a less than significant level because the proposed SOIA may indirectly result in the permanent loss of Williamson Act contract land and would not create additional farmland to replace it. As such, this impact would remain significant and unavoidable.

Reference: RDEIR,

Impact AG-3: The Project may involve other changes in the existing environment, which due to

their location or nature, could result in conversion of Farmland to nonagricultural use.

Mitigation Measure AG-3: At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA), the City of Elk Grove shall prepare an agricultural land use compatibility plan for the SOIA Area. The plan shall include implementation of the City's Agricultural Activities ordinance (Municipal Code, Chapter 14.05), as required under Elk Grove General Plan Policy CAQ-4-Action 1, site design, screening, fencing, landscaping, and setbacks. Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the City's Agricultural Activities ordinance (City of Elk Grove Municipal Code Chapter 14.05).

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure AG-3 would require the City to prepare a plan to avoid land use compatibility conflicts prior to annexation. The plan shall include implementation of the City's Agricultural Activities (Municipal Code Chapter 14.05), site design, screening, fencing, landscaping and setbacks, as well as procedures for addressing complaints from future SOIA Area residents. Implementation of Mitigation Measure AG-3 would help reduce potential indirect farmland conversion and land use compatibility impacts to a less than significant level. However, this measure would not fully mitigate agriculture/urban interface conflicts, especially concerning farm equipment and vehicle conflicts on area roadways and potential trespassing and vandalism to active farmlands and growth pressures on farmland in proximity to urban uses in the City. No feasible mitigation measures are available to fully mitigate this impact because the process does not guarantee resolution of all conflicts. Therefore, this impact is considered significant and unavoidable.

Reference: RDEIR, Section 3.2.5.

Summary of Impacts to Air Quality

Because the ERA includes less land available for development than the proposed project, it would result in less development. In addition, this alternative is based on the SACOG Blueprint

Preferred Scenario; therefore, this alternative would have fewer air quality impacts than the proposed project.

Impact AIR-1: The Project may conflict with or obstruct implementation of the applicable air quality plan.

Mitigation Measure AIR-1: Prior to the submission of any application to annex any portion of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will prepare an Air Quality Mitigation Plan. 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation measure AIR-1 would assist in reducing impacts to the applicable air quality plans; however, this impact remains significant and unavoidable as the potential for population growth and increased vehicle miles traveled (“VMT”) associated with the conceptual growth that may result from future development under the proposed SOIA demonstrates a substantial increase compared with existing conditions, and has not been accounted for in Air Quality Attainment and Improvement Plans for the region and Air Basin. No feasible mitigation is available to completely mitigate this impact.

Reference: RDEIR, Section 3.3.6.

Impact AIR-2: The Project may violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Mitigation Measure 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 the most current SMAQMD measures at the time of construction to address construction-generated 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 any applicable SMAQMD Rules in effect at the time of construction will be demonstrated.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of the above measures would substantially reduce construction-related emissions. Furthermore, the above measures would reduce air quality construction impacts for potential future development in accordance with SMAQMD regulations by requiring individual project construction activities to utilize lower-emission construction equipment. The above mitigation measures will also require construction activities for each future individual project proposed to comply with SMAQMD Rules 402 and 403. With implementation of the above mitigation measures, construction-related air quality impacts would be considered less than significant. This mitigation measure will be applied to future discretionary projects that will be subject to environmental review under CEQA.

Reference: RDEIR, Section 3.3.6.

Impact AIR-3: The Project may violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Mitigation Measure AIR-3: Implement Mitigation Measure AIR-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure AIR-1 would assist in reducing operational air quality impacts; however, this impact remains significant and unavoidable. Although no specific development proposals or land use changes are proposed as part of this project, the SOIA would allow future annexation and development of the SOIA Area that could result in a substantial increase in nonattainment pollutants as shown in Table 3.3-5.

Reference: RDEIR, Section 3.3.6.

Impact AIR-4: The Project may result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

Mitigation Measure AIR-4: Implement Mitigation Measures AIR-1 and AIR-2.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of mitigation would reduce the air pollution emissions associated with the conceptual land use assumptions of the Project. Nevertheless, the Project would have a significant adverse incremental effect on the region's ability to attain state and federal air quality standards. In addition, as described under Impact AIR-1, the Project may conflict with the applicable air quality plans, which is indicative of a significant cumulative air quality impact. The Project would have a cumulatively considerable contribution to significant and unavoidable cumulative air quality impacts.

Reference: RDEIR, Section 3.3.6.

Impact AIR-5: The Project may contribute to localized concentrations of CO that would exceed applicable ambient air quality standards.

Mitigation Measure AIR-5: To mitigate impacts on local mobile source CO concentrations, prior to submittal of any application to annex 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 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 PM2.5 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 PM2.5 hotspots to reduce the impact to less than significant.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Given current and future improvements to vehicle emissions, future CO hot spots are not expected. However, to the extent they do occur, implementation of the above measure would require future development to implement the SMAQMD's recommended CO hotspot screening and analysis procedures as well as project-specific mitigation to reduce any identified potentially significant impacts. Therefore, this impact is less than significant.

Reference: RDEIR, Section 3.3.6.

Impact AIR-6: The Project may expose sensitive receptors to substantial pollutant concentrations.

Mitigation Measure AIR-6: To mitigate impacts to sensitive receptors, prior to submittal of any application to annex 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 all discretionary projects will be required to review existing sources of toxic air contaminants in and around the project site and 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 currently 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Because the Project may indirectly result in future urbanization of the SOIA Area, mitigation is proposed to provide a comprehensive plan for avoiding impacts to existing as well as future sensitive receptors. Implementation of Mitigation Measure AIR-6 would reduce this impact to less than significant by avoiding placement of sensitive receptors near sources of substantial TACs.

Reference: RDEIR, Section 3.3.6.

Impact AIR-7: The Project may create objectionable odors affecting a substantial number of people.

Mitigation Measure AIR-7: To mitigate impacts from objectionable odors, prior to submittal of

any application to annex 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 all discretionary projects 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 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: As previously indicated, the Project would not directly result in any changes to existing land use patterns or to the current baseline conditions with regard to existing sources of odors. Existing odor sources are located throughout the Project area, including confined animal feeding operations within and adjacent to the western portion of the SOIA Area. It is unknown if these existing uses would continue to operate in the future or if additional sources of odor would be proposed as part of potential urbanization within the SOIA Area. Existing and future sources of odors would be required to comply with SMAQMD Rule 402, which regulates nuisance exposure, including nuisances due to odorous emissions. However, because the Project may indirectly result in future urbanization of the Project area, the Project may indirectly result in receptors being located within close proximity of odor sources. The above mitigation would ensure that sensitive receptors are protected from odor sources, making this a less than significant impact.

Reference: RDEIR, Section 3.3.6.

Summary of Impacts to Biological Resources

Because this alternative would result in less land converted to urban uses than the proposed project, impacts to Swainson's hawk's foraging habitat would be reduced under this alternative. Similar mitigation measures would be required to reduce impacts. The ERA contains both

freshwater emergent wetlands and freshwater ponds, but includes wetlands that would not be affected under this alternative. Therefore, impacts to wetlands would be less than the proposed project. This alternative would also avoid extension of the SOIA Area into or near the Stone Lakes National Wildlife Refuge. Therefore, this alternative would have fewer biological resources impacts than the proposed project.

Impact BIO-1: The Project may have a substantial adverse effect, either directly or through habitat modifications, on special-status wildlife species.

Mitigation Measure 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 HCMP shall be submitted to the CDFW and the USFWS for approval. 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 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, 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 and non-invasive 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.

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

Mitigation Measure 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 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 more than 15 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. 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.
- 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.

Mitigation Measure BIO-1c: To mitigate impacts on foraging habitat for Swainson's hawk, other raptors (including burrowing owl), and greater sandhill cranes, the City of Elk Grove shall demonstrate to LAFCo prior to annexation of all or part of the Sphere of Influence Amendment (SOIA) Area, through policy or adopted planning documents, that conservation easements or other instruments to acquire and preserve suitable foraging habitat for Swainson's hawk and greater sandhill crane are identified and will be implemented, as determined by the California Department of Fish and Wildlife (CDFW). Foraging impacts mitigation shall be required for the following planning actions that would occur within the SOIA Area:

- A. Any request to change land use zoning or general plan designation from agricultural to a non-agricultural land use;
- B. Any request to subdivide five (5) acres or more of contiguous land zoned AR-1 or AR-2,
- C. Any request for land use entitlement for a nonagricultural use of land zoned with an agricultural designation;
- D. Any request for a land use entitlement for a nonagricultural use of land five (5) acres or more in size that is zoned AR-1 or AR-2; or
- E. Any public improvement project proposed by any department or agency of the City of Elk Grove on land with agricultural designation.

The project shall acquire conservation easements or other instruments to preserve suitable foraging habitat. In deciding whether to approve the land for proposed preservation, the City shall consider the benefits of preserving lands in proximity to other protected lands. The preservation should occur prior to the onset of any development activities that would cause the impact (i.e., land clearing or site grading) or the issuance of permits for grading, building or other site improvements, whichever occurs first.

- **Swainson's hawk.** 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 shall be governed by a one-to-one (1:1) mitigation ratio for each acre developed. The land to be preserved shall be deemed suitable Swainson's hawk foraging habitat by the City in consultation with CDFW.
- **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.

Where impacts for these species overlap (lands that support foraging for both species) mitigation can occur at 1:1 if mitigation sites support both species.

The City of Elk Grove shall require minimum conservation easement content standards to be implemented to the satisfaction of LAFCo. Minimum conservation easement contents must include, but are not limited to: documentation and recorded encumbrances on the land, prohibition of activity which substantially impairs or diminishes the land's capacity as suitable foraging habitat, water rights protections, and requirements for the mitigation land to be held in trust in perpetuity.

This mitigation measure may be implemented in combination with Mitigation Measure AG-1, which requires the preservation of agricultural land, as long as the agricultural land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements listed above. In addition, this mitigation measure may allow the joint use of land for both Swainson's hawk and greater sandhill crane foraging habitat mitigation, as long as the land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements listed above. In the event that it is infeasible to acquire the necessary easements prior to annexation and development, the City will apply its impact mitigation fee program, used to acquire available land with suitable foraging habitat values at the ratios and conditions specified above.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Though Mitigation Measure BIO-1a through 1c will result in the minimization of impacts to nesting birds and conservation of lands for nesting and foraging of special status wildlife species, the SOIA will indirectly (through possible future annexation and build out) result in a net loss of habitat. Implementation of the Mitigation Measure BIO-1a, including finalizing and implementing the SSHCP, will ensure that special status wildlife species that potentially occur in the SOIA Area are conserved through the cumulative actions of all covered activities in the South County, including build out of the SOIA Area. Since neither the City of Elk Grove nor LAFCo are the lead agencies for SSHCP, they cannot ensure its completion or implementation. Mitigation Measure BIO-1a also recognizes that the City (prior to annexation) can create its own HCMP in consultation with CDFW and USFWS for listed species under the Federal Endangered Species Act ("FESA") and the California Endangered Species Act ("CESA"). The HCMP should result in mitigation of impacts to less than significant levels though the details of the HCMP have not been developed to the degree necessary to draw

conclusion. Because of this, even with mitigation, the impact is considered significant and unavoidable.

Reference: RDEIR, Section 3.4.6.

Impact BIO-2: The Project may have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Mitigation Measure BIO-2: Prior to annexation of any or part of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo that the City shall require the following actions from all future development within the SIOA Area:

- Prior to the approval of grading or improvement plans, and before any groundbreaking activity associated with future projects, the City shall require project applicant(s) of all project's that would include fill of wetlands or other waters of the U.S. or waters of the state to complete site-specific wetland delineations and obtain all necessary permits under sections 401 and 404 of the Clean Water Act or the state's Porter-Cologne Act and a CDFW Streambed Alteration Agreement for the respective phase. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction as determined during the Section 401 and Section 404 permitting processes but will result in not less than 1 acre created/ enhanced/ restored to each acre impacted. Wetland mitigation should occur within the same watershed as the impact, where feasible.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Should proposed build out of the SOIA occur, implementation of Mitigation Measure BIO-2 will ensure that there is no net loss of wetlands after mitigation. Therefore, the SOIA will result in a less than significant impact to riparian habitat and other wetlands.

Reference: RDEIR, Section 3.4.6.

Impact BIO-3: The Project may have a substantial adverse effect on wetlands.

Mitigation Measure BIO-3: Implement Mitigation Measure BIO-2.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Should proposed build out of the SOIA Area occur, implementation of Mitigation Measure BIO-2 would ensure that there is no net loss of wetlands after mitigation; therefore, the SOIA will result in a less than significant impact to riparian habitat and other wetlands.

Reference: RDEIR, Section 3.4.6.

Impact BIO-4: The Project may interfere substantially with the movement of any native resident or migratory fish or wildlife species.

Mitigation Measure BIO-4: Implement Mitigation Measured BIO-1a and BIO-2.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure BIO-1a will result in designation of open space within the SOIA. Mitigation Measure BIO-2 will result in projects completing site-specific wetland delineations and obtaining all necessary permits under sections 401 and 404 of the Clean Water Act or the state's Porter-Cologne Act and a CDFW Streambed Alteration Agreement. In addition, the SOIA Area sits within a context of hundreds of thousands of acres of open space. Both the open space within the SOIA Area and the surrounding agricultural lands will provide ample nesting habitat for wintering migrants as well as space for movement for wildlife. This impact, therefore, is less than significant.

Reference: RDEIR, Section 3.4.6.

Impact BIO-5: The Project may conflict with local biological policies or ordinances, including tree preservation policies.

Mitigation Measure BIO-5: To mitigate impacts from conflicts with local biological policies or ordinances, prior to submittal of an application to annex 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 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 next trees will receive the same consideration as heritage or landmark trees.

- A. Reconnaissance-level tree survey of the SOIA Area should be performed by a certified arborist to identify native tree resources, particularly those that may be designated as landmark or heritage trees. This will enable the lead agency to track impacts to native trees on a regional basis rather than a project-by-project basis, when feasible.
- B. Minimization of impacts to protected tree species shall be undertaken during project design. If avoidance is infeasible, mitigation of native trees pursuant to measures D through F below shall be conducted.
- C. In addition to native oak trees, all native tree species should be protected under the City of Elk Grove's Tree Preservation and Protection Code Chapter 19.12. The mitigation rate would be the same as those in the Ordinance current at the time of this document, unless future versions require a higher mitigation rate, but it would also require obtaining replacement trees from local genetic stock.
- D. A five-year monitoring plan shall be completed for all mitigation plantings. The monitoring plan would include appropriate irrigation schedules, as well as criteria for success and reestablishment during the 5-year period. A success rate of not less than 80 percent at the end of the 5-year monitoring period is recommended.
- E. Individual trees or groups of trees preserved shall be fully protected during construction. A temporary protective fence shall be established at a minimum of 10 feet beyond the drip line of the retained native trees. The fence shall be in place prior to beginning construction activities, including grading. Within this protective buffer, no grading, trenching, fill, or vegetation alteration shall be allowed.
- F. Mitigation shall target large tracts or contiguous native tree habitat. Connectivity between native tree woodland preserves as well as adequate buffering from development is important to promote native tree recruitment, the long-term viability of the habitat, and

wildlife use of the area.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Compliance with Mitigation Measure BIO-5 promotes protection in place, or, if trees are required to be removed, mitigation plantings are required to be monitored and meet a minimum success rate. Preserved trees must also be protected during project construction. This measure would preserve existing or replace any removed trees such that this would be a less than significant impact.

Reference: RDEIR, Section 3.4.6.

Summary of Impacts to Cultural Resources

The proposed project would have less than significant impacts on historical resources, archaeological resources, paleontological resources, and burial sites. The ERA would result in similar potential to unearth cultural resources and would be subject to similar regulations protecting cultural resources as the proposed project. However, because this alternative would result in less ground disturbance, it would have impacts on cultural resources less than the proposed project.

Impact CUL-1: Subsurface construction activities associated with the Project may damage or destroy previously undiscovered historic resources.

Mitigation Measure CUL-1: To mitigate impacts on historic resources, prior to submittal of any application to annex 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 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project would expand the SOI, and no physical development is proposed at this time. However, land use assumptions discussed in Section 2, Project Description, indicate that future projects could result in the disturbance, alteration, or destruction of previously unidentified historic resources. Although specific project proposal details are not available at this time, future development could result in the disturbance, alteration, or destruction of previously unidentified historic resources. Impacts would be less than significant with implementation of Mitigation Measure CUL-1, because it would avoid the disturbance of historic resources.

Reference: RDEIR, Section 3.5.6.

Impact CUL-2: Subsurface construction activities associated with the Project may damage or destroy previously undiscovered archaeological resources.

Mitigation Measure CUL-2: To mitigate impacts on archaeological resources, prior to submittal of any application to annex 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 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project would expand the SOI and no physical development is proposed at this time. However, land use assumptions discussed in Section 2, Project Description, indicate that future projects may uncover previously unknown, buried archaeological resources. Impacts would be less than significant with implementation of Mitigation Measure CUL-2, as it would serve to avoid the disturbance of archaeological resources.

Reference: RDEIR, Section 3.5.6.

Impact CUL-3: Subsurface construction activities associated with the Project may ferment, damage or destroy previously undiscovered paleontological resources.

Mitigation Measure CUL-3: To mitigate impacts on paleontological resources, prior to submittal of any application to annex 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 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project would expand the City of Elk Grove's SOI, and no physical development is proposed at this time. However, land use assumptions discussed in Section 2, Project Description, indicate that future projects could result in the disturbance, alteration, or destruction of previously unidentified paleontological resources. Any future activity would be subject to an independent CEQA review and would address impacts to paleontological resources and prescribe appropriate mitigation measures based on the type of activity proposed. Impacts would be less than significant with implementation of Mitigation Measure CUL-3 because it would avoid the disturbance of paleontological resources.

Reference: RDEIR, Section 3.5.6.

Impact CUL-4: Subsurface construction activities associated with the Project may damage or destroy previously undiscovered human remains.

Mitigation Measure CUL-4: Implement Mitigation Measure CUL-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure CUL-1 requires standard inadvertent discovery procedures to be implemented in the event that human remains are encountered during construction. With the implementation of mitigation, impacts to burial sites would be reduced to a level of less than significant.

Reference: RDEIR, Section 3.5.6.

Summary of Impacts on Geology, Soils, and Seismicity

The ERA would be developed with similar types of urban uses as envisioned by the City of Elk Grove under the proposed project. The same regulations that apply to the proposed project regarding seismic standards and soil stability would also apply under this alternative. However, because this alternative would result in less ground disturbance, it would have impacts on geology, soils, and seismicity less than the proposed project.

Impact GEO-1: Development of the Project may expose persons or structures to seismic hazards.

Mitigation Measure GEO-1: To mitigate impacts from seismic hazards, prior to submittal of any application to annex all or part of 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

(Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Because of the known soil, groundwater, and ground shaking conditions within the SOIA Area, the potential for liquefaction, lateral spreading, and ground lurching is considered to be low. Implementation of Mitigation Measure GEO-1 would require conformance with the applicable sections of the Uniform Building Code, reducing potential seismic hazard impacts to a less than significant level.

Reference: RDEIR, Section 3.6.6.

Summary of Impacts to Greenhouse Gases

The ERA would accommodate more compact future growth than envisioned by the City of Elk Grove under the proposed project, as this alternative is based on SACOG Blueprint Preferred Scenario. However, because the ERA includes less land available for development than the proposed project, it would result in less development. As such, this alternative would result in less ground disturbance and it would have impacts related to greenhouse gases that are less than the proposed project.

