

**ADMINISTRATIVE DRAFT
CEQA FINDINGS OF FACT
OF THE
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
FOR THE
CITY OF GALT SPHERE OF INFLUENCE AMEDMENT
ENVIRONMENTAL IMPACT REPORT**

NOVEMBER 2010

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I. INTRODUCTION

The Environmental Impact Report (“EIR”) prepared for the City of Galt Sphere of Influence (SOI) Amendment project (the “Project”) addresses the potential environmental effects associated with constructing and operating the Project. These findings have been prepared to comply with requirements of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, §21000 *et seq.*) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 *et seq.*). These findings refer to the Draft EIR (“DEIR”) or Final EIR (“FEIR”) where the material appears in either of those documents.

CEQA, Public Resources Code §21000 *et seq.*, generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project.

CEQA treats the required SOI Amendment as a project that requires environmental review. The “Project” for purposes of CEQA is the approval of the Sphere of Influence Amendment by the Sacramento Local Agency Formation Commission (LAFCo) to permit the City of Galt to amend its Sphere of Influence as identified in the Galt General Plan Update: 2030. If the Project can be defined as having significant impacts on the environment, then an EIR must be prepared.

In order to effectively evaluate any potentially significant environmental impacts of the proposed project, an EIR has been prepared. The EIR is an informational document that serves to inform the agency decision-making body and the public in general of any potentially significant environmental impacts. The preparation of an EIR