Impact GHG-1: The Project may lead to generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Mitigation Measure GHG-1: Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall amend or augment the City's greenhouse gas emissions inventory projections to account for potential development of the SOIA Area. Analysis assumptions, methodology and emission factors used by the City shall be submitted for review to the Sacramento Metropolitan Air Quality Management District (SMAQMD). 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. The City will require that discretionary project comply with any one of the following performance criteria:

- a. Efficiency Metric: Greenhouse gas emissions would be less than 6.6 annual metric tons of carbon dioxide equivalent per service population. Service population comprises both residents and employees that would be accommodated by the SOIA Area.
- b. Percent Reduction: Greenhouse gas emissions would be reduced by 29 percent from the year 2020 business-as-usual baseline. The business-as-usual baseline parameters will be determined in consultation with the SMAQMD.
- c. Climate Action Plan Consistency: The City shall demonstrate that development in the SOIA Area will comply with applicable SECAP measures and the City's emission reduction goals.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Mitigation Measure GHG-1 establishes three performance criteria to evaluate potential future development in the SOIA Area and mandates the achievement of at least one. These three performance criteria are currently being used by air districts throughout the state and were established with the purpose of complying with AB 32. Therefore, since Mitigation Measure GHG-1 requires that emissions associated with future development comply with at least one criterion, the project would be compliant with AB 32, and associated GHG emissions would not result in a significant impact to the environment. This impact is less than significant.

Reference: RDEIR, Section 3.7.6.

Impact GHG-2: The project may conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Measure GHG-2: Implement Mitigation Measure GHG-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: As stated in Section 2, Project Description, of the RDEIR state planning law provides that a city may comprehensively plan for lands outside of its jurisdiction. Therefore, mitigation is proposed for the City of Elk Grove to amend or augment the City's greenhouse gas emissions inventory projections to account for development of the SOIA Area, achieve any one of three performance criteria for emission reductions, and provide proof of consultation with the SMAQMD to demonstrate compliance with the measure. Implementation of Mitigation Measure GHG-1 would ensure that greenhouse gas emissions generated by future development are reduced in a manner consistent with the goals of AB 32. This impact is less than significant.

Reference: RDEIR, Section 3.7.6.

Summary of Impacts to Hazards and Hazardous Materials

The ERA would accommodate more compact growth than envisioned by the City of Elk Grove under the proposed project, but could be developed with similar types of urban uses. However, because the ERA includes less land available for development than the proposed project, it would result in a lesser development footprint. The proposed project was found to have less than significant impacts associated with hazardous materials from past or present site usage as well as the potential for risk of upset. This alternative would have impacts related to hazards and hazardous materials similar in nature to the proposed project, but because this alternative would result in less ground disturbance, it would have impacts related to hazards and hazardous materials that are less than the proposed project.

Impact HAZ-4: The Project may be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

Mitigation Measure HAZ-4: To mitigate impacts from hazardous materials sites, prior to submittal of any application to annex 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 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of the above mitigation measure ensures a less than significant impact regarding hazardous materials sites through review, testing, and remediation of sites that are suspected or known to contain hazardous materials.

Reference: RDEIR, Section 3.8.6.

Summary of Impacts to Hydrology and Water Quality

The ERA would accommodate more compact growth than envisioned by the City of Elk Grove under the proposed project and be developed on less land. Although the proposed project would have significant impacts on short-term water quality, long-term water quality, drainage, and 100-year flood hazards, mitigation proposed to address all of these impacts would fully mitigate these issues to a level of less than significant. Because this alternative would result in less ground disturbance than the proposed project, fewer impacts related to changes in hydrology would occur. The available areas for future development within the ERA are outside 100-year flood zones. Therefore, this alternative would have fewer impacts related to hydrology and water quality than the proposed project.

Impact HYD-2: The Project may lead to a substantial depletion of groundwater supplies or a substantial interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted).

Mitigation Measure HYD-2: Implement Mitigation Measure USS-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Based on the foregoing circumstances, LAFCo can make the “confident determination” required under *Vineyard* that anticipated future sources will be available to serve the SOIA Area and, therefore, it is not necessary to discuss possible replacement sources. Mitigation Measure HYD-2 would ensure that adequate water supply is available to future development as annexation requests are processed. In addition, with Sacramento County Water Agency’s (“SCWA”) water supply reliability, including the use of surface water, as well as Sacramento Central Groundwater Authority’s (“SCGA”) commitment to not exceed the average annual sustainable yield of the Central Basin, impacts on groundwater would not be significant.

Reference: RDEIR, Section 3.9.6.

Impact HYD-3: The Project may lead to an increase of impervious surface coverage, which may result in increased stormwater runoff volumes and peak flows.

Mitigation Measure HYD-3: Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: No immediate, direct impacts would occur to the existing drainage conditions. The land use assumptions discussed in Section 2, Project Description, of the RDEIR indicate that anticipated future growth of the SOIA Area would increase the amount of impervious surfaces and may alter drainage patterns resulting in increased stormwater runoff. Because the Project may result in an indirect and reasonably foreseeable substantial increase in impervious surfaces, impacts would be potentially significant. Therefore, Mitigation Measure HYD-3 is recommended to ensure that future annexation and development activities would result in less than significant impacts. Implementation of Mitigation Measure HYD-3 would ensure that new projects in the SOIA Area not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas and would result in a less than significant impact.

Reference: RDEIR, Section 3.9.6.

Impact HYD-4: The Project may result in the placement of structures within a 100-year flood hazard area that may have the potential to divert flood flows or to be subjected to flood hazard.

Mitigation Measure HYD-4a: Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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.

The City will not approve any discretionary permit or entitlement, or any ministerial permit that would result in the construction of a new residence; any tentative map, or any parcel map for which a tentative map was not required; or enter into development agreement for projects located within a 200-year flood zone, unless the City makes, based on substantial evidence, one of the findings found in Government Code Section 65865.5.

Mitigation Measure HYD-4b: 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 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 predevelopment levels within or downstream of the SOIA Area.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Because the Project may result in an indirect and reasonably foreseeable urbanization of the SOIA Area, impacts would be potentially significant. Mitigation Measure HYD-4a is recommended to ensure that future annexation and development activities would result in less than significant impacts for placing structures within a 100-year floodplain.

In addition, the project may result in an increase in impervious surfaces, as discussed in Impact HYD-3. Therefore, the Project may indirectly result in an exacerbation of future flooding by increasing potential flood heights downstream. Increased impervious surfaces may affect downstream areas, especially the Beach-Stone Lakes basin and the Pleasant Point sub-area. As discussed in the Environmental Setting of the RDEIR, flooding typically occurs in the Beach-Stone Lakes basin every year, with severe floods occurring about once every 3 years. Mitigation Measure HYD-4b is recommended to ensure that future annexation and development activities would result in less than significant impacts to downstream locations in respect to diverting flood flows. Implementation of Mitigation Measures HYD-4a and HYD-4b would reduce the potential effect to less than significant.

Reference: RDEIR, Section 3.9.6.

Summary of Impacts to Land Use and Planning

The ERA would require a General Plan Amendment, rezone, subdivision map, and other discretionary approvals for future annexation and development activities similar to the proposed project. Similar to the proposed project, this alternative would be required to be consistent with the City of Elk Grove General Plan, the Elk Grove Municipal Code, and Sacramento LAFCo annexation policies. However, this alternative would avoid extension of the SOIA Area into or near the Stone Lakes National Wildlife Refuge, thereby resulting in a lesser impact related to potential conflicts with applicable habitat conservation plans. Therefore, this alternative would have less land use impact than the proposed project.

Impact LU-2: The Project may conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Measure LU-2: Implementation of all mitigation measures in the RDEIR.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Physical impacts related to inconsistency with area land use plans are addressed throughout the RDEIR. Implementation of the mitigation measures adopted for the Project ensures that physical impacts related to land use plan inconsistencies would be mitigated to the extent feasible.

Reference: RDEIR, Section 3.10.6.

Impact LU-3: The Project may conflict with any applicable habitat conservation plan or natural community conservation plan.

Mitigation Measure LU-3: Implement Mitigation Measure BIO-1a.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of Mitigation Measure BIO-1a, which requires the City of Elk Grove to participate in the South Sacramento County Habitat Conservation Plan or the preparation and implementation of a Habitat Conservation Management Plan for all affected special status species and habitats.

Reference: RDEIR, Section 3.10.6.

Impact LU-4: The Project may lead to the conversion of open space resources, as defined by Sacramento LAFCo, to urban uses.

Mitigation Measure LU-4: Implement Mitigation Measure AG-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project by itself does not involve direct development proposals or proposed changes to General Plan land use designations or zoning classifications that would have the potential to convert open space resources; therefore, direct conversion of open space resources would not occur. However, approval of an SOIA by LAFCo indicates that the Commission has designated the revised SOIA Area for future urbanization; therefore, impacts related to permanent conversion of open space uses to urban uses would be potentially significant. Although the Project does not involve any development proposals or changes to land use, it is assumed that the Project would indirectly result in urbanization of the SOIA Area, as discussed in the Project Description of the RDEIR. Therefore, as the Project would allow the City to prepare a Land Use Plan and submit applications for annexation of the SOIA Area, the Project may indirectly create pressure to convert open space to urban uses.

Implementation of Mitigation Measure AG-1 would reduce the conversion of open space resources through requiring offsets be set aside in permanent conservation easements; however, impacts would remain significant and unavoidable due to the net loss of open space that would occur on a regional and county basis.

Reference: RDEIR, Section 3.10.6.

Summary of Noise Impacts

Impact NOI-1: Development within the SOIA Area may increase existing traffic noise levels at noise-sensitive land uses.

Mitigation Measure: There are no feasible mitigation measures.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: It is assumed that new development can be constructed such that noise from transportation sources could be reduced to within noise standards at sensitive uses; however, if new development increases traffic levels on roadways adjacent to existing residential uses, feasible measures may not be available to reduce traffic noise within standards. Compliance with City regulations typically includes methods such as construction of soundwalls or other design features to reduce noise, but the City does not typically require the installation of soundwalls in front yard areas to reduce noise to acceptable levels in residential areas that were originally constructed without soundwalls. In addition, in some cases, construction of soundwalls or other design features would not be feasible due to blocking site access or structural restrictions, which could result in traffic noise in some areas that exceed standards.

Because the ability to reduce noise levels at all existing sensitive receptors is not known at this time, this is a significant and unavoidable impact.

Reference: RDEIR, Section 3.12.6.

Summary of Impacts to Population and Housing

The ERA would result in less urbanization than the proposed project, and it would accommodate less future growth than envisioned by the City of Elk Grove's proposed project. In addition, this

alternative is based on SACOG Blueprint Preferred Scenario. Therefore, this alternative would have fewer impacts on population, housing, and employment than the proposed project.

Impact POP-1: The Project may induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

Mitigation Measure 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 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.

Mitigation Measure POP-1b: At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove shall:

- Revise and update its General Plan in accordance with state law that addresses the annexed territory;
- Update the Housing Element (updated to reflect the annexed territory) to establish that the City has or will meet its Regional Housing Needs Allocation (RHNA) for all income levels as defined in Government Code Section 65588.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project would maintain existing land use designations and zoning and would not result on the construction of new homes, businesses, roads, or utilities. Therefore, the Project would not directly induce substantial population growth and impacts; however, the Project may indirectly induce substantial population growth. The City can either request annexation of the entire SOIA Area or submit multiple annexation applications for portions of the SOIA Area. The City can also develop a phased annexation program to further guide development within the SOIA Area.

The SOIA Area is intended to accommodate projected growth in the area. Ultimately, growth in the SOIA area could be less than what is projected due to unanticipated market conditions.

However, the SOIA Area would provide sufficient acreage to accommodate population and employment growth as well as buffers and mitigation areas described throughout this document. Therefore, the SOIA would likely not induce substantial growth outside of the SOIA Area. Furthermore, any growth outside of the SOIA Area subject to City of Elk Grove jurisdiction would require its own LAFCo SOI amendment and environmental review outside of this SOIA process. Mitigation Measures POP-1a and POP-1b would ensure that future annexations will include necessary adjustments to the City's share of regional housing needs and consider local and regional plans.

Reference: RDEIR, Section 3.13.6.

Summary of Impacts to Transportation and Traffic

Section 3.15, Transportation and Traffic identifies significant and unavoidable impacts to local roadways and freeways associated with the proposed project. The ERA would generate less traffic than the proposed project, as the developable area is substantially smaller than the proposed project. Therefore, this alternative would have fewer traffic impacts than the proposed project.

Impact TRANS-1: Future annexation and development activities within the Project may generate new vehicle trips that may contribute to unacceptable traffic operations under existing plus project conditions.

Mitigation Measure TRANS-1: At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove will consult with Sacramento County and Caltrans to establish transportation improvement plans and funding mechanisms to provide service levels consistent with the City's General Plan, County's General Plan, and Caltrans standards. In addition, any future annexation and development activity within the SOIA Area will require the preparation of traffic impact analyses that would include discussion of the project's fair-share contribution and mitigation strategies.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project could indirectly result in future urbanization of the SOIA Area and could contribute to unacceptable intersection and freeway operations under existing plus project conditions. Necessary improvements to improve operations to acceptable levels are discussed on RDEIR pages 3.15-31 to 3.15-32. However, the actual improvements needed in the future would depend on the location, type, and level of intensity of future growth in the SOIA Area and, at that time, appropriate mitigation would be designed. Mitigation Measure TRANS-1 would require the preparation of traffic studies for future projects and consultation with appropriate agencies. However, because the location and intensity of future development is not known at this time, it is not certain that identified improvements would reduce potential impacts to a less than significant level. In addition, impacts on local roadways outside of the City's jurisdiction would require consultation with other agencies (e.g., Sacramento County and Caltrans), and the City cannot assure that mitigation for improvements outside its jurisdiction would be implemented. Therefore, this impact would remain significant and unavoidable.

Reference: RDEIR, Section 3.15.6.

Impact TRANS-2: Future annexation and development activities within the Project Area may generate new vehicle trips that may contribute to unacceptable traffic operations under cumulative conditions.

Mitigation Measure TRANS-2: Implement Mitigation Measure TRANS-1.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The Project could indirectly result in future urbanization of the SOIA Area and could contribute to unacceptable intersection and freeway operations under cumulative plus project conditions. Necessary improvements to improve operations to acceptable levels have been identified. However, it is not certain that identified mitigation would reduce identified impacts to a less than significant level, and some of the identified impacts are outside the jurisdiction of the City. Because of the early stage of project approval and planning, the uncertainty of potential land uses, the fact that local roadway improvements outside the City's jurisdiction cannot be guaranteed, and the uncertainty of the exact magnitude and method of implementation of mitigation measures in the future, the mitigation measure cannot be found with certainty to

substantially lessen or avoid this potential impact. Therefore, the impact remains significant and unavoidable.

Reference: RDEIR, Section 3.15.6.

Impact TRANS-5: Future annexation and development activities within the Project Area may conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation Measure TRANS-5a: At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall update the City's Bicycle and Pedestrian Master Plan to delineate bicycle and pedestrian facilities in the SOIA Area consistent with the goals and policies of the City's General Plan. The update will identify on- and off-street bikeways and pedestrian routes as well as support facilities. Development in the SOIA Area shall be responsible for implementing the master plan recommendation as development occurs in the project area.

Mitigation Measure TRANS-5b: At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall complete a transit master plan for the SOIA Area consistent with policies of the City's General Plan. This plan will identify the roadways to be used by bus transit routes, locations for bus turnouts and pedestrian shelters, locations for bus transfer stations, alignment for fixed-route rail service, and the location of rail service stations. Future development in the SOIA Area and the City of Elk Grove shall be responsible for implementing the master plan recommendations as development occurs in the project area.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of the above mitigation measures would ensure that future bicycle and transit needs are properly planned and designed to support potential developments, reducing this impact to a less than significant level.

Reference: RDEIR, Section 3.15.6.

Summary of Impacts to Utilities and Service Systems

The ERA would include less development potential than the proposed project. Sacramento County Water Agency (SCWA) serves the ERA area, although no sewer service is currently available to the area. The proposed project would require annexation by sanitary sewer service providers. Because this alternative would generate less demand for utilities and service systems, this alternative would have slightly less impact on utilities and service systems than the proposed project.

Impact USS-1: The Project could result in the generation of a demand for increased water services over that which is currently produced in the area and would result in a need for additional water supplies or facilities.

Mitigation Measure USS-1: Prior to LAFCo approval of annexation of any portion of the City of Elk Grove SOIA territory, the City must demonstrate that through the Plan for Services as required by Government Code section 56430, or its successor, to allow the Commission to determine that: (1) the requirement for timely water availability, as required by law, is met; (2) its water purveyor is a signatory to the Water Forum Successor Effort, (3) the amount of water provided will be consistent with the geographical extent of the SOIA territory and the groundwater sustainable yield described in the Water Forum Agreement. water will be provided in a manner that ensures no overdraft will occur; and (4) existing water customers will not be adversely affected. The Plan for Services shall be sufficient for LAFCo to determine timely water availability to the affected territory pursuant to Government Code Section 56668, subdivision (k), or its successor.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Assuming projected demand of 15,249 acre-feet for buildout of the SOIA Area (see Table 3.16-5), 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. However, as shown in Table 3.16-2, approximately 9,300 acre-feet of SCWA's water supply is geographically limited for use within the within the City of Sacramento's American River Place of Use (POU). The SOIA Area is not

within the American River POU. Even without the 9,300 acre-feet for the American River POU, SCWA supplies would still exceed 2035 demand by over 7,000 acre-feet.³ While this would result in a less than significant project-specific impact, because buildout of the general plans of jurisdictions served by SCWA could exceed supplies, the cumulative impact would be significant. Implementation of Mitigation Measure USS-1 requires demonstration of adequate water supply prior to annexation, but the cumulative impact would remain significant and unavoidable.

Reference: RDEIR, Section 3.16.6; Municipal Services Review.

Impact USS-2: The Project may require or result in the construction of new wastewater collection and treatment facilities or expansion of existing facilities.

Mitigation Measure USS-2: Prior to submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will provide a Plan for Services that demonstrates that the wastewater transmission and treatment providers have requested that the SOIA Area be within their respective Spheres of Influence if a public agency, and that such providers have prepared or approved an infrastructure plan and funding program to ensure compliance with Federal Clean Water Act and applicable state standards; and that sufficient transmission infrastructure, and treatment and disposal capacity adequate for projected needs are available to accommodate the buildout of the annexation territory, with no adverse impact to existing ratepayers.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Any future development and land use activities would be subject to an independent CEQA review necessary to address any impacts, including the need for wastewater treatment capacities and infrastructure. However, the SOIA does have the potential to indirectly increase the demand for wastewater services through the potential for future urbanization of the SOIA Area, which would result in the need for new wastewater facilities or expansion of existing facilities. The 2020 SRWTP Master Plan includes projections for annexation of land south of Elk Grove. While the expansion of the SRWTP would result in physical environmental effects, SRCSD would be the lead agency under CEQA for any expansion project.

Neither LAFCo nor the City of Elk Grove could assure implementation of mitigation measures to reduce physical effects. While implementation of Mitigation Measure USS-2 would ensure that adequate wastewater treatment capacity is available for any proposed annexation, LAFCo cannot assure implementation of mitigation to reduce physical effects associated with wastewater treatment plant expansions to serve the SOIA Area. Therefore, this impact would remain significant and unavoidable.

Reference: RDEIR, Section 3.16.6; Municipal Services Review.

Impact USS-3: The Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities.

Mitigation Measure USS-3: Implement Mitigation Measure HYD-3.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: Implementation of the mitigation measure referenced above would ensure that impacts related to storm drainage would be less than significant through either the preparation of a Drainage Master Plan or modifications of the City's existing Stormwater Master Plan.

Reference: RDEIR, Section 3.16.6.

Impact USS-4: The Project would be served by landfills with sufficient permitted capacity and would comply with applicable regulations.

Mitigation Measure USS-4: At the time of submittal of any application to annex any or all territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall identify solid waste services, including contract service operation if applicable, to be extended, the level and range of services, timing of services, improvements of facility upgrades associated with the services, and how the services will be financed to accommodate the buildout of the SOIA Area.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. (Subdivision (a)(1).)

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. (Subdivision (a)(2).)

Specific 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 FEIR. (Subdivision (a)(3).)

Rationale: The land use assumptions discussed in Section 2, Project Description, of the RDEIR indicate that future growth of the SOIA Area may require the provision of additional coordinated collection efforts to meet service demands. The City of Elk Grove would be the most likely provider of solid waste service services within the SOIA Area. The City would need to amend its service boundaries in order to fully serve future growth. Future growth within the SOIA Area would increase service demands for solid waste collection providers. Future land use changes would be required to comply with existing federal, state, and local statutes and regulations related to solid waste. Additional solid waste generated in the City would not represent a substantial increase in solid waste at the local landfills that serve the City.

However, Mitigation Measure USS-4 is included to ensure that adequate solid waste service is available to the SOIA Area. Implementation of Mitigation Measure USS-4 would reduce potential solid waste demand impacts to a less than significant level by requiring that a solid waste services plan be in place prior to potential future annexation.

Reference: RDEIR, Section 3.16.6.

III. MITIGATION MONITORING PROGRAM

A Mitigation Monitoring and Reporting Program ("MMRP") was prepared for the Project and approved by LAFCo Resolution No. 2013-12-11106-09-10. (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) LAFCo will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period.

IV. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

Urban development arising from implementation of the requested SOIA would result in the long-term commitment of resources which are, as yet, the unavoidable consequences of growth.

Implementation of the Project would result in the long-term in the conversion of existing land that is currently used for agricultural uses, open space, and wildlife habitat to urban uses. Additionally, a variety of resources, including land, energy, construction materials, and human resources would be irretrievably committed for construction and operation and maintenance of potential urban uses in the SOIA territory.

Development of urban uses and infrastructure to serve those uses may be regarded as a permanent and irreversible change from undeveloped land. Construction and alteration would permanently alter the existing visual character and would eliminate an area of land in open space and agricultural uses.

Construction of urban uses fostered by approval of the SOIA would also require a commitment of a variety of other non-renewable or slowly renewable natural resources. These resources primarily include fossil fuels used in construction equipment and vehicles. Other resources consumed would include, but would not necessarily be limited to, lumber and other forest products, sand and gravel, asphalt, petrochemicals, metals, and water.

Increased local demands on community services and public utilities to operate and maintain urban uses would necessitate the extension, expansion, and/or construction of infrastructure. Consequently, long-term commitment of public services would also be required, thereby establishing increased demand on such services and increasing the need for nonrenewable or slowly renewable resources.

Sacramento LAFCo finds that existing conditions will be irreversibly changed. LAFCo further finds that future generations could experience both the benefits of additional work opportunities, housing, retail opportunities, and urban culture, while also experiencing adverse environmental effects. However, for the reasons stated throughout these findings and in the statement of overriding considerations, Sacramento LAFCo finds that adoption and implementation of the SOIA is appropriate and beneficial to the health, safety, and general welfare of the City of Elk Grove and Sacramento County, despite the irreversible environmental changes that are likely to result.

V. GROWTH INDUCEMENT AND CUMULATIVE IMPACTS

A. Growth Inducement

According to CEQA Guidelines section 15126.2, subdivision (d), an EIR must discuss the growth-inducing impacts of the project. Specifically, CEQA states that the EIR shall:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that

could cause significant environmental effects. Also, discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Growth-inducing impacts can result from development that directly or indirectly induces additional growth. Examples of growth inducement include:

- ▶ redesignation of property from agricultural to urban uses within an agricultural area, thus increasing the potential for adjacent farmland to also be redesignated to urban uses;
- ▶ the development of new housing or job-generating uses that would be sufficient in quantity to create a substantial demand for new jobs and housing, respectively;
- ▶ the development of new schools as part of a proposed project with excess capacity to serve adjacent currently undeveloped areas;
- ▶ the extension of roads and utilities to an area not currently served by such infrastructure; and
- ▶ the oversizing of new utility lines to a project site which may have additional capacity to serve currently undeveloped areas nearby.

Growth inducement itself is not an environmental effect but may foreseeably lead to environmental effects. These environmental effects may include increased demand on other community and public services and infrastructure, increased traffic and noise, degradation of air or water quality, degradation or loss of plant or animal habitats, or conversion of agricultural and open space land to urban uses.

Growth Inducing Impacts of Project

As discussed in detail in Section 3.13 of the RDEIR, approval of the SOIA would result in a less than significant impact for growth inducement in the surrounding area. The SOIA Area is intended to accommodate projected growth in the area.

Ultimately, growth in the SOIA Area could be less than what is projected due to unanticipated market conditions. However, the SOIA Area would provide sufficient acreage to accommodate population and employment growth as well as buffers and mitigation areas described throughout this document. Therefore, the SOIA would likely not induce substantial growth outside of the SOIA Area. Furthermore, any growth outside of the SOIA Area would require its own SOI amendment and environmental review outside of this SOIA process.

B. Cumulative Impacts

Cumulative impacts are defined in the CEQA Guidelines as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant impacts. (CEQA Guidelines, § 15355). In a CEQA evaluation, the proposed action must be considered with the combined effects of the cumulative actions in a single analysis.

The following topic areas have impacts that are cumulatively considerable.

Aesthetics

The geographic scope of the cumulative aesthetics analysis is the area surrounding the Project area. This is the area within view of the Project and therefore, the area most likely to experience changes in visual character or experience light and glare impacts. The land use designations surrounding the Project area include primarily agricultural uses to the south, east, and west, and urban uses to the north. Other planned or reasonably foreseeable roadway improvement projects in the immediate area include Kammerer Road and Grant Line Road that form the SOIA Area's north and northeastern boundaries, respectively. In addition, two solar facilities are proposed within the SOIA Area as separate applications (not part of the Project), and one application is proposed immediately south of the SOIA Area.

The Project, in combination with planned and reasonably foreseeable projects, could result in substantial changes to the aesthetic character of the study area. The project would replace rural setting with urban character. Other planned and reasonably foreseeable projects would introduce structures that would reduce the intactness and unity of the agricultural and rural visual landscape and scenic vistas, as well as introduce substantial new sources of light and glare resulting in a cumulative impact on visual quality. Mitigation in this RDEIR requires any application to annex territory within the SOIA Area to comply with the City of Elk Grove's Citywide Design Guidelines by minimizing the use of reflective materials in building design and designing outdoor light fixtures to be directed/shielded downward and screened. Mitigation also requires on-site tree preservation or off-site mitigation or payment of an in-lieu fee.

Cumulative impacts would be reduced through design measures incorporated into future development to be sensitive to rural and agricultural views. In addition, general plan policies would have the effect of reducing cumulative visual change, such as the creation of open space areas and view corridors to preserve key visual elements, and would result in development that is aesthetically pleasing. However, alteration of visual character from agricultural to urban uses and adverse effects on scenic vistas would be an unavoidable and cumulatively significant impact.

Agricultural Lands

The geographic scope of the cumulative agricultural resources analysis is focused on Sacramento County. Therefore, it is most appropriate to use the Sacramento County boundary as the basis for assessing cumulative impacts.

Development and land use activities within both the SOIA Area and nearby areas have the potential to result in the conversion of agricultural land to non-agricultural use, conflict with Williamson Act contracts, and creation of pressures that cause the premature conversion of agricultural land. In addition, implementation of the Southeast Connector would have the potential to directly impact farmland.

Future development of the SOIA Area may result in the conversion of approximately 400 acres of Prime Farmland, 132 acres of Unique Farmland, and 5,236.6 acres of Farmland of Statewide Importance. These conversions would make up approximately 2.7 percent of the total important farmland acreage known to exist in Sacramento County in 2010 (approximately 211,744 acres) (Elk Grove DEIR 2003). Given the rate of conversion in Sacramento County, this would be a significant cumulative impact. Mitigation Measure AG-1 requires project applicants preserve one acre of farmland land 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 measure also requires minimum conservation easement content standards. This would ensure that some agricultural land is preserved; however, conversion of agricultural land would still occur. Mitigation Measure AG-3 would require the City to prepare a plan to avoid land use compatibility conflicts prior to annexation. Although conversion of Important Farmland in Sacramento County anticipated as a result of potential development of the SOIA Area would be mitigated by protection of other farmland, the project would still result in the loss of Important farmland and the project's contribution to this cumulative impact is considered significant and unavoidable.

Air Quality

The geographic scope of the cumulative air quality analysis is the Sacramento Valley Air Basin. Air pollution is regarded as a regional issue; therefore, this area would be the area most likely to be impacted by project emissions. All of the projects listed in Table 4-1 would result in new air emissions, during construction or operations (or both). Future annexation and development activities within the Project area could accommodate more population and jobs than anticipated by SMAQMD air quality attainment plans and SACOG's Metropolitan Transportation Plan growth assumptions and, therefore, would be inconsistent with both applicable SMAQMD air quality attainment plans. Furthermore, the Project may result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard.

Mitigation is proposed requiring an Air Quality Plan incorporating policies and other measures at least as stringent as those found in Elk Grove General Plan Policies CAQ-27 through CAQ-33 and associated actions, as well as compliance with all recommended SMAQMD measures to address construction emissions. However, impacts associated with the potential project conflict with the applicable air quality plans remains significant and unavoidable as the potential for population growth and increased VMT associated with the conceptual growth that may result

from future development under the proposed SOIA demonstrates a substantial increase compared with existing conditions. According to SMAQMD CEQA guidance, projects that conflict with the applicable air quality plans would also result in cumulatively considerable air quality impacts. In addition, the project area is located within an air basin that is classified a severe non-attainment area for State and federal ozone and PM standards. The growth in population, vehicle usage and business activity within the non-attainment area, when considered with growth proposed under the Elk Grove General Plan and throughout Sacramento County, would contribute to cumulative regional air quality impacts.

Implementation of the Project along with other growth in the area may either delay attainment of the standards or require the adoption of additional controls on existing and future air pollution sources to offset project-related emission increases. The contribution of emissions from subsequent development in the SOIA Area would be cumulatively and is considered significant and unavoidable.

Biological Resources

The geographic scope of the cumulative biological resources analysis considers the range of each species or resource, which could encompass portions of the County or larger portions of the Central Valley or State. Development and land use activities within both the SOIA Area and nearby areas have the potential to result in impacts to special-status plant and animal species, sensitive natural habitat, and trees. Mitigation is included that requires project-level biological surveys; avoidance, preparation and implementation of a HCMP; a tree survey, and a tree preservation and monitoring plan; Swainson's hawk and other raptor preconstruction surveys and avoidance actions; Swainson's hawk and Greater sandhill crane foraging habitat mitigation; and permitting compliance with federal and state wetlands, waterways and streambed alterations and wetland habitat mitigation that would reduce impacts. However, impacts related to habitat modifications, on special-status wildlife species would remain significant and unavoidable.

All other Project-related biological impacts were found to be less than significant and did not require mitigation. Other projects that result in similar impacts would be required to mitigate for their impacts. Because the Project would contribute to an overall reduction in total habitat for species such as Swainson's hawk and other raptors, it would have a cumulatively considerable contribution when considered with growth and development on a regional scale.

Cultural Resources

The cumulative analysis for cultural resources impacts considers a broad cultural and regional system of which the resources are a part. The cumulative context for the cultural resources analysis for the Project includes Sacramento County as a whole. Future development and land use activities within both the SOIA Area and the County have the potential to result in impacts to documented and undiscovered cultural resources such as artifacts, fossils, and burial sites. The general plan, other long-term planning documents, and regulatory agency guidance establish policies that require mitigation for impacts on potential cultural resources (e.g., evaluation requirements and inadvertent discovery procedures). Furthermore, these documents call for protection of known historic resources and mitigation in instances where previously

undiscovered resources are encountered. However, even though Federal, State, and local laws are in place to protect these resources, as discussed above, there is potential for due to or loss of previously undiscovered resources that are encountered during construction activities. Therefore, the cumulative impact would be considered significant. Because all significant cultural resources are unique and non-renewable members of finite classes, all adverse effects erode the dwindling resource base, so the Project's incremental contribution to these significant cumulative impacts would be potentially cumulatively considerable. Compliance with Mitigation Measures CUL-1 through CUL-3 would ensure that potential resources are identified and treated as required by regulations to protect any identified resources. This would ensure the Project's cumulative contribution could be reduced to a less-than-considerable level.

Greenhouse Gas Emissions

Greenhouse gas emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough greenhouse gas emissions to noticeably change the global average temperature. The combination of greenhouse gas emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts and as such are addressed only as a cumulative impact. As identified in Section 3.7, Mitigation Measure GHG-1 establishes three threshold options to evaluate potential future development in the SOIA Area and mandates the achievement of at least one. These three threshold options are currently being used by air districts throughout the State and were established with the purpose of complying with AB 32, which represents the Statewide effort to substantially reduce greenhouse gas emissions. Therefore, since Mitigation Measure GHG-1 requires that emissions associated with future development comply with at least one threshold, the project would be compliant with AB 32 and thus represent a less than cumulatively considerable impact.

Hazards and Hazardous Materials

The geographic scope of the cumulative hazards and hazardous materials analysis is Sacramento County. Future development and land use activities within both the SOIA Area and nearby areas have the potential to result in impacts associated with hazardous materials usage, risk of upset, exposure of schools, emergency evacuation, and wildfires. The general plan, other long-term planning documents, and regulatory agency guidance establish policies that require compliance with hazardous materials handling regulations, inspection and reporting requirements, first responder training, identification of evacuation and response procedures, and wildfire protection measures. Furthermore, the Project approval incorporates a mitigation measure that requires that 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 and surrounding areas are reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations. Therefore, the overall cumulative impact related to hazards would be reduced to less than significant through compliance with existing regulations.

Hydrology and Water Quality

The geographic scope of the cumulative hydrology and water quality analysis consists of the two watersheds the SOIA Area straddles (American River and Cosumnes River). Hydrologic and water quality issues have the potential to affect downstream areas; therefore, using watersheds as a basis for analysis provides for a conservative evaluation of cumulative impacts. Future development and land use activities within both the SOIA Area and nearby areas have the potential to create adverse impacts associated with water quality, groundwater, flooding, and drainage.

Development projects would require compliance with City of Elk Grove Municipal Code Chapter 16.44, Land Grading and Erosion Control, including compliance with provisions of the City's NPDES Permit, as well as identification of all types of flood hazards and locations of flood management facilities and demonstration that post-development storm water run-off peak flows and volumes will not exceed pre-development levels for land within the 100-year floodplain, that would reduce impacts to less than significant level. In addition, mitigation to require that new projects in the SOIA Area not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas would reduce the project's drainage impacts to less than significant. All other project-related hydrological impacts were found to be less than significant and did not require mitigation. Other projects that result in similar impacts would be required to mitigate for their impacts. Because other projects in the American River and Cosumnes River watersheds would be required to comply with the same regulations that require SWPPPs and BMPs, the overall cumulative impact from development would be less than significant.

Land Use and Planning

Land use inconsistencies are not physical effects in and of themselves and combinations of policy inconsistencies would not rise to the level of a physical effect. There would be no cumulative impact related to land use. Cumulative effects of the physical changes related to the project are discussed in the other topics in this section.

Noise

The geographic scope of the cumulative noise analysis is the project vicinity, including surrounding sensitive receptors. Noise impacts tend to be localized; therefore, the area within 0.5-mile of the Project site would be the area most affected by Project activities.

Development within the SOIA Area may result in increased traffic noise along roadways used by project-generated traffic. As indicated in Section 3.12, Noise, of the RDEIR, the traffic noise increases associated with such development would range from 0 to 10 dB Ldn relative to cumulative conditions without the project. The Project-related increases would exceed the project thresholds of significance on nine roadway segments. As a result, this impact is considered significant. Mitigation is proposed that would require any application to annex territory within the SOIA Area to comply with Chapter 6.32 of the City of Elk Grove Municipal Code regarding noise exposure, reducing impacts to future sensitive receptors to a less than significant level. While repaving the affected segments using opengraded asphalt, rubberized asphalt, or similar material could reduce traffic noise levels 4 dB, thereby reducing this impact to

a level of insignificance along some segments, this measure would not provide the required to degree of noise reduction to fully mitigate this impact along all affected roadway segments. In addition, because of driveway access requirements and other physical constraints, the construction of solid noise barriers at the existing residences located along these impacted sections is similarly considered infeasible.

The Sacramento County General Plan Policy NO-9 pertains to increased traffic noise levels that result from capacity-enhancing roadway improvement projects. However, this policy would not be applicable to the increase in traffic noise levels that would result from future buildout of the SOIA Area, because the area would be under City jurisdiction. Other projects shown in Table 4-1 of the RDEIR would generate trips that contribute to this cumulative impact. As such, the Project's contribution to the cumulative noise environment would be cumulatively considerable.

Transportation/Traffic

The geographic scope of the cumulative transportation analysis is the Sacramento area. Future development and land use activities within the SOIA Area may generate 218,000 vehicle trips per day. The traffic analysis identified several roadways that would operate at an unacceptable level of service and would require improvements should the SOIA Area become fully developed in the future. Mitigation is proposed requiring the applicant to provide fair-share impact fees to fund the future improvements. However, some of the roadways affected by this mitigation measure would not be in the jurisdiction of the City of Elk Grove. Other planned and approved projects would also add significant numbers of new trips to local roadways. Therefore, the Project, in conjunction with other projects, would have a cumulatively considerable contribution to unacceptable roadway and freeway operations. This would be a significant and unavoidable impact.

Future development and land use activities within the SOIA Area would implement mitigation measures that would require update to the City's Bicycle and Pedestrian Master Plan as well as its Transit Master Plan. It is reasonable to assume that other projects would also be required to provide public transit, bicycle, and pedestrian access. Therefore, the Project, in conjunction with other projects, would not have any cumulatively considerable impacts on these transportation-related areas.

Utilities and Service Systems

The geographic scope of the cumulative utility systems analysis is the SOIA Area and the service areas of the utility providers that may potentially serve the Project area, such as the Sacramento County Water Agency, the Sacramento Area Sewer District, the Cosumnes Community Services District, the Sacramento Municipal Utility District, the Sacramento Regional County Sanitation District, and Pacific Gas and Electricity.

Future development and land use activities within both the SOIA Area and neighboring jurisdictions have the potential to increase demands for utilities including water, wastewater, storm drainage, solid waste, and energy. Mitigation is proposed that would require the City to demonstrate that there is adequate water and wastewater treatment capacity and infrastructure

planned or available prior to annexation activity. However, these impacts were found to be significant and unavoidable. Because the demand of the Project in combination with other cumulative demand on water supply and wastewater treatment plant capacity could exceed the availability of these utilities, this cumulative impact is considered significant and the project's contribution would be cumulatively considerable and significant and unavoidable.

VI. PURPOSE AND OBJECTIVES OF THE SOIA

The SOIA consists of a request initiated by the Elk Grove City Council (Resolution #2008-54) to LAFCo to amend the City of Elk Grove's SOI. The current City boundaries and coterminous SOI encompass 26,974 acres. Having a coterminous SOI and city boundary is atypical because with a coterminous SOI, there is no extraterritorial area for a city to plan for future growth through annexation and related boundary changes.

The application to amend the SOI requests 7,869 acres generally described as the areas south of Bilby Road/Kammerer Road and Grant Line Road, as shown in Exhibit B. The City of Elk Grove application includes land use projections that indicate that future growth may require additional lands outside of the current City boundary. The City's available residential, industrial, and commercial land inventory is in the process of building-out and may be unable to accommodate all anticipated urban growth within the City limits. As a result, the City seeks to establish a direction to accommodate its anticipated future growth by designating an area for long-term planning that may also allow for a beneficial jobs-housing balance.

For purposes of analyzing environmental impacts, LAFCo staff, in consultation with City staff, developed land use assumptions that would allow the Commission and the public to understand environmental effects of expanding the City's SOI that may result from potential growth during future annexations. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. California Government Code section 65300 provides that a city may comprehensively plan for lands outside of its jurisdiction without the area being within an approved SOI.

However, while the Elk Grove City Council has expressed its desire to have the proposed SOI area master planned, the Council has explicitly stated that no comprehensive planning of the area will occur unless and until LAFCo approves the SOIA. The City's General Plan currently does not include any land use designations for the proposed SOIA Area. The General Plan designations cover only the current City boundaries. The majority of the SOIA area is included in the General Plan planning area, as a "Study Area." Therefore, for the purposes of analyzing potential environmental impacts of the projects, land use assumptions were developed by LAFCo in consultation with City staff by considering existing land uses under the General Plan for other areas within the City, then projecting reasonably foreseeable land uses within the proposed SOIA Area based on the existing land use designations..

The current City boundaries with the coterminous SOI encompass 26,974 acres. The proposed SOIA would expand the existing SOI, not the city limits, by 7,869 acres, or by 29 percent, to a total SOI of 34,843 acres. However, 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. This would limit future growth to 6,882 acres of the proposed 7,869-acre SOI expansion, leaving 13 percent of the area for non-urban uses, such as open space. The following table shows the total acreages in the existing and proposed SOIA areas.

SOI Boundary	Acreage
Current City boundaries/SOI	26,974
Proposed SOI Amendment	7,869
Total of Current City Boundaries and Proposed SOI Amendment	34,843

Source: City of Elk Grove, Sphere of Influence Amendment Application, 2010.

The project has the following objectives:

- Amend the 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 lands uses to minimize the need for commuting to or from other jurisdictions.

VII. PROJECT ALTERNATIVES

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[.]” (Pub. Resources Code, § 21002, italics added.) The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects.” (*Ibid.*, italics 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.” (*Ibid.*)

CEQA 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.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: “legal” considerations. (CEQA Guidelines, § 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (“*Goleta II*”) (1990) 52 Cal.3d 553, 565.) Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6, subd. (f)(1).) 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.)

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the project. (Pub. Resources Code, § 21002; *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 691, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) In short, 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 of modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subs. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, 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 the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 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 interest, 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, supra*, 52 Cal.3d at p. 576.)

The preceding discussion regarding Project impacts reveals that most significant effects identified in the EIR have been at least substantially lessened, if not fully avoided, by the adoption of feasible mitigation measures.

Thus, as a legal matter, LAFCo, in considering alternatives in these findings, need only determine whether any alternatives are environmentally superior with respect to those significant and unavoidable impacts. If any alternatives are in fact superior with respect to those impacts, LAFCo is then required to determine whether the alternatives are feasible. If LAFCo determines

that no alternative is both feasible and environmentally superior with respect to the unavoidable significant impacts identified in the RDEIR, LAFCo may approve the Project as mitigated, after adopting a statement of overriding considerations.

CEQA does not require that all possible alternatives be evaluated, only that “a range of feasible alternatives” be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, § 15126.6, subd. (a).) “The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The statute does not demand what is not realistically possible given the limitation of time, energy, and funds. ‘Crystal ball’ inquiry is not required.” (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; see also CEQA Guidelines, § 15126.6, subd. (f)(3).) Indeed, as stated by the court in *Village of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1028, although there may be “literally thousands of ‘reasonable alternatives’ to the proposed project . . . ‘the statutory requirements for consideration of alternatives must be judged against a rule of reason.’” (*Ibid.*, quoting *Foundation for San Francisco’s Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 910.) “‘Absolute perfection is not required; what is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.’” (*Id.*, at p. 1029.) The requirement has been fulfilled here; the RDEIR examined the proposed project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the proposed project.

The LAFCo has considered the Project alternatives presented and analyzed in the FEIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. LAFCo finds, based on specific economic, legal, social, technological, or other considerations, that the ERA is selected and approved for the project. The remaining alternative and the facts supporting the finding of infeasibility of each are set forth below.

Alternatives Considered and Dismissed from Further Consideration

CEQA requires that the lead agency identify any alternatives that were considered but rejected as not potentially feasible during the scoping process, and briefly explain the reasons underlying the infeasibility determination (State CEQA Guidelines, Section 15126.6[c]). Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR is failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental impacts. The RDEIR included the following alternative that was considered, but dismissed from further consideration.

Reduced Agriculture Impacts/Smaller Footprint Alternative

LAFCo considered a smaller project site footprint or reduced development of the proposed project as a potentially feasible alternative to the proposed project. The Reduced Agricultural Area/Smaller Footprint Alternative evaluated the project site’s Farmland Mapping and Monitoring Program designations and soil characteristics to remove areas identified as most

suitable for agricultural production from the proposed project. However, the soils underlie the proposed project area in a non-uniform matrix with no specific type of soil encompassing a large, contiguous area that can be logically separated from the proposed boundary.

This alternative was rejected because it would not meet the basic project objectives and would be contrary to LAFCo policy for SOI expansion because it would result in a non-contiguous SOI boundary and would create islands. Therefore, this alternative was rejected.

Alternatives Considered and Evaluated in the EIR

1. No Project Alternative

Under the No Project Alternative, the project site would remain in its existing condition and no Sphere of Influence application would be approved. The Sphere of Influence boundaries would be limited to the existing City of Elk Grove City limits. The proposed project area would be anticipated to continue to develop under the existing Sacramento County General Plan.

Comparative Environmental Effects

Aesthetics

This alternative would maintain agricultural uses on the project site. The proposed project's visual character and scenic vista impacts were found to be significant and unavoidable from potential future urbanization of the proposed project under the proposed project. Therefore, this alternative would reduce impacts to less than significant, as development would occur under the existing County General Plan that would result in a reduced development conforming to existing agricultural designations. Therefore, this alternative would have more reduced impacts on aesthetics than the proposed project.

Agricultural Resources

As discussed in Section 3.2 of the RDEIR, Agricultural Resources, the potential development of the proposed project would result in significant and unavoidable impacts associated with the loss of Important Farmlands, conflict with Williamson Act contracts and involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use. The No Project/Existing General Plan Alternative would not result in loss of farmland, as any future activity would conform to the existing Agricultural designations. Therefore, this alternative would have fewer impacts on agricultural resources than the proposed project.

Air Quality

Future annexation and development under the proposed project would result in significant and unavoidable air quality impacts that could not be fully mitigated to less than significant levels. The No Project/Existing General Plan Alternative would result in substantially reduced development in conformance with the existing County General Plan. This would result in fewer air quality impacts than the potential future urbanization of the proposed project. Therefore, this alternative would have less impact than the proposed project.

Biological Resources

Development under No Project/Existing General Plan Alternative would maintain continuation of agricultural activities within the proposed project area. The County General Plan identifies the project site as suitable foraging habitat for Swainson's hawk. Development under this alternative would allow continuation of agricultural activities, thereby avoiding any disturbance to the foraging habitat for Swainson's hawk. No impacts would occur to special-status species. In addition, no urbanization would occur that would have the potential to impact existing wetlands. Therefore, this alternative would have fewer impacts than the proposed project.

Cultural Resources

The proposed project identified impacts to cultural resources that were less than significant. Continuation of agricultural activities and limited development under the existing General Plan would have the same potential to unearth cultural resources and would be subject to similar regulations protecting cultural resources. Since the No Project/Existing General Plan Alternative would result in limited development under the existing primarily agricultural designations, impacts would be less than those of the proposed project.

Geology, Soils, and Seismicity

As described in Section 3.6, Geology and Soils, of the RDEIR, future annexation and development activities under the proposed project could expose residences and structures to unstable soil conditions. Since the No Project/Existing General Plan Alternative would result in limited development under the existing primarily agricultural designations, impacts would be less than those of the proposed project.

Greenhouse Gas Emissions

This alternative would result in fewer greenhouse gas emissions relative to the proposed project. While the proposed project's greenhouse gas emissions were found to add no considerable amounts to global greenhouse gas emission concentrations, this alternative would still result in fewer overall emissions through the reduction of vehicle trips and overall development intensity. Therefore, this alternative would have less impact than the proposed project.

Hazards and Hazardous Materials

This alternative would result in continuation of agricultural activities that would dominate the project site. The proposed project would not create any significant hazards or hazardous materials impacts requiring mitigation. As such, this alternative would have impacts related to hazards and hazardous materials similar to the proposed project.

Hydrology and Water Quality

The proposed project area is currently covered with largely pervious surfaces and very few structures. Therefore, the amount of surface runoff associated with No Project/Existing General Plan Alternative would be substantially less than the level of runoff associated with the proposed project. In addition, no development would occur in a flood zone. As such, this alternative would have fewer hydrology and water quality impacts than the proposed project.

Land Use and Planning

The existing land use and zoning designations for both the proposed project and the No Project/Existing General Plan Alternative conform to the County designations. However, approval of the proposed project could result in future annexations and land use planning by the City of Elk Grove. The proposed project's land use impacts relating to conflict with applicable habitat conservation plan and conversion of open space resources were found to be significant and unavoidable. Under the No Project/Existing General Plan Alternative, future development to accommodate the City's job housing balance would not occur. The No Project/Existing General Plan Alternative would require the City to look for alternate lands to accommodate future growth consistent with the City's General Plan. This would indirectly result in more impacts related to land use and planning. However, since City has no land use authority over the proposed project area, direct impacts to land use and planning would be similar to the proposed project.

Mineral Resources

Under this alternative, impacts to Mineral Resources would be similar to those of the proposed project, as no significant mineral resources were found in the project area.

Noise

As discussed in Section 3.12, Noise, of the RDEIR, the proposed project could result in significant and unavoidable noise impacts associated with future annexation and development activities within the proposed project area. The No Project/Existing General Plan Alternative would result in a substantially lower-density land pattern than the proposed project. Therefore, this alternative would have fewer noise impacts than the proposed project.

Population and Housing

This alternative would result in very low-density development on the project site in place of high density urban development consisting of residential and employment generating land uses. The new employment opportunities created by the proposed project were not found to have the potential to cause indirect growth inducement. Under this alternative, population and housing growth would be consistent with the County's General Plan. Therefore, this alternative would have impacts on population, housing, and employment less than the proposed project.

Public Services

The No Project/Existing General Plan Alternative would result in substantially lower intensity development than the proposed project that would be primarily associated with agricultural activities. Therefore, this alternative would not generate an increased demand for public services beyond what is anticipated in the Sacramento County General Plan. As such, this alternative would have less impact on public services than the proposed project.

Transportation and Traffic

Section 3.15, Transportation and Traffic, of the RDEIR, identifies significant and unavoidable impacts to local roadways and freeways associated with the proposed project. The No Project/Existing General Plan Alternative would not cause a traffic increase in the proposed project area and surrounding areas, because development would occur consistent with the Sacramento County General Plan, which is primarily agriculture. This alternative would not have substantial traffic- or transportation-related impacts resulting from buildout of the vacant parcels

in the proposed project area; therefore, the No Project/Existing General Plan Alternative would have fewer impacts related to traffic and transportation than the proposed project.

Utilities and Service Systems

The No Project/Existing General Plan Alternative would result in substantially reduced development than the proposed project primarily associated with agricultural activities. Therefore, this alternative would not generate an increased demand for public utilities beyond what is anticipated in the Sacramento County General Plan. Annexation into service districts such as Sacramento County Water Agency (SCWA) and Sacramento Area Sewer District (SASD) is not anticipated. As such, this alternative would have less impact on public services than the proposed project.

Significant and Unavoidable Impacts That Would No Longer Occur

The No Project/Existing General Plan Alternative would avoid all of the proposed project's significant unavoidable impacts and would have less impact on all environmental topical areas.

Feasibility/Relationship of Alternative to Project Objectives

The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes existing City policies, as well as the underlying goals and objectives of a project. "[F]easibility' under CEQA also encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

Because the No Project Alternative does not change the City's SOI boundary, it would not advance any of the project objectives. It does not amend the City's SOI, implement the Cortese-Knox-Hertzberg Local Government Reorganization Act, establish a logical boundary within which future and timely annexation requests by the City may be considered, and does not provide sufficient land to accommodate a jobs-housing ratio for the City. (RDEIR p. 2-18.) Furthermore, this alternative would not realize the project benefits associated with City's objectives of orderly and sustainable growth in accordance with the City's General Plan and would not achieve job-housing balance. (RDEIR p. 2-18.)

2. Alternate SOI Boundary Alternative

The Alternate SOI Boundary Alternative would entail the expansion of the City of Elk Grove's SOI to the northeast of the existing City limits and would encompass an area that is larger than the currently proposed SOI Area. This Alternate SOI Boundary modification aims to encompass an unincorporated area of the County that would allow the City to meet its objectives of future growth and expansion, but focus on areas adjacent to the City that are currently processing specific plans and development entitlements with Sacramento County. As such, the Alternate SOI boundary would include the North Vineyards Station Specific Plan (1,590 acres); the Vineyard Springs Comprehensive Plan (2,650 acres); and area west of these specific plans that

includes 6,500 acres bounded by Eagle Nest Road to the east, Elder Creek Road to the north, Calvine Road to the south, and Grant Line Road to the southeast. The Alternate SOI Boundary Alternative is illustrated in Exhibit 5-1 of the RDEIR. Similar to the proposed project area, the land use designations for the 6,500 acres is General Agriculture-20; most of the land (approximately 90 percent) is grazing land according to FMMP designations. This alternative would also avoid extension of the proposed project area into or near the Stone Lakes National Wildlife Refuge.

This alternative would result in similar land use assumptions made for the proposed project to accommodate future growth envisioned by the City of Elk Grove. This alternative would require similar discretionary approvals for future annexation and development activities, including General Plan Amendment, rezone, planned development adoption, subdivision map, development agreement, and Williamson Act cancellation.

Comparative Environmental Effects

Aesthetics

Under this alternative, future annexation and development activities would occur on the northeast of the existing Elk Grove city limits. The proposed project's visual character and scenic vista impacts were found to be significant and unavoidable from potential future urbanization of the proposed project area under the proposed project. Future urban growth under this alternative would be similar to the proposed project. As shown in Exhibit 5-1 of the RDEIR, the Alternate SOI Boundary includes specific plans that have been developed as urban uses and is close to urban development in the cities of Rancho Cordova and Sacramento. Therefore, this alternative would reduce visual impacts to less than significant, since development would occur in an area that is currently undergoing urbanization, and any future development would continue to exhibit similar visual characteristics associated with urban growth. Therefore, this alternative would have fewer impacts on aesthetics than the proposed project.

Agricultural Resources

As discussed in Section 3.2, Agricultural Resources, the potential development of the proposed project area would result in significant and unavoidable impacts associated with the loss of Important Farmlands, conflict with Williamson Act contracts and involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use. The Alternate SOI Boundary Alternative would not result in loss of Important Farmland, as most of the land is identified as grazing land. Agricultural activities may exist on vacant lands that would be impacted by future urbanization; however, mitigation measures such as payment of fees for loss of farmland would reduce those impacts. Furthermore, this alternative contains approximately 2,100 acres of active Williamson Act land, which is less than the 2,474 acres of active and 548 acres of nonactive Williamson Act land in the proposed project. Therefore, this alternative would have fewer impacts on loss of Important Farmland and conflict with Williamson Act contracts than the proposed project.

Air Quality

Future annexation and development activities and development intensity would be similar to the proposed project under the Alternate SOI Boundary Alternative. Therefore, this alternative would have air quality impacts similar to the proposed project.

Biological Resources

The Alternate SOI Boundary area is zoned AG-20 by the County Zoning Map. As a baseline, the Department of Environmental Review and Assessment (DERA) assumes that properties zoned AG-40 and larger have 100 percent habitat value and AG-20 properties have 75 percent habitat value. Therefore, impacts to Swainson's hawk's foraging habitat would be less significant under this alternative than the proposed project. Similar mitigation measures would be required to reduce impacts. The Alternate SOI Boundary contains both freshwater emergent wetlands and freshwater ponds. Impact to wetlands would be worse than the proposed project as it would extend into areas northeast of the City that have been identified as having good wetland and vernal pool habitat identified in the South Sacramento Habitat Conservation Plan effort. However, this alternative would avoid extension of the proposed project area into or near the Stone Lakes National Wildlife Refuge. Therefore, this alternative would have fewer impacts related to biological resources than the proposed project.

Cultural Resources

The proposed project was found to have less than significant impacts on historical resources, archaeological resources, paleontological resources, and burial sites. Because this alternative would result in similar potential to unearth cultural resources and would be subject to similar regulations protecting cultural resources, it would have impacts on cultural resources similar to the proposed project.

Geology, Soils, and Seismicity

This alternative would accommodate the same amount of future growth as envisioned by the City of Elk Grove and would be developed in the future with urban uses similar to the proposed project. The same regulations related to site preparation and the construction of buildings, including the California Building Code, which provides minimum standards for building design throughout California, would apply under this alternative. Therefore, this alternative would have impacts on geology, soils, and seismicity similar to the proposed project.

Greenhouse Gas Emissions

This alternative would accommodate the same amount of future growth envisioned by the City of Elk Grove and therefore would be developed with urban uses similar to the proposed project in the future. As such, this alternative would have impacts on greenhouse gas emissions similar to the proposed project.

Hazards and Hazardous Materials

This alternative would accommodate the same amount of future growth envisioned by the City of Elk Grove and therefore would be developed with urban uses similar to the proposed project in the future. The proposed project was found to have less than significant impacts associated with hazardous materials from past or present site usage as well as the potential for risk of upset. Construction of subsequent projects under this alternative would be required to comply with applicable building, health, fire, and safety codes, as described for the proposed project. Because

this alternative site has also included historic agricultural use, mitigation identified for the proposed project would also be required for this alternative. Therefore, this alternative would have impacts related to hazards and hazardous materials similar to the proposed project.

Hydrology and Water Quality

This alternative would accommodate the same amount of future growth envisioned by the City of Elk Grove and therefore would be developed with urban uses similar to the proposed project in the future. The proposed project was found to have significant impacts on short-term water quality, long-term water quality, drainage, and flood hazards. Mitigation was proposed to address all of these impacts and would fully mitigate these issues to a level of less than significant. Because this alternative would result in urbanization activities similar to the proposed project, similar impacts would occur.

The available areas for future development within the Alternate SOI Boundary are outside 100-year flood zones. Therefore, this alternative would have fewer impacts on hydrology and water quality than the proposed project.

Land Use and Planning

The alternative would require a General Plan Amendment, rezone, subdivision map, and other discretionary approvals for future annexation and development activities similar to the proposed project. Similar to the proposed project, this alternative would be required to be consistent with the City of Elk Grove General Plan, the Elk Grove Municipal Code, and Sacramento LAFCo annexation policies. However, this alternative would avoid extension of the proposed project area into or near the Stone Lakes National Wildlife Refuge, thereby resulting in a lesser impact to conflict with applicable habitat conservation plans. Therefore, this alternative would have less land use impacts than the proposed project.

Mineral Resources

There are currently no mineral extraction activities occurring in the Alternate SOI Boundary Alternative area. The Alternate SOI Boundary Alternative impacts to Mineral Resources would be similar to those of the proposed project; no significant mineral resources were found in the project area.

Noise

As discussed in Section 3.12, Noise, the proposed project would result in significant and unavoidable noise impacts associated with future annexation and development activities within the proposed project area. This alternative would accommodate the same amount of future growth as envisioned by the City of Elk Grove and would be developed with urban uses similar to the proposed project in the future. Therefore, this alternative would have impacts on noise similar to the proposed project.

Population and Housing

This alternative would result in similar land use assumptions as the proposed project to accommodate future growth envisioned by the City of Elk Grove. Therefore, this alternative would have impacts on population, housing, and employment similar to the proposed project.

Public Services

This alternative would accommodate the same amount of future growth as envisioned by the City of Elk Grove and would require demand on public services similar to those identified for the proposed project. Therefore, this alternative would have impacts on public services similar to the proposed project.

Transportation and Traffic

Section 3.15, Transportation and Traffic, of the RDEIR identifies significant and unavoidable impacts to local roadways and freeways associated with the proposed project. The Alternate SOI Boundary Alternative would cause a traffic increase similar to the proposed project, as most of the area available for development under this alternative contains rural roads similar to the proposed project.

Therefore, although the traffic impacts would occur in a different location, this alternative would generate a similar amount of traffic that would have impacts on levels of service similar to the proposed project.

Utilities and Service Systems

The Alternate SOI Boundary Alternative would include development potential similar in nature to the proposed project. The area under the Alternate SOI Boundary is served by the Sacramento County Water Agency (SCWA). No sewer service is currently available to the area. The proposed project would require annexation by a sewer service provider. Under this alternative, annexation by SCWA would not be required, since the alternative area is currently undergoing urbanization. Therefore, this alternative would have slightly less impact than the proposed project.

Significant and Unavoidable Impacts That Would No Longer Occur

The Alternate SOI Boundary Alternative would avoid the proposed project's significant unavoidable impacts with the exception of traffic and noise. In addition, this alternative would lessen the severity of other impacts, including those associated with aesthetics; agricultural resources; hydrology and water quality; land use and planning; and utilities. However, it would not reduce the project impacts as much as the environmentally superior alternative – the ERA.

Feasibility/Relationship of Alternative to Project Objectives

The Alternate SOIA Boundary Alternative would advance most of the project objectives. However, it is not selected because it is not the environmentally superior alternative.

3. Enhanced Regional Alternative

The ERA would entail the expansion of the City of Elk Grove's SOI over approximately 4,040 gross acres, with 2,775 acres immediately to the south of the current city limits, generally 0.5 mile north of Eschinger Road, in the area between SR-99 and Franklin Boulevard and 1,575 acres in the area east of SR 99. This ERA would be located within portions of the area identified by the Sacramento Area Council of Governments (SACOG) Blueprint Preferred Scenario for Elk

Grove as a Medium Density Residential place type, and as Vacant Urban Designated Lands (2050) and land that is currently within the County Urban Services Boundary. This alternative aims to encompass an unincorporated area of the County General Plan that would allow the City to meet many of its objectives for future growth and expansion but would focus on siting that growth in areas that meet regional as well as City objectives, as set forth in regional transportation and air quality planning documents. By encouraging more compact urban development, the alternative would reduce potential environmental impacts to air quality and greenhouse gas emissions, and the loss of agricultural and biological resources. This alternative would also largely avoid FEMA designated floodplains and extension of the SOIA Area near the Stone Lakes National Wildlife Refuge.

The City of Elk Grove application (the proposed project) consists of approximately 7,900 acres. The area encompassed by this ERA is included within that larger area. As a result, the impacts and mitigation measures of the ERA are fully analyzed within the analysis of the impacts and mitigation measures of the proposed project. The ERA, as a project narrower in scope than the proposed project, does not create any new or more severe significant effects than those analyzed in connection with the proposed project.

Comparative Environmental Effects

Aesthetics

Under this alternative, future annexation and development activities would occur within a smaller footprint located immediately adjacent to the southern City of Elk Grove city limits. The proposed project's visual character and scenic vista impacts were found to be significant and unavoidable from potential future urbanization of the SOIA Area under the proposed project. Future urban growth under this alternative would be similar to the proposed project. Therefore, this alternative would not reduce visual impacts to less than significant, since development would occur in an area that is currently rural, and any future development would continue to exhibit similar visual characteristics associated with urban growth. However, because this alternative would result in less land converted to urban uses, this alternative would have impacts on aesthetics that are less than the proposed project.

Agricultural Resources

As discussed in Section 3.2, Agricultural Resources, the potential development of the SOIA Area would result in significant and unavoidable impacts associated with the loss of Important Farmlands, conflict with Williamson Act contracts and involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use. The ERA would result in loss of Important Farmland and Williamson Act land, as most of the land is identified as prime farmland or farmland of statewide importance, and some is identified as under Williamson Act contracts. However, this alternative would affect less acreage of Important Farmland and Williamson Act land than the proposed project. Therefore, this alternative would have fewer agricultural impacts than the proposed project.

Air Quality

Because the ERA includes less land available for development than the proposed project, it would result in less development. In addition, this alternative is consistent with the SACOG

Blueprint Preferred Scenario; therefore, this alternative would have fewer air quality impacts than the proposed project.

Biological Resources

Because this alternative would result in less land converted to urban uses than the proposed project, impacts to Swainson's hawk's foraging habitat would be reduced under this alternative. Similar mitigation measures would be required to reduce impacts. The ERA contains both freshwater emergent wetlands and freshwater ponds, but the proposed SOIA area includes wetlands that would not be affected under this alternative. Therefore, impacts to wetlands would be less than the proposed project. This alternative would also avoid extension of the SOIA Area into or near the Stone Lakes National Wildlife Refuge. Therefore, this alternative would have fewer biological resources impacts than the proposed project.

Cultural Resources

The proposed project would have less than significant impacts on historical resources, archaeological resources, paleontological resources, and burial sites. This alternative would result in similar potential to unearth cultural resources and would be subject to similar regulations protecting cultural resources as the proposed project. However, because this alternative would result in less ground disturbance, it would have impacts on cultural resources less than the proposed project.

Geology, Soils, and Seismicity

This alternative would be developed with similar types of urban uses as envisioned by the City of Elk Grove under the proposed project. The same regulations that apply to the proposed project regarding seismic standards and soil stability would also apply under this alternative. However, because this alternative would result in less ground disturbance, it would have impacts on geology, soils, and seismicity less than the proposed project.

Greenhouse Gas Emissions

This alternative would accommodate more compact future growth than envisioned by the City of Elk Grove under the proposed project, as this alternative is consistent with SACOG Blueprint Preferred Scenario. However, because the ERA includes less land available for development than the proposed project, it would result in less development. As such, this alternative would result in less ground disturbance and it would have impacts related to greenhouse gases that are less than the proposed project.

Hazards and Hazardous Materials

This alternative would accommodate more compact growth than envisioned by the City of Elk Grove under the proposed project, but would be developed with similar types of urban uses. However, because the ERA includes less land available for development than the proposed project, it would result in less development. The proposed project was found to have less than significant impacts associated with hazardous materials from past or present site usage as well as the potential for risk of upset. This alternative would have impacts related to hazards and hazardous materials similar in nature to the proposed project, but because this alternative would result in less ground disturbance, it would have impacts related to hazards and hazardous materials that are less than the proposed project.

Hydrology and Water Quality

This alternative would accommodate more compact growth than envisioned by the City of Elk Grove under the proposed project and be developed on less land. Although the proposed project would have significant impacts on short-term water quality, long-term water quality, drainage, and 100-year flood hazards, mitigation proposed to address all of these impacts would fully mitigate these issues to a level of less than significant. Because this alternative would result in less ground disturbance than the proposed project, fewer impacts related to changes in hydrology would occur. The available areas for future development within the ERA are outside 100-year flood zones. Therefore, this alternative would have fewer impacts related to hydrology and water quality than the proposed project.

Land Use and Planning

This alternative would require a General Plan Amendment, rezone, subdivision map, and other discretionary approvals for future annexation and development activities similar to the proposed project. Similar to the proposed project, this alternative would be required to be consistent with the City of Elk Grove General Plan, the Elk Grove Municipal Code, and Sacramento LAFCo annexation policies. However, this alternative would avoid extension of the SOIA Area into or near the Stone Lakes National Wildlife Refuge, thereby resulting in a lesser impact related to potential conflicts with applicable habitat conservation plans. Therefore, this alternative would have less land use impact than the proposed project.

Mineral Resources

There are no Prime Aggregate Resource Areas or locally important mineral resource recovery sites in the project area. Therefore, the ERA mineral resources impacts would be similar to those of the proposed project.

Noise

As discussed in Section 3.12, Noise, of the RDEIR, the proposed project would result in significant and unavoidable noise impacts associated with future annexation and development activities within the SOIA Area. This alternative would accommodate more compact growth than envisioned by the City of Elk Grove's proposed project. This alternative would be developed with similar urban uses, but because this alternative would include less development than the proposed project, it would generate less traffic, so traffic noise would be reduced compared to the proposed project. Therefore, this alternative would have less severe noise impacts than the proposed project.

Population and Housing

This alternative would result in less urbanization than the proposed project, and it would accommodate less future growth than envisioned by the City of Elk Grove's proposed project. In addition, this alternative is consistent with SACOG Blueprint Preferred Scenario. Therefore, this alternative would have fewer impacts on population, housing, and employment than the proposed project.

Public Services

This alternative would accommodate less future growth than envisioned by the City of Elk Grove's proposed project and would generate less demand on public services than those identified for the proposed project. Therefore, this alternative would have fewer impacts on public services than the proposed project.

Transportation and Traffic

Section 3.15, Transportation and Traffic, of the RDEIR identifies significant and unavoidable impacts to local roadways and freeways associated with the proposed project. The ERA would generate less traffic than the proposed project, as the developable area is substantially smaller than the proposed project. Therefore, this alternative would have fewer traffic impacts than the proposed project.

Utilities and Service Systems

The ERA would include less development potential than the proposed project. Sacramento County Water Agency (SCWA) serves the ERA area, although no sewer service is currently available to the area. The proposed project would require annexation by sanitary sewer service providers. Because this alternative would generate less demand for utilities and service systems, this alternative would have slightly less impact on utilities and service systems than the proposed project.

Significant and Unavoidable Impacts That Would No Longer Occur

The ERA would avoid some of the proposed project's significant unavoidable impacts except impacts from aesthetics, agriculture, biological resources, noise, and traffic. This alternative would reduce the severity of other impacts, including those associated with aesthetics, agricultural resources, air quality, biological resources, cultural resources, greenhouse gases, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation, and utilities.

Feasibility/Relationship of Alternative to Project Objectives

This alternative would advance most of the project objectives.

Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of the alternatives to the proposed project, CEQA requires that an "environmentally superior" alternative among the alternatives considered be selected and the reasons for such selection disclosed. In general, the environmentally superior alternative is the alternative that would generate the fewest or least severe adverse impacts. In the case of the project, the no project alternative is the environmentally superior alternative because it would not create any new site-specific adverse environmental impacts. However, CEQA requires the identification of another environmentally superior alternative when the "no project" alternative is identified as environmentally superior (CEQA Guidelines, § 15126, subd. (e)(2)).

The qualitative environmental effects of each alternative in relation to the proposed project are summarized in Table 5-1 of the RDEIR. The No Project Alternative is the environmentally superior alternative, as the project site would remain in its existing condition, thereby avoiding any potentially adverse environmental impacts.

As stated above, if the No Project Alternative is environmentally superior, the EIR must also identify another environmentally superior alternative among the remaining alternatives. The ERA would be environmentally superior because it would reduce the severity of the proposed project's significant unavoidable impacts associated with aesthetics, agricultural resources, air quality, biological resources, geology, soils, and seismicity, hazards and hazardous materials, land use and planning, transportation and utilities.

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code section 21081 and CEQA Guidelines section 15092, Sacramento LAFCo finds that in approving the Project (the ERA) it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible. Sacramento LAFCo further finds that it has balanced the benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. Sacramento LAFCo makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project. Each statement below, in and of itself is independently sufficient to support the approval of the Project notwithstanding the environmental impacts.

The Project will result in significant and unavoidable impacts in the areas of Aesthetics (AES-1, substantial adverse effect on scenic vista; AES-3, degrade the visual character of the Project site); Agriculture (AG-1, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use; AG-2 conflict with existing zoning for agricultural use or a Williamson Act contract; AG-3 other changes in the existing environment that could result in conversion of Farmland to nonagricultural); Air Quality (AIR-1 conflict with or obstruct implementation of the applicable air quality plan; AIR-3 violate an air quality standard or contribute substantially to an existing or projected air quality violation; AIR-4, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard); Biological Resources (BIO-1, have a substantial adverse effect, either directly or through habitat modifications, on special-status wildlife species); Land Use (LU-3, conflict with any applicable habitat conservation plan or natural community conservation plan; LU-4, convert open space resources to urban uses); Noise (NOI-1, result in a significant increase existing traffic noise levels at noise-sensitive land uses); Transportation (TRAN-1 future annexation and development activities within the proposed project may generate new vehicle trips that would contribute to unacceptable traffic operations under Existing Plus Project Conditions; TRAN-2, generate new vehicle trips that would contribute to unacceptable traffic operations under Cumulative Conditions); and Utilities and Services (USS-1, generate a demand for increased water services over that which is currently produced in the area and thereby result in a need for additional water supplies or facilities, the construction of which would cause significant environmental effects;

USS-2 (require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.) Nonetheless, the following economic, social, legal, economic and policy considerations outweigh the potential environmental impacts:

- The City of Elk Grove's current SOI is coterminous with the boundaries of the City. As such, it has no area designated for future annexation to accommodate residential, industrial, and commercial growth of the City. By approving the Project, LAFCo will meet the project objectives of amending the SOI boundary beyond the existing Elk Grove city limits to accommodate orderly and sustainable growth consistent with the City's General Plan. (Recirculated DEIR p. 2-18.)
- The Project will implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 by designating an area contiguous to the existing City boundaries as the areas for the probable extension of services within the next 20 years and designate an area in which future annexation requests may be considered. (RDEIR p. 2-1.)
- The Project implements LAFCo's policies of favorably considering proposals that result in the provision of urban services in densely developed and populated areas, and favorably considering proposals that will provide urban services in areas with high growth potential rather than in areas with limited potential for future growth. (LAFCo Policies §§ I.B III.3-4). The Project implements this policy, notwithstanding its environmental impacts because it permits Elk Grove to grow while resulting in the provision of urban services in densely developed and populated areas and areas of high growth potential.
- The adoption of the Project will allow the City of Elk Grove to meet its objective, shared by the Sacramento Area Council of Governments, of supporting a jobs-housing balance in Elk Grove. The Project supports a jobs-housing balance because it will allow the City to plan for additional employment opportunities which will provide for economic growth, additional commerce needed within the City, and shorter commutes for Elk Grove residents. By approving the Project, LAFCo permits the City to develop employment centers within its boundaries and incentivize development of a sustainable community with reduced traffic and automobile pollution. LAFCo is thus encouraging "smart growth" by the City of Elk Grove. Furthermore, the City is required to demonstrate in the future that any annexation provides and contributes to a greater jobs-housing balance citywide. An infill condition is also imposed to ensure that the City demonstrate that infill development is prioritized where feasible and growth in the SOI is managed in an orderly process.
- The ERA reduces the severity of the proposed project's significant unavoidable impacts associated with aesthetics, loss of prime agricultural land, other agricultural resources, air quality, biological resources, habitat, geology, soils, and seismicity, hazards and

hazardous materials, land use and planning, transportation and utilities. In addition, the ERA has the following additional benefits:

Species Protection & Habitat Conservation – The ERA provides for habitat conservation in addition to satisfying Elk Grove’s need to expand. The reduction in size of the SOI Area combined with the imposed conditions and the FEIR mitigation measures are effective measures to reduce impacts. The ERA provides an effective compromise between the City’s need for growth and environmental considerations. The Mitigation Monitoring and Reporting Program (as a condition to approval of the SOIA) will ensure implementation and effectiveness of the mitigation measures. The City will also need to demonstrate participation in the South Sacramento Habitat Conservation Plan (“SSHCP”) or develop its own conservation plan consistent with the requirements of state and federal regulatory agencies to mitigate for habitat and loss of agricultural land within and without the SOI area. The ERA also avoids identified Swainson’s hawk nesting sites. Thus, the ERA will allow Elk Grove to grow, but also limit the effect to species and habitats within the approved SOI area. Additionally, although the California Department of Fish and Wildlife (“DFW”) does not support the proposed SOI and prefers the CEQA “No Project” alternative, as it may best allow for successful implementation of the SSHCP, the DFW also believes that with the current draft of the SSHCP, it may be possible to implement the SSHCP successfully if the ERA were selected, since the ERA is limited to approximately one-half of the area of the proposed SOIA.

Agricultural Lands & Open Space – The ERA protects agricultural lands and open space while allowing orderly growth. Because the City is hemmed in on three sides with existing developed or dedicated land, non-agricultural lands are not available for annexation. Urbanization abuts the City on the north and, east, with the Stone Lakes National Wildlife Refuge to the west. Thus, the City may only grow to the south, on lands currently used for agriculture and open space. However, the ERA will limit loss of agricultural and open space lands within the region and require Elk Grove to set aside permanent conservation easements at a ratio of one acre converted to urban land uses to one acre of agriculture preserved.

Air Quality – Reducing the SOI size to approximately 4,040 acres as opposed to the 7,869 proposed by Elk Grove promotes regional air quality goals by limiting the territory for development, commensurate with less traffic generation within the region. This will enable the City to comply with its greenhouse gas requirements as set forth in Elk Grove’s General Plan and recently adopted Climate Action Plan. Air quality mitigation measures will also reduce the air quality impacts of future development to air quality.

Water Supply – The ERA represents a lesser potential development footprint, resulting in a reduction of demand for water service. This will contribute to the long-term management of an adequate and sustainable water supply.

Orderly Growth –By limiting the SOI expansion, LAFCo is encouraging orderly growth and avoiding urban sprawl. This is an important policy goal of LAFCo. LAFCo policies state that it will only approve a change of organization or reorganization which will result

in the conversion of prime agricultural land in open space to other uses if the Commission finds that the proposal will lead to the planned, orderly, and efficient development of the area. (LAFCo Policies § IV.E). The ERA allows LAFCo to promote this important goal of orderly and logical growth by:

- i. Limiting the size of the SOI.
- ii. Imposing conditions that encourage infill development where feasible before expansion into the SOI.
- iii. Imposing conditions that require mitigation for loss of agricultural land
- iv. Imposing conditions that require mitigation for loss of habitat.
- v. Imposing conditions to ensure that the SOI growth follows a pattern to accomplish a jobs-housing employment center land use balance rather than suburban residential sprawl.
- vi. Imposing a condition that the City demonstrate, either through work with SACOG or the development of local policies, jobs-housing implementation measures to support any annexation request.

Approximately 2,000 acres of the ERA SOIA are substantially within the Sacramento County General Plan Urban Service Boundary line (i.e., the ultimate boundary for the delivery of municipal services provided by the County). Even though this includes agricultural land, it is agricultural land that has previously slated for future development. Therefore, inclusion of this land in the SOIA Area is consistent with LAFCo policies. Inclusion of the remaining ERA SOIA Area, south of Kammerer Road, was necessary to meet jobs-housing balance goals. The area (approximately 2,040 acres) located outside of the USB is generally consistent with the SACOG Blueprint. The SACOG Blueprint is a regional policy document for long range transportation planning and funding. Accordingly, the ERA provides Elk Grove with all of the land adjacent to the City of Elk Grove within the County General Plan Urban Services Boundary and thus provides sufficient area to grow in area previously identified as appropriate for urbanization, while promoting orderly growth. By limiting the SOI extension, LAFCo discourages urban sprawl and promotes the more efficient use of existing lands.

Infill Development – The County of Sacramento’s General Plan and LAFCo policies both emphasize build out of infill sites prior to development of new territory. Infill development refers to new development within an established urban area where basic municipal infrastructure and services exists. This type of development includes development of vacant parcels, redevelopment of abandoned or derelict structures, and intensification of uses on underutilized lands. By approving the ERA, LAFCo ensures that Elk Grove is able to grow, but promotes infill development by linking limiting the permissible boundaries for Elk Grove. Infill development is the re-use of land or existing developed sites within an urban/suburban area. Infill development promotes better use of sites through reuse and repositioning of obsolete or underutilized buildings. Infill uses vital land left vacant during early development and contributes to community revitalization. Infill is representative of smart growth. Infill development is valuable not only for the environmental benefits of using land more efficiently and directing growth into existing urbanized areas, but also the benefit that quality projects bring to

neighborhoods and communities. Good infill conserves open space, helps to energize communities and contributes to jobs, housing and area sustainability.

Efficient Services – The City of Elk Grove has requested the SOIA to establish an urban growth boundary to accommodate and enhance economic development and anticipated future growth. Given County USB policies, the City of Elk Grove is the most proximate municipal entity to guide development and coordinate the necessary related of municipal services to the SOI Area if the area should be annexed to the City. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 promotes the view that urban development should occur within municipal boundaries ideally (i.e., that municipal services are more efficiently provided by a single municipal provider, rather than a myriad of single purpose providers). Therefore, the ERA ensures that residents of Elk Grove receive efficient and adequate governmental facilities and services, such as wastewater, solid waste, law enforcement, fire, emergency, code enforcement, parks and recreation, gas/electric, and library. The reduced acres of the ERA provide adequate economy of scale for facility and infrastructure master planning for water, wastewater, fire and park services.

Traffic and Transportation – Limiting the SOI extension to approximately 4,040 acres will limit the impact of development on traffic, transportation and related issues such as noise and pollution.

Conformity with LAFCo Policies – LAFCo policies state that LAFCo's are charged with encouraging development that occurs in a manner that provides efficient and quality services and preserves open space land resources. (LAFCo Policies § I.B). LAFCo's policies also state that LAFCo will favorably consider proposals that result in the provision of urban services in densely developed and populated areas, and favorably consider proposals that will provide urban services in areas with high growth potential rather than in areas with limited potential for future growth. (LAFCo Policies § III.3-4). Accordingly, the ERA permits Elk Grove to grow and develop, but ensures that such development conforms to LAFCo's policies and overall goals.

Support by Agencies with Jurisdiction Over the SOIA Area – In its comment letter dated May 20, 2013, the California Department of Fish and Wildlife states that it supports the no project alternative first, but the letter then acknowledges SSHCP compatibility of the ERA: "We also believe that with the current draft of the SSHCP, it may be possible to implement the SSHCP successfully if the RDEIR's ERA (ERA) were selected, since the ERA is limited to 4,040 acres, and assuming that the acquisition of farm lands in the western portion of the SSHCP planning area with the ERA selected would then be much closer to the 15% acquisition rate experienced with the SJHCP." In its comment letter dated May 13, 2013, SACOG also supports the ERA and stated that "We note that the size and location of the ERA is generally consistent with the Blueprint conceptual map, which contemplated future growth south of the current city limits of Elk Grove."

Terms and Conditions – By placing terms and conditions on approval of the SOIA, the Commission allows Elk Grove to grow, but ensures that it grows in a manner that is orderly and accounts for environmental considerations.

The Proposed Sphere of Influence Amendment is Consistent with LAFCo's SOI Policies and Will Promote Orderly Development and Growth while Preserving Agricultural and Open Space Land.

As explained in detail in the proposed Resolution No. LAFC 2013-13-1106-09-10, approving the City of Elk Grove's SOIA is consistent with LAFCo's policies and will promote orderly development and growth while preserving agricultural and open space lands.

IX. ADOPTION OF THE ERA DOES NOT REQUIRE RECIRCULATION OF THE EIR

The ERA boundary for the City of Elk Grove's Sphere of Influence Amendment shown in the attached Exhibit A reduces the acreage from the alternative evaluated in the RDEIR (4,040 acres versus 4,350 acres) (see RDEIR pages 5-3 and 5-4 and Exhibit 5-2). The modification of the ERA better reflects parcel boundaries in the area and is within the range of impacts disclosed for this alternative on pages 5-16 through -20 of the RDEIR. Thus, the impacts of the final boundary of the City of Elk Grove's Sphere of Influence was considered and disclosed in the EIR and would not constitute new significant information that would require recirculation of the EIR as provided under CEQA Guidelines section 15088.5.

RESOLUTION NO. LAFC 2013-12-1106-09-10

**RESOLUTION OF THE SACRAMENTO LOCAL AGENCY FORMATION
COMMISSION ADOPTING A MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE SPHERE OF INFLUENCE AMENDMENT FOR
THE CITY OF ELK GROVE
(State Clearinghouse #2010092076)
(LAFC #09-10)**

WHEREAS, on May 21, 2008, the City of Elk Grove (“City”) submitted an application, and on August 18, 2010, submitted a revised application to the Sacramento Local Agency Formation Commission (“Commission”) for an amendment of its Sphere of Influence;

WHEREAS, the Sacramento Local Agency Formation Commission is the entity authorized to approve a Sphere of Influence pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, the Sacramento Local Agency Formation Commission considered the Proposal to amend the Sphere of Influence for the City of Elk Grove;

WHEREAS, a Final Environmental Impact Report for the proposed project was certified as adequate and complete for the City of Elk Grove Sphere of Influence Amendment (LAFC #09-10) as set forth in Resolution No. LAFC 2013-10-1106-09-10, which is incorporated herein by reference;

WHEREAS, the Final Environmental Impact Report identified mitigation measures for the environmental impacts described in the Final Environmental Impact Report;

WHEREAS, certain of those mitigation measures are conditions of the Commission’s approval of the Sphere of Influence Amendment and apply to any future application to annex property within the City’s amended Sphere of Influence; and

WHEREAS, pursuant to Public Resources Code section 21081.6, a Mitigation Monitoring and Reporting Program is required;

NOW, THEREFORE, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The attached Mitigation Monitoring and Reporting Program for the Sphere of Influence Amendment for the City of Elk Grove (“Attachment A”) is hereby adopted and incorporated by reference as though wholly set forth herein. The Mitigation Monitoring and Reporting Program is designed to ensure that during project implementation, the City of Elk Grove, affected landowners, their assigns and successors in interest, and any other responsible

parties comply with the feasible mitigation measures identified in the Final Environmental Impact Report and Findings of Fact adopted herewith.

2. Adoption of this Mitigation Monitoring and Reporting Program does not constitute the approval of any project.

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

ATTEST:

Commission Clerk

Attachment A to LAFC Resolution No. 2013-12-1106-09-10: Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid Sacramento LAFCo in its implementation and monitoring of measures adopted from the Elk Grove Sphere of Influence Amendment Environmental Impact Report (EIR).

Mitigation Measures

The mitigation measures are taken from the Elk Grove Sphere of Influence Amendment Recirculated Draft EIR, as amended in the Final EIR as appropriate, and are assigned the same number they had in the Draft EIR. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

MMRP Components

The components of each monitoring form are addressed briefly, below.

Mitigation Measure: All mitigation measures that were identified in the Elk Grove Sphere of Influence Amendment EIR are presented and numbered accordingly.

Timing/Implementation: Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified. Within the City of Elk Grove, a number of departments and divisions would have responsibility for implementation of the measures.

Enforcement/Monitoring Party: Sacramento LAFCo is responsible for ensuring that mitigation measures are successfully implemented. In some cases, the MMRP identifies other agencies with which the City of Elk Grove would need to consult in order to implement the measure.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
AES-3	AES-3	To mitigate impacts on visual character, prior to the submittal of any application to annex 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: (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. (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.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	
AES-4	AES-4	To mitigate impacts on light and glare, prior to the submittal of any application to annex 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: 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.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	
AG-1	AG-1	At the time of submittal of any application to change land uses	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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 (1) acre of existing farmland land 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 water supply to support agricultural use. The City shall consider the benefits of preserving farmlands in proximity to other protected lands.</p> <p>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 encumbrance 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.</p> <p>In addition, the City shall demonstrate to LAFCo, through policy or adopted planning documents that it will impose the</p>			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>following minimum conservation easement content standards:</p> <ul style="list-style-type: none"> 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 			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>entity acceptable to the City.</p> <p>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.</p> <p>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.</p>			
AG-2		Implement Mitigation Measure AG-1.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
AG-3	AG-3	At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA), the City of Elk Grove shall prepare an agricultural land use compatibility plan for the SOIA Area. The plan shall include implementation of the City’s Agricultural Activities ordinance (Municipal Code, Chapter 14.05), as required under Elk Grove General Plan Policy CAQ-4-Action 1, site design, screening, fencing, landscaping, and setbacks. Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the City’s Agricultural Activities ordinance (City of Elk Grove Municipal Code Chapter 14.05).	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
AIR-1	AIR-1	Prior to the submission of any application to annex any portion of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will prepare an Air Quality Mitigation Plan. 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	<i>Prior to application submittal</i>	<i>Sacramento LAFCo/ Sacramento Metropolitan Air Quality Management District</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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.</p> <p>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.</p>			
AIR-2	AIR-2	<p>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 the most current SMAQMD measures at the time of construction to address construction-generated 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 any applicable SMAQMD Rules in effect at the time of construction will be demonstrated.</p>	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
AIR-3		Implement Mitigation Measure AIR-1.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo/ Sacramento Metropolitan Air</i>	

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				<i>Quality Management District</i>	
AIR-4		Implement Mitigation Measures AIR-1 and AIR-2	<i>Prior to application submittal</i>	<i>Sacramento LAFCo/ Sacramento Metropolitan Air Quality Management District</i>	
AIR-5	AIR-5	To mitigate impacts on local mobile source CO concentrations, prior to submittal of any application to annex 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 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 PM2.5 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 PM2.5 hotspots to reduce the impact to less than significant.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	
AIR-6	AIR-6	To mitigate impacts to sensitive receptors, prior to submittal of any application to annex 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 all discretionary projects will be required to review existing sources of toxic air contaminants	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>in and around the project site and 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 currently 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.</p>			
<p>AIR-7</p>	<p>AIR-7</p>	<p>To mitigate impacts from objectionable odors, prior to submittal of any application to annex 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 all discretionary projects 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 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.</p>	<p><i>Prior to application submittal</i></p>	<p><i>Sacramento LAFCo</i></p>	
<p>BIO-1a</p>	<p>BIO-1a</p>	<p>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:</p> <p>A. A reconnaissance-level biological survey of the area to be annexed shall be performed by a professional</p>	<p><i>Application submittal</i></p>	<p><i>Sacramento LAFCo</i></p>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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.</p> <p>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.</p> <p>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 HCMP shall be submitted to the CDFW and the USFWS for approval. 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 provide proof of consultation with the County, CDFW, and USFWS to LAFCo.</p> <p>D. If an HCMP is prepared, it shall incorporate mitigation guidelines of these agencies for listed species. For non-listed but sensitive species as</p>			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>defined by this Recirculated EIR, the HCMP shall incorporate, but will not be limited to the following, goals and policies:</p> <ul style="list-style-type: none"> • 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 and non-invasive 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. <p>E. The special-status species referred to herein are those identified under the applicable federal and state laws</p>			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		listed in Table 3.4-2 and -3.			
BIO-1b	BIO-1b	<p>To mitigate impacts on nesting for Swainson’s hawk and other raptors (including burrowing owl), prior to the submittal of any application to annex 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:</p> <ul style="list-style-type: none"> • 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 more than 15 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, 	<i>Prior to application submittal</i>	<i>Sacramento LAFCo/ California Department of Fish and Wildlife</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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. 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.</p> <ul style="list-style-type: none"> • 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. 			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
BIO-1c	BIO-1c	<p>To mitigate impacts on foraging habitat for Swainson’s hawk, other raptors (including burrowing owl), and greater sandhill cranes, the City of Elk Grove shall demonstrate to LAFCo prior to annexation of all or part of the Sphere of Influence Amendment (SOIA) Area, through policy or adopted planning documents, that conservation easements or other instruments to acquire and preserve suitable foraging habitat for Swainson’s hawk and greater sandhill crane are identified and will be implemented, as determined by the California Department of Fish and Wildlife (CDFW). Foraging impacts mitigation shall be required for the following planning actions that would occur within the SOIA Area:</p> <ul style="list-style-type: none"> A. Any request to change land use zoning or general plan designation from agricultural to a non-agricultural land use, B. Any request to subdivide five (5) acres or more of contiguous land zoned AR-1 or AR-2, C. Any request for land use entitlement for a nonagricultural use of land zoned with an agricultural designation, D. Any request for a land use entitlement for a nonagricultural use of land five (5) acres or more in size that is zoned AR-1 or AR-2, or E. Any public improvement project proposed by any department or agency of the City of Elk Grove on land with agricultural designation. <p>The project shall acquire conservation easements or other instruments to preserve suitable foraging habitat. In deciding whether to approve the land for proposed preservation, the City shall consider the benefits of preserving lands in proximity to other protected lands. The preservation should occur prior to the onset of any development activities that would cause the impact (i.e., land clearing or site grading) or the issuance of permits for grading, building or other site</p>	Prior to annexation	Sacramento LAFCo/ California Department of Fish and Wildlife	

Mitigation Monitoring and Reporting Program

Michael Brandman Associate

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>improvements, whichever occurs first.</p> <ul style="list-style-type: none"> • Swainson’s hawk. 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 shall be governed by a one-to-one (1:1) mitigation ratio for each acre developed. The land to be preserved shall be deemed suitable Swainson’s hawk foraging habitat by the City in consultation with CDFW. • 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. <p>Where impacts for these species overlap (lands that support foraging for both species) mitigation can occur at 1:1 if mitigation sites support both species.</p> <p>The City of Elk Grove shall require minimum conservation easement content standards to be implemented to the satisfaction of LAFCo. Minimum conservation easement contents must include, but are not limited to: documentation and recorded encumbrances on the land, prohibition of activity which substantially impairs or diminishes the land’s capacity as suitable foraging habitat, water rights protections, and requirements for the mitigation land to be held in trust in perpetuity.</p> <p>This mitigation measure may be implemented in combination with Mitigation Measure AG-1, which requires the preservation of agricultural land, as long as the agricultural land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements</p>			

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>listed above. In addition, this mitigation measure may allow the joint use of land for both Swainson’s hawk and greater sandhill crane foraging habitat mitigation, as long as the land is determined by the City in consultation with CDFW to be suitable habitat pursuant to the conditions and requirements listed above. In the event that it is infeasible to acquire the necessary easements prior to annexation and development, the City will apply its impact mitigation fee program, used to acquire available land with suitable foraging habitat values at the ratios and conditions specified above.</p>			
<p>BIO-2</p>	<p>BIO-2</p>	<p>Prior to annexation of any or part of the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo that the City shall require the following actions from all future development within the SIOA Area:</p> <ul style="list-style-type: none"> • Prior to the approval of grading or improvement plans, and before any groundbreaking activity associated with future projects, the City shall require project applicant(s) of all project’s that would include fill of wetlands or other waters of the U.S. or waters of the state to complete site-specific wetland delineations and obtain all necessary permits under sections 401 and 404 of the Clean Water Act or the state’s Porter-Cologne Act and a CDFW Streambed Alteration Agreement for the respective phase. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction as determined during the Section 401 and Section 404 permitting processes but will result in not less than 1 acre created/ enhanced/ restored to each acre impacted. Wetland mitigation should occur within the same watershed as the impact, where 	<p><i>Prior to annexation</i></p>	<p><i>Sacramento LAFCo</i></p>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		feasible.			
BIO-3		Implement Mitigation Measure BIO-2.	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
BIO-4		Implement Mitigation Measure BIO-1a and BIO-2.	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
BIO-5	BIO-5	<p>To mitigate impacts from conflicts with local biological policies or ordinances, prior to submittal of an application to annex 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 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 next trees will receive the same consideration as heritage or landmark trees.</p> <ul style="list-style-type: none"> A. Reconnaissance-level tree survey of the SOIA Area should be performed by a certified arborist to identify native tree resources, particularly those that may be designated as landmark or heritage trees. This will enable the lead agency to track impacts to native trees on a regional basis rather than a project-by-project basis, when feasible. B. Minimization of impacts to protected tree species shall be undertaken during project design. If avoidance is infeasible, mitigation of native trees pursuant to measures D through F below shall be conducted. C. In addition to native oak trees, all native tree species should be protected under the City of Elk Grove’s Tree Preservation and Protection Code Chapter 19.12. The mitigation rate would be the same as those in the Ordinance current at the time of this document, unless future versions require a higher 	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>mitigation rate, but it would also require obtaining replacement trees from local genetic stock.</p> <p>D. A five-year monitoring plan shall be completed for all mitigation plantings. The monitoring plan would include appropriate irrigation schedules, as well as criteria for success and reestablishment during the 5-year period. A success rate of not less than 80 percent at the end of the 5-year monitoring period is recommended.</p> <p>E. Individual trees or groups of trees preserved shall be fully protected during construction. A temporary protective fence shall be established at a minimum of 10 feet beyond the drip line of the retained native trees. The fence shall be in place prior to beginning construction activities, including grading. Within this protective buffer, no grading, trenching, fill, or vegetation alteration shall be allowed.</p> <p>F. Mitigation shall target large tracts or contiguous native tree habitat. Connectivity between native tree woodland preserves as well as adequate buffering from development is important to promote native tree recruitment, the long-term viability of the habitat, and wildlife use of the area.</p>			
CUL-1	CUL-1	<p>To mitigate impacts on historic resources, prior to submittal of any application to annex 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 it will impose the following conditions on all discretionary projects:</p> <ul style="list-style-type: none"> 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 	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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.</p> <ul style="list-style-type: none"> • 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. 			
CUL-2	CUL-2	To mitigate impacts on archaeological resources, prior to submittal of any application to annex all or part of the Sphere	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>of Influence Amendment (SOIA) Area, the City of Elk Grove shall demonstrate to LAFCo, through policy or adopted planning documents, that it will impose the following conditions on all discretionary projects:</p> <ul style="list-style-type: none"> • 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. 			
CUL-3	CUL-3	<p>To mitigate impacts on paleontological resources, prior to submittal of any application to annex 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 it will impose the following conditions on all discretionary projects:</p> <ul style="list-style-type: none"> • 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 	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>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.</p> <ul style="list-style-type: none"> 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. 			
CUL-4		Implement Mitigation Measure CUL-1.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	
GEO-1	GEO-1	To mitigate impacts from seismic hazards, prior to submittal of any application to annex all or part of 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.	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	
GHG-1	GHG-1	Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall amend or augment the City’s greenhouse gas emissions inventory projections to account for potential development of the SOIA Area. Analysis assumptions, methodology and emission factors used by the City shall be	<i>Prior to annexation</i>	<i>Sacramento LAFCo /Sacramento Metropolitan Air Quality Management</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>submitted for review to the Sacramento Metropolitan Air Quality Management District (SMAQMD). 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. The City will require that discretionary project comply with any one of the following performance criteria:</p> <ul style="list-style-type: none"> a. Efficiency Metric: Greenhouse gas emissions would be less than 6.6 annual metric tons of carbon dioxide equivalent per service population. Service population comprises both residents and employees that would be accommodated by the SOIA Area. b. Percent Reduction: Greenhouse gas emissions would be reduced by 29 percent from the year 2020 business-as-usual baseline. The business-as-usual baseline parameters will be determined in consultation with the SMAQMD. c. Climate Action Plan Consistency: The City shall demonstrate that development in the SOIA Area will comply with applicable SECAP measures and the City's emission reduction goals. 		<i>District</i>	
GHG-2		Implement Mitigation Measure GHG-1.	<i>Prior to annexation</i>	<i>Sacramento LAFCo /Sacramento Metropolitan Air Quality Management District</i>	
HAZ-4	HAZ-4	To mitigate impacts from hazardous materials sites, prior to submittal of any application to annex 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 it will impose the following conditions on all discretionary projects. Prior to site	<i>Prior to application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		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.			
HYD-2		Implement Mitigation Measure USS-1	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
HYD-3	HYD-3	Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>or levees, measures to provide improvements or maintenance where development in the SOIA Area would affect channels or levees.</p> <p>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.</p>			
<p>HYD-4a</p>	<p>HYD-4a</p>	<p>Prior to annexation of any or part of the SOIA Area, the City of Elk Grove shall 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.</p> <p>The City will not approve any discretionary permit or entitlement, or any ministerial permit that would result in the construction of a new residence; any tentative map, or any parcel map for which a tentative map was not required; or enter into development agreement for projects located within a 200-year flood zone, unless the City makes, based on substantial evidence, one of the finding found in Government Code Section 65865.5.</p>	<p><i>Prior to annexation</i></p>	<p><i>Sacramento LAFCo</i></p>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
HYD-4b	HYD-4b	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 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 predevelopment levels within or downstream of the SOIA Area.	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
LU-2		Implementation of all mitigation measures in the RDEIR.	<i>As required by each mitigation measure</i>	<i>As required by each mitigation measure</i>	
LU-3		Implement Mitigation Measure BIO-1a.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
LU-4		Implement Mitigation Measure AG-1.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
POP-1a	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 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.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
POP-1b	POP-1b	<p>At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove shall:</p> <ul style="list-style-type: none"> • Revise and update its General Plan in accordance with state law that addresses the annexed territory; • Update the Housing Element (updated to reflect the annexed territory) to establish that the City has or will meet its Regional Housing Needs Allocation (RHNA) for all income levels as defined in 	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		Government Code Section 65588.			
TRANS-1	TRANS-1	At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove will consult with Sacramento County and Caltrans to establish transportation improvement plans and funding mechanisms to provide service levels consistent with the City’s General Plan, County’s General Plan, and Caltrans standards. In addition, any future annexation and development activity within the SOIA Area will require the preparation of traffic impact analyses that would include discussion of the project’s fair-share contribution and mitigation strategies.	<i>Application submittal</i>	<i>Sacramento LAFCo/ County of Sacramento/ California Department of Transportation</i>	
TRANS-2		Implement Mitigation Measure TRANS-1.	<i>Application submittal</i>	<i>Sacramento LAFCo/ County of Sacramento/ California Department of Transportation</i>	
TRANS-5a	TRANS-5a	At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall update the City’s Bicycle and Pedestrian Master Plan to delineate bicycle and pedestrian facilities in the SOIA Area consistent with the goals and policies of the City’s General Plan. The update will identify on- and off-street bikeways and pedestrian routes as well as support facilities. Development in the SOIA Area shall be responsible for implementing the master plan recommendation as development occurs in the project area.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	
TRANS-5b	TRANS-5b	At the time of submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall complete a transit master plan for the SOIA Area consistent with policies of the City’s General Plan.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		<p>This plan will identify the roadways to be used by bus transit routes, locations for bus turnouts and pedestrian shelters, locations for bus transfer stations, alignment for fixed-route rail service, and the location of rail service stations. Future development in the SOIA Area and the City of Elk Grove shall be responsible for implementing the master plan recommendations as development occurs in the project area.</p>			
USS-1	USS-1	<p>Prior to LAFCo approval of annexation of any portion of the City of Elk Grove SOIA territory, the City must demonstrate that through the Plan for Services as required by Government Code section 56430, or its successor, to allow the Commission to determine that: (1) the requirement for timely water availability, as required by law, is met; (2) its water purveyor is a signatory to the Water Forum Successor Effort, (3) the amount of water provided will be consistent with the geographical extent of the SOIA territory and the groundwater sustainable yield described in the Water Forum Agreement. water will be provided in a manner that ensures no overdraft will occur; and (4) existing water customers will not be adversely affected. The Plan for Services shall be sufficient for LAFCo to determine timely water availability to the affected territory pursuant to Government Code Section 56668, subdivision (k), or its successor.</p>	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
USS-2		<p>Prior to submittal of any application to annex territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove will provide a Plan for Services that demonstrates that the wastewater transmission and treatment providers have requested that the SOIA Area be within their respective Spheres of Influence if a public agency, and that such providers have prepared or approved an infrastructure plan and funding program to ensure compliance with Federal Clean Water Act and applicable state standards; and that sufficient transmission infrastructure, and treatment and disposal</p>	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	

Mitigation Monitoring and Reporting Program

Michael Brandman Associate

Impact Number	MM Number	Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
		capacity adequate for projected needs are available to accommodate the buildout of the annexation territory, with no adverse impact to existing ratepayers.			
USS-3		Implement Mitigation Measure HYD-3	<i>Prior to annexation</i>	<i>Sacramento LAFCo</i>	
USS-4	USS-4	At the time of submittal of any application to annex any or all territory within the Sphere of Influence Amendment (SOIA) Area, the City of Elk Grove shall identify solid waste services, including contract service operation if applicable, to be extended, the level and range of services, timing of services, improvements of facility upgrades associated with the services, and how the services will be financed to accommodate the buildout of the SOIA Area.	<i>Application submittal</i>	<i>Sacramento LAFCo</i>	

RESOLUTION NO. LAFC 2013-13-1106-09-10

**RESOLUTION OF THE SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS FOR THE
MUNICIPAL SERVICES REVIEW AND APPROVING
THE CITY OF ELK GROVE SPHERE OF INFLUENCE AMENDMENT**
(State Clearinghouse #2010092076)
(LAFC #09-10)

WHEREAS, the Sacramento Local Agency Formation Commission (“Commission” or “LAFCo”) is the sole entity authorized to approve a Sphere of Influence (“SOI”) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, pursuant to Government Code section 56425(a), in order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the SOI of each local governmental agency within the county;

WHEREAS, pursuant to Government Code section 56425(e), in determining the SOI of each local governmental agency, the Commission shall consider and prepare a written statement of its determinations with respect to its approval of the SOI;

WHEREAS, the Commission has complied with Government Code section 56425 by adopting determinations regarding the City of Elk Grove Sphere of Influence Amendment (“SOIA”);

WHEREAS, in accordance with the law, the Commission has conducted hearings since 2007 on the proposal, and a history of such hearings and Commission actions is set forth below;

WHEREAS, on May 21, 2008, the City of Elk Grove (“City”) submitted an application to the Commission for an amendment of its Sphere of Influence. In 2010, the City submitted a revised Application (“Application”). The May 21, 2008, application requested a SOI Amendment of 12,681 additional acres. The Application as revised requests to increase the City’s SOI by 7,869 acres. The 7,869 acreage request is referred to as the City proposed SOI (“proposed project”). The Application as revised reduced the previously proposed SOI by 3,812, or approximately a reduction of one-third of the previously proposed area, to accommodate the County’s input;

WHEREAS, on November 29, 2007, December 21, 2007, February 15, 2008, and February 21, 2008, prior to submittal of the Application, representatives from the City and the County of Sacramento (“County”) participated in the meet and confer process regarding boundaries, development standards, and zoning requirements for land within the proposed project area in accordance with Government Code section 56425. No formal

agreement was executed. The primary purpose of the meet and confer process was to establish commonly shared conservation and open space principles. The City and the County have been working collaboratively to establish a Memorandum of Understanding (“MOU”) that would incorporate the “joint vision” shared between the City and County regarding the future planning and preservation activities within the City’s proposed Sphere of Influence area. The draft MOU was previewed by the City Council on November 18, 2009 and by the Board of Supervisors on December 2, 2009;

WHEREAS, the Commission is the Lead Agency and pursuant to its requirements under the California Environmental Quality Act (“CEQA”), a Notice of Preparation for a Draft Environmental Impact Report (“DEIR”) was prepared and the DEIR was released for public comment on September 27, 2010, a Notice of Preparation for the Recirculated Draft EIR (“RDEIR”) was released for public comments on March 19, 2013;

WHEREAS, a DEIR was prepared and circulated for public review and comment between September 29, 2011, and November 14, 2011. A public hearing was held on November 2, 2011. Based upon comments received, certain revisions were made to the Draft EIR;

WHEREAS, a Recirculated Draft EIR (“RDEIR”) was circulated for public comment March 21, 2013, through May 21, 2013. The Commission received public comments from individuals and organizations on the RDEIR at a public workshop held on April 23, 2013 and at a duly-noticed public hearing held on May 1, 2013;

WHEREAS, a Final Environmental Impact Report (“FEIR”) that incorporated the DEIR and RDEIR by reference and provided responses to public comments was prepared and distributed to the Commission and the public on September 27, 2013;

WHEREAS, a draft Municipal Services Review (“MSR,” alternatively called a “Master Services Element”) was prepared and submitted by the City in May 2008, was revised in 2010 and reviewed by Commission staff. The Draft MSR was posted to the Commission website and notice was provided to County departments, affected agencies, interested parties, and the general public. The MSR has been the subject of three review cycles of 45 days each, originally in 2008, then again in 2010 and most recently in 2012, after comments were received from the public and agencies. The MSR was further revised in July 2013 and circulated for public review and comment between July 3, 2013, and August 5, 2013, and was finalized and released in August 2013;

WHEREAS, the Commission considered the Application, DEIR, RDEIR, FEIR, and MSR at numerous public meetings over the last several years;

WHEREAS, the Commission has, by means of Resolution No. LAFC 2013-10-1106-09-10, certified that the FEIR has been prepared in full compliance with the terms of CEQA;

WHEREAS, the Commission approved the Findings of Fact and Statement of Overriding Considerations and approved the Mitigation Monitoring and Reporting Plan, as stated in Resolution Nos. LAFC 2013-11-1106-09-10 and LAFC 2013-12-1106-09-10;

WHEREAS, the Commission has undertaken a comprehensive analysis of the City's Application;

WHEREAS, the Application evaluation and review process involved public participation and public hearings at which both written and oral comments were received from concerned citizens;

WHEREAS, local jurisdictions, community groups, businesses and other interested parties have provided testimony throughout the planning and evaluation process; and

WHEREAS, public agencies have reviewed and commented upon the proposed SOIAt and MSR;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION does hereby find, determine, resolve and order as follows:

1. Notice as required by law has been provided.
2. The Commission, through its Executive Officer, conducted an Initial Study and has caused a FEIR to be prepared, which was certified by the Commission as complying with CEQA, pursuant to Resolution No. LAFC 2013-10-1106-09-10.
3. The Commission selects and approves the alternative substantially similar to the Enhanced Regional Alternative ("ERA") for the City of Elk Grove Sphere of Influence, as generally described in the RDEIR and FEIR and as more specifically set forth in Resolution 2013-10-1106-09-10 and shown in Exhibit A attached hereto, and incorporated herein. The area within the ERA is referred to herein as the "ERA Area." The change of the City's SOI to the ERA Area is referred to herein as the "SOIA."
4. The Commission determines that the ERA is consistent with the Commission's purpose and responsibility for planning, shaping and coordinating the logical and orderly development of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities. In making this determination, the Commission has considered:
 - a. The Executive Officer's Report;
 - b. The MSR, dated August 2013, submitted by the City, which the Commission determines is consistent with LAFCo policies and is adequate;

- c. The FEIR;
 - d. All oral and written public comments; and
 - e. Public agency comments, staff reports and other pertinent information in the Commission's Record of Proceedings, as defined in the Findings of Fact and Statement of Overriding Considerations.
5. Based on the Executive Officer's Report, the Commission determines that the benefits of approving the ERA include the following:
- a. By reducing the SOI acreage from the amount originally proposed by the City, the Commission encourages logical and orderly growth, avoids urban sprawl, and facilities phased and efficient development.
 - b. The ERA provides for species protection and habitat conservation in addition to satisfying the City's need to expand. The reduction in size of the SOI combined with the imposed conditions and the FEIR mitigation measures effectively reduces the impact to affected species and their habitats.
 - c. The ERA protects agricultural lands and open space while allowing orderly growth. Because the City is hemmed in on three sides with developed or designated lands, non-agricultural lands are not available for the City to utilize in future expansion. However, the total agricultural and open space lands acreage in the City's proposed SOI is 7,637 acres (excluding residential agricultural lands), and the total agricultural and open space lands acreage in the ERA is 2,698.2 acres. Thus, by adopting the ERA, the Commission preserves almost 5,000 acres of agricultural and open space lands.
 - d. The ERA will help the City improve its jobs-housing balance because it will allow the City to plan for additional employment centers, which will provide economic growth, needed commerce, and shorter commutes for City residents. Prior to annexation, the City will be required to demonstrate that any annexation improves the jobs-housing balance within the City.
 - e. Approval of the ERA ensures the City's ability to grow, but promotes infill development by limiting the permissible boundaries for the City. The City will thus be encouraged to develop within its

established urban areas, such as existing vacant parcels and underutilized lands, prior to development of new territory.

- f. Although the City's growth has slowed in the recent recession years, page 3.0-4 of the MSR projects that the City will have a 33% increase in population by the year 2035, and approval of the ERA will allow the City to plan for logical and efficient future growth.
- g. In approving the ERA, the Commission imposes numerous terms and conditions on any future attempts to annex. By conditioning its approval, the Commission ensures that any future annexation will be orderly and in compliance with applicable laws and LAFCo policies.

6. Pursuant to Government Code section 56668 and LAFCo policies, the Commission must consider several factors in reviewing an application for a SOI amendment, and the Commission has duly considered the factors enumerated in Government Code section 56668;

7. Pursuant to the policies set forth in Government Code section 56425 and based upon the entire record, the Commission makes the following determinations in approving the ERA:

A. The Present and Planned Land Uses in the Area, Including Agricultural and Open Space Lands

(1) The land use assumptions in the Executive Officer's Report are adequate and there are no specific land use entitlements proposed at this time in conjunction with the ERA Area.

(2) Government Code section 65300 provides that a city may comprehensively plan for lands outside of its jurisdiction without the area being within an approved SOI. However, while the Elk Grove City Council expressed its desire to have the proposed project area master planned, the Council has explicitly stated that no comprehensive planning of the area will occur until the Commission approves a Sphere of Influence.

(3) Although the Application would entail amendment of the City's SOI boundaries, land within the expanded SOI would not be within the City's jurisdiction until future requests for annexation of territory are approved by your Commission. If and when future requests for annexation are approved, the newly annexed property would be within the City's jurisdiction and subject to applicable City General Plan policies and regulations. Approval of a SOIA does not commit the City to development of any particular land uses. If a SOIA is approved, future development will be driven by market conditions and future planning decisions by the City of Elk Grove, in terms of timing and type and intensity of development. No development can take place prior to the plans being brought back as an

annexation application for the Commission's review and consideration. This process will require additional environmental compliance.

(4) The current City boundaries and coterminous SOI encompass 26,974 acres. Having a coterminous SOI and city boundary is atypical because with a coterminous SOI, there is no extraterritorial area for a city to plan future growth through annexation and related boundary changes. The ERA Area expands the existing SOI, not city limits, by approximately 4,040 acres. However, future growth and expansion through the annexation process would be limited to areas outside of the Federal Emergency Management Agency ("FEMA") 100-year floodplain. This would limit future growth and leave a portion of the ERA Area for non-urban uses, such as open space. The ERA Area currently consists of 151.2 acres of prime farmland, 1640.6 acres of farmland of statewide importance, 863 acres of farmland of local importance, and 13 acres of unique farmland.

(5) The ERA Area includes agricultural uses consisting of fallow/row crops/nursery, orchards, vineyards, and dairy, poultry, and livestock operations. Few structures exist within the project site, and these are limited to barns, rural housing, storage sheds with related structures, and several solar farms. The 2030 Sacramento County General Plan designates land within the ERA Area as Agricultural Cropland, Agricultural Residential, Commercial/Office, General Agriculture (20 acres), Intensive Industrial, Low Density Residential, and Natural Preserve.

(6) Surrounding land uses include agricultural cropland, natural preserve, and resource conservation, including the Stone Lakes National Wildlife Refuge, which lies to the west, with the Sacramento-San Joaquin Delta to the south; suburban residential and small-scale agricultural uses to the north; rural residential and agricultural uses to the east, including the unincorporated communities of Wilton and Sheldon, primarily rural in character, as well as land within the FEMA 100-year floodplain of the Cosumnes River; and agricultural to the south, including the unincorporated communities of Bruceville and Point Pleasant, which have land uses similar to the adjacent agricultural land uses within the ERA Area. County of Sacramento General Plan land use designations south of the project site also include Agricultural Cropland, Natural Preserve and Resource Conservation Area. Regional access to the project site is provided from State Route 99 and Interstate-5. Local access to the project site is provided by Hood-Franklin, Grant Line, Kammerer and Eschinger Roads.

(7) The ERA is consistent with the City of Elk Grove General Plan Planning Area ("Planning Area"), which includes land within the incorporated City limits of Elk Grove and unincorporated areas of Sacramento County surrounding the City. The Elk Grove General Plan provides land use planning for the City and the larger Planning Area. The Planning Area represents areas not within the city limits in which the City has an interest in influencing land use decisions by the County of Sacramento and is envisioned as the area into which the incorporated city boundaries may eventually expand.

(8) There are no current or future City General Plan land use designations in the ERA Area, but addition of the ERA Area is intended to provide sufficient land to accommodate an improved jobs-housing fit 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. There is no alternative land available within the City's current SOI to accommodate the needed growth because the City's current SOI and City boundaries are coterminous.

(9) The City's Application does not change or propose to change any land use designations. Existing land uses for the ERA Area are determined by the County's General Plan designations for the ERA Area. There are no specific land use entitlements proposed at this time in conjunction with the ERA Area. Additionally, property within the ERA Area would not be within the City's jurisdiction until future request for annexation of property are approved by the Commission and no physical development can be approved or implemented by the City until the territory is prezoned and annexed.

B. The Present and Probable Need For Public Facilities and Services in the Area

(1) The ERA Area is presently largely undeveloped and unserved. The existing need for public facilities and services is minimal. These public services include electricity, roads, telephone, sheriff's patrol, fire protection, garbage collection, and animal control.

(2) The SOIA will not require the immediate need for additional public facilities or services. Subsequent annexations will facilitate the need and provision of additional public services prior to and at the time this area is developed. Future development within Elk Grove's SOI boundary, as a result of annexations, will require additional public facilities and services including extension of sewer lines, treatment capacity, extending water lines and increasing water supply capacity, flood control and drainage facilities, road improvements, police and fire protection, schools, libraries and parks. The FEIR for the proposed SOIA identifies the probable impacts that could occur from future development based on the hypothetical land use designations.

(3) The City will be required to prezone the property prior to submitting an annexation application and approving development. Specific mitigation requirements and impacts will be identified during that process.

C. The Present Capacity of Public Facilities and Adequacy of Public Services Which the Agency Provides or Is Authorized To Provide

(1) The City is a general law city which provides limited municipal services, including land use governance, public works and law enforcement. The City coordinates the land use entitlement review process with County agencies

and affected special districts that provide public facilities or services related to sewers, municipal and industrial water, or structural fire protection.

(2) The MSR more fully discusses the capacity, means and financing for the full array of services necessary to support future development, in the event of annexation approvals. Approval of the ERA will not change the current service providers. At this time minimal services are provided to this area because of its rural character. At the time of annexation, the City will be required to provide plans for all services, which will include financing and necessary funding to implement the required infrastructure.

(3) The MSR and comments from affected entities evidence that extending the City's SOI to include the ERA Area will not result in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area.

D. The Existence of Any Social or Economic Communities of Interest in the Area (if Determined by LAFCo to be Relevant to the Agency)

(1) The areas included with the proposed project area have economic and social communities of interest that are similar to the existing characteristics within the City of Elk Grove. In many cases, this territory directly benefits from the services provided by the City and indirectly from the economic and social community, such as businesses, social clubs, recreational activities, churches and other community organizations.

E. The Present and Probable Need for Public Facilities and Services Provided by the City Related to Sewers, Municipal and Industrial Water, and Structural Fire Protection of Any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence

(1) Several small communities are located adjacent or proximate to the proposed project area, including Bruceville, Old Town Franklin, Point Pleasant, and Wilton. Bruceville and Point Pleasant are south of the proposed project area and would not be affected by the SOIA. Old Town Franklin is immediately adjacent to the City and would be completely included within the proposed project area. Addition of the proposed project area to the SOI would place Old Town Franklin into the City's SOI, but would not result in any actions that may divide the community. The environmentally superior ERA Area does not include Old Town Franklin. Wilton is located across the Cosumnes River, outside of the proposed project area. As such, the ERA is consistent with the LAFCo policy requiring that an SOI shall not split neighborhoods or divide an existing identifiable community of interest and no impact would occur.

(2) None of these communities would be identified as a "Disadvantaged Unincorporated Community" – defined as either inhabited territory, or a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

FURTHERMORE, the Commission does hereby resolve that it is necessary and appropriate to apply certain conditions to the approval of the SOIA in order to encourage well-ordered, efficient urban development with sufficient services and to preserve open space resources, agricultural land, and habitat for species. Accordingly, approval of the ERA is conditioned upon the following:

8. **Mitigation Measures.** All mitigation measures adopted pursuant to CEQA by the Commission under Resolution No. 2013-12-1106-09-10 are incorporated herein by reference as conditions of approval. Subsequent to submittal of any application to annex property within the ERA Area and prior to annexation, the Commission shall review the Mitigation Monitoring and Reporting Plan approved as part of the SOIA for compliance and shall undertake additional environmental review if required under CEQA. Furthermore, any application to annex property within the ERA Area shall include the City's multi-species habitat mitigation strategy. The strategy shall address the mitigation of development impacts upon habitat and biological/environmental resources in a manner that meets federal and state regulatory requirements. The City may fulfill the requirements of this condition by demonstrating participation in the South Sacramento Habitat Conservation Plan or preparation of its own habitat strategy.

9. **Logical & Orderly Growth.** The City is encouraged to promote annexations within the ERA Area that are well planned, capable of being efficiently served, have an orderly development pattern, and avoid the premature conversion of open space and agricultural lands within the ERA Area. Consistent with its General Plan policy, the City of Elk Grove is encouraged to develop an orderly annexation program and should discourage the filing of any annexation seeking to annex property prematurely or in piece-meal manner. Before annexing any territory, the City must demonstrate that the annexation:

- a) Conforms to an orderly expansion of City boundaries within planned urban growth areas and provides for a contiguous development pattern. The City shall re-confirm that the proposed annexation is surrounded by or adjacent to lands planned for urban uses. The City must demonstrate that its proposed annexation is part of a plan for orderly growth within logical boundaries, as identified in Commission policies.
- a) Includes a comprehensive land use plan for the affected territory, including pre-zoning and a plan for services, including for infrastructure financing and phasing.
- b) Constitutes a fiscally sound addition to the existing City, with efficient service delivery boundaries, and ensures the provision of adequate municipal services.

- c) Is consistent with state law and Commission policies, standards and criteria.
- d) Preserves neighborhood identities.
- e) Is consistent with the City's General Plan and any applicable Community Plan land use policies. Prior to submittal of an application for annexation, the City shall revise and update its General Plan to include the ERA Area in accordance with state law.
- f) Demonstrates criteria for sustainable economic growth while maintaining environmental integrity, and providing for social equity. This could include creating more housing and jobs near public transit, providing a variety of places where people can live, and utilization of existing assets.
- g) Includes development that is limited to areas outside the 100-year floodplain, and development that takes place in compliance with the goals and policies of the City's General Plan. Prior to annexation, the City will provide information to the Commission in compliance with Federal Emergency Management Agency ("FEMA") and California Department of Water Resources ("DWR") flood-plain development measures adopted.
- h) Is accompanied by an environmental evaluation of the potential impacts of development.

10. **Need for Annexation.** The City must demonstrate that the annexation proposal is needed to provide an adequate supply of land to meet projected residential, industrial, and commercial growth. The City shall demonstrate adequate available infrastructure in the vicinity of the proposed annexation area to promote sustainable economic development and prevent leapfrog development.

11. **Land Use Designations.** The City shall adopt appropriate land use designations for all property within the ERA Area noting open space and habitat preservation measures at a minimum as set forth in the Mitigation Monitoring and Reporting Plan and this Resolution.

12. **Municipal Services.** In any application to annex property within the ERA Area, the City of Elk Grove shall submit to the Commission, for its review and approval, an updated MSR which includes a program of implementation and financing measures necessary to support the provision of major components of infrastructure and services, and other essential facilities, needed to support the proposed distribution, location, extent and intensity of land uses proposed within the ERA Area. The City shall demonstrate that it has the means, ability and capacity to provide municipal services to the annexed area and that other service providers have the means, capacity and ability to provide services

not provided by the City of Elk Grove, with no adverse impact to current service levels or ratepayers. The MSR shall identify a water source(s) and the ability to acquire said water source(s) sufficient to serve the area contained in the annexation application. The MSR shall identify the process the City will undertake to acquire and secure a water supply sufficient for the Commission to determine compliance with Condition 19 of this Resolution.

13. **Plans of Services.** Prior to annexation, the City must prezone and provide the following plans of services, which will include financing and necessary funding to implement the required infrastructure:

- b) Drainage Master Plan. Any application to annex property within the ERA Area shall include a Drainage Master Plan for the ERA Area. The Drainage Plan shall address flood hazards and the use of flood protection measures. The objective of the Drainage Plan shall conform to a no net increase in floodwater surface elevations downstream of the ERA Area;
- c) Bikeway Plan to delineate bikeway and pedestrian facilities within the ERA Area consistent with the goals and policies of the City's General Plan;
- d) Transit Master Plan consistent with the policies of the City's General Plan. The Plan shall identify the roadways to be used by bus transit routes, locations for bus turnouts and pedestrian shelters, locations for bus transfer stations, alignments for fixed route rail service, and the location of rail service stations;
- e) Traffic, Transportation, and Road Plan;
- f) Park and Open Space Plan within territory proposed to be annexed;
- g) Water Supply Plan for Services that demonstrates compliance with Federal Clean Drinking Water Act standards and demonstrates that sufficient, sustainable potable water supplies adequate for projected needs are available to accommodate the build out of the annexation territory, with no adverse impact to existing ratepayers or private wells reliant on a shared groundwater source;
- h) Wastewater Plan for Services that demonstrates adequate wastewater conveyance, service, and treatment capacity and availability for the annexation territory based on rezoning and land uses designated by the City;
- i) Housing Element demonstrating compliance with Regional Housing Needs Allocation ("RHNA"). The City shall obtain a determination of

substantial compliance from the California Department of Housing and Community Development consistent with Government Code section 65585, subdivisions (d) or (h), as may be amended, regarding the Regional Housing Needs Allocation;

- j) Air Quality Plan;
- k) School Mitigation Plan where, permitted by law, the City of Elk Grove shall incorporate feasible school impact mitigation requirements into any applicable development agreements that would take effect upon annexation of property within the ERA Area. The extent to which mitigation requirements may be necessary will depend upon availability of school facilities at the time of development, the type of development that occurs within the ERA Area (residential compared to non-residential uses) and school district policies on providing enrollment space for non-residents who are employed within district boundaries;
- l) Financing Plans. The plans shall be prepared in consultation with the affected agency or service provider, consistent with criteria applicable at the time of annexation;
- m) Right to Farm Ordinance;
- n) Code Enforcement;
- o) Animal Control; and
- p) Electricity and Natural Gas.

14. **Traffic/Transportation.** Prior to Commission approval of any application to annex property within the ERA Area, the City of Elk Grove, in consultation with Caltrans, Sacramento County, and the Sacramento Area Council of Governments (“SACOG”), shall identify the traffic/transportation measures that must be implemented to mitigate the potential impacts on regional transportation infrastructure from proposed development within the ERA Area consistent with mitigation measure TRANS-1 in the Mitigation Monitoring and Reporting Program. The City shall further set forth a funding strategy to construct the traffic/transportation necessary to fully mitigate the impacts from the development of the ERA Area and a proposed timeline for the construction of such improvements. The timeline shall be linked to the approval and construction of such development within the ERA, within a time frame intended to mitigate the long-term impacts from ERA Area development. As soon as reasonably possible, the improvements identified in this paragraph that are of regional significance shall be programmed in the Metropolitan Transportation Plan (“MTP”) and the Metropolitan Transportation Improvement Program (“MTIP”). The City shall request the programming of the improvements in the MTP as soon as the improvements are identified through the

annexation process, and shall request the programming of the improvements in the MTIP consistent with the financing plan established for implementation of the improvements.

15. **Roadways.** Prior to submittal of any application to annex property within the ERA Area, the City of Elk Grove, in consultation with Sacramento County, shall prepare a plan to address the necessary improvements to the local roadway network of each jurisdiction in order to mitigate the impacts associated with development within the ERA Area. The plan should include a list of improvements, description of the responsible jurisdiction, phasing plan and a clearly defined financing mechanism. As part of the annexation application, the City shall demonstrate that it can provide adequate roadway service to and within the ERA Area proposed to be annexed. The plan shall be submitted with the annexation application.

16. **Williamson Act Contracts.** If the proposal would result in the annexation to the City of land that is subject to a Williamson Act contract under Government Code section 51200 et seq., then the petition shall state whether the City shall succeed to the contract pursuant to section 51243 or whether the City intends to exercise its option to not succeed to the contract pursuant to section 51243.

17. **Jobs-Housing Balance.** Prior to annexation, the City shall demonstrate that its proposed annexation creates an improved quantitative and qualitative jobs-housing balance within the entire City to reduce commuting, traffic congestion, and environmental concerns related to vehicles on the road, and improve efficiency of public infrastructure and services. The City shall demonstrate population and employment forecasts and data for the proposed annexation area, and demonstrate an investigation into any identified mismatches between jobs in the area and the types and cost of housing. The City shall demonstrate that the annexation is necessary to create additional employment centers close to housing and employment centers that matches the skills of people who live in the region to ensure that a greater percentage of the people who live in the region also work in the region. The City shall present specific implementation measures to improve the jobs-housing balance within its boundaries, such as compact development, mixed use development, developer incentives to improve jobs-housing fit, and zoning which improves jobs-housing opportunities.

18. **Air Pollution.** The City will demonstrate compliance with Policy COS 7-1 of the City's General Plan, or the current version of that Policy, regarding Greenhouse Gas Emission Reduction. Identify specific actions that will be undertaken by the City to meet the emission reduction targets set by the City.

19. **Infill Development.** Upon submittal of an annexation application, the City must demonstrate that it has provided or accommodated feasible infill development of existing urban lands before annexing and developing new territory through the adoption of infill policies. These adopted infill policies should encourage the development of vacant parcels, reuse or redevelopment of abandoned or derelict structures, rezoning of excess commercial and/or industrial lands to residential uses where appropriate, utilization of existing public infrastructure and services in an efficient manner, and

intensification of uses on underutilized lands to accommodate as much residential, commercial and employment capacity as feasible within the existing City limit.

20. **Water Supply & Service.** Prior to Commission approval of any application to annex property within the ERA Area, the City shall demonstrate that it has a sufficient water supply to serve existing customers, and a master plan for future customers within the existing service area, and all proposed uses within the annexation application area, in compliance with the terms and conditions of the Water Forum Agreement. The information provided shall be sufficient for the Commission to determine water availability to the area pursuant to Government Code section 56668, subdivision (k), or its successor. Pursuant to Government Code section 56375, the City shall pre-zone the property consistent with the City of Elk Grove General Plan, as amended. In pre-zoning within the ERA Area, the City must identify the process the affected water service provider will undertake to acquire and secure a water supply sufficient for the Commission to determine timely water availability as required by law, in compliance with the terms and conditions of the Water Forum Agreement. The City of Elk Grove shall comply with requirements for water service with the Sacramento County Water Agency (“SCWA”) and/or the Elk Grove Water District (“EGWD”), and shall annex into the appropriate service area either Zone 40 and 41, as required by the SCWA, or EGWD, as applicable. This may entail a district specific Sphere of Influence amendment. The Omochumne-Hartnell Water District may be considered for provision of potable water service

21. **Sewage Service.** Prior to LAFCo approval of any application to annex property within the ERA Area, the City shall identify the timely availability of sufficient wastewater transmission and treatment capacity to serve existing customers, future customers with the existing service area, and all proposed uses within the annexation application area. The City of Elk Grove shall coordinate with Sacramento Regional County Sanitation District (“SCRSD”) and Sacramento Area Sewer District (“SASD”) for sanitary sewer service. The City will be required to annex into these two special districts as part of any proposed annexation. This may entail district specific SOI amendments.

22. **Property Tax Agreement.** The City and Sacramento County must enter into a property tax exchange agreement before the application can be considered for approval by LAFCo.

23. **Stone Lakes National Wildlife Refuge.** The City of should cooperate and collaborate with Stone Lakes National Wildlife Refuge to enhance this natural resource that is a recognized amenity to the City of Elk Grove. Proposed development along the western boundary of the ERA should be compatible with the Stone Lakes National Wildlife Refuge mission. The City also should cooperate and collaborate with the Nature Conservancy to enhance the preservation of the Cosumnes River Preserve within and adjacent to the ERA boundary. The City, when possible, should partner with Stone Lakes National Wildlife Refuge and the Nature Conservancy to preserve and enhance wildlife resources.

24. **Meet & Confer with Special Districts.** Prior to Commission approval of any application to annex property within the ERA Area, the City of Elk Grove or other applicants shall meet and confer with the Cosumnes Community Services District (“Cosumnes CSD”), and any other special districts, regarding impacts to the districts and their operations. This process shall identify potential impacts from the proposed annexation upon the districts, including but not limited to fiscal and operational impacts, assessments, bonded indebtedness, loss of property tax revenues and other impacts proposed relating to any proposed changes of organization or services. In addition, the Commission will fully analyze and consider these impacts prior to approval of any annexation to determine appropriate mitigation measures or conditions of annexation. The City of Elk Grove shall also meet with Cosumnes CSD on an ongoing periodic basis, subject to a schedule mutually agreed to between the City and Cosumnes CSD. The City shall be responsible for scheduling these meetings. The objective of these periodic meetings is to provide for discussion and coordination of issues of mutual concern regarding water and wastewater supplies and treatment.

25. Any other specific issue that becomes known during public hearings.

FURTHERMORE, in accepting the MSR, the Commission has considered the policies set forth in Government Code section 56430. Government Code section 56430 provides that in order to update spheres of influence, the Commission shall conduct a service review of the municipal services provided. The Commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations. Pursuant to Government Code section 56430, the Commission makes the following determinations:

26. The Executive Officer presented the MSR on November 6, 2013, to the Commission, and the Commission accepted it.

27. Growth and population projections for the affected area have been provided by the affected entities, as set forth in the MSR and the Record of Proceedings. The MSR states that population estimates within the proposed project area are difficult to determine because U.S. Census blocks do not correspond well with the proposed project area boundaries. However, the 2010 U.S. Census estimated the Sacramento County population at 1,418,788 with an estimated increase to 1,803,872 by 2030. In addition, growth assumptions within the SOIA Area are projected at 20,685 households, 31,534 non-retail units and 3,967 retail units.

28. The City operates at an efficient level and utilizes cost avoidance opportunities when available, as demonstrated in the MSR and the Record of Proceedings.

29. The City's rates and fees are reasonable compared to other comparable cities' and demonstrates efficient management of its rate structuring opportunities, as set forth in the MSR and the Record of Proceedings.

30. The City maximizes its opportunities to share facilities where possible, as set forth in the MSR and the Record of Proceedings.

31. The City's organizational structure allows for reorganization of service providers as demonstrated by the MSR and the Record of Proceedings.

32. Based upon its current fees and rates and management structure, the City has demonstrated management efficiencies.

33. The City is governed by five locally elected City Council members, including one elected Mayor.

34. The MSR is current as it was submitted in August 2013.

35. In the MSR, the City demonstrated a projected need for service based upon population projections and the inadequacy of the City's infill capacity to accommodate expected growth. These findings are based upon this Resolution, the Record of Proceedings, and the Executive Officer's Report.

36. The MSR includes determinations with respect to each of the following: (1) growth and population projections for the affected area; (2) present and planned capacity of public facilities; (3) location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence; (4) infrastructure needs or deficiencies, including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence; (5) financing ability, constraints and opportunities of agencies to provide services; (6) Cost avoidance opportunities; (7) opportunities for rate restructuring; (8) status of and opportunities for shared facilities; (9) accountability for community service needs, including local government structure, accountability, governance, and operational efficiencies; and (10) matters related to the effective and efficient delivery of service.

37. In the MSR, the Commission comprehensively reviewed all of the agencies that provide the identified service or services within the designated geographic area.

38. The MSR includes statements for each existing district specifying the functions or classes of services provided by those districts. The MSR also establishes the nature, location, and extent of any functions or classes of services provided by existing districts.

39. The MSR prepared by the City and LAFCo includes an assessment of services and providers and states how providers will implement the proposed development contemplated by the SOIA. Through this analysis, the Commission concludes that there are no Spheres of Influence of overlapping jurisdictions.

40. The MSR concludes that adequate services, including water, wastewater, drainage and flood control, solid waste and recycling, circulation and roadways, fire protection and emergency medical response, law enforcement, animal control, code enforcement, parks and recreation, libraries, and electricity and natural gas will be provided within the timeframe needed by the inhabitants of the area included within the proposed project area.

41. Existing land use and a reasonable projection of land uses which would occur if services were provided consistent with the updated MSR are considered in the MSR.

42. Maps indicating existing and proposed facilities and the timing of proposed facilities are included in the MSR and Financing Plan.

43. The nature of each service to be provided is discussed in detail in the MSR. It discusses how water, wastewater, drainage and flood control, solid waste and recycling, circulation and roadways, fire protection and emergency medical response, law enforcement, animal control, code enforcement, parks and recreation, libraries, and electricity and natural gas will be provided within the timeframe needed by the inhabitants of the area included within the ERA Area.

44. The service level capacity to be provided, the anticipated service level, and all actions, improvements, or construction necessary to reach required service levels, including costs and financing methods, are discussed in detail in the MSR.

45. The Commission has reviewed and continues to have access to all district enabling legislation pertinent to the provision of services and annexations, including the Cortese-Knox-Hertzberg Act (Government Code §§ 56000-57550) and the Municipal Utilities District Act (Public Utilities Code §§ 11501-14403.5 and specifically §§ 12801-12827).

46. The MSR identifies possible savings occurring as a result of the action. The report prepared for the SOIA discusses projected revenues, costs, and benefits associated with any future proposed annexation. It is referenced in the MSR in sections 4.0, 5.0, and 6.0.

47. Existing and five-year population projections are incorporated by reference from the City's Application throughout the MSR's various analyses of infrastructure circumstances and requirements.

48. In this Resolution, the Commission has made determinations regarding approval of the ERA, placed terms and conditions on approval of the SOI, and made determinations of the municipal services in the affected area. Based upon the conclusions in the MSR, the Record of Proceedings, and the Executive Officer's Report, the Commission concludes that the City will be able to efficiently assure reliable services at an acceptable cost to any future residents within the ERA.

49. The MSR was prepared in compliance with the Cortese-Knox-Hertzberg Act and Commission policies.

BE IT FURTHER RESOLVED by the Commission that the Executive Officer:

50. Shall mail a certified copy of this Resolution to the affected governmental agencies whose boundaries are affected by the Resolution;

51. Shall file a certified copy of this Resolution with the Clerk of the Board of Supervisors of the Sacramento County; and

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution No. 2013-13-1106-09-10 was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this _____ day of _____, 2013, by the following vote to-wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY
FORMATIONCOMMISSION

ATTEST:

Commission Clerk

EXHIBIT B
Elk Grove SOIA (LAFC #09-10)
Enhanced Regional Alternative

APN

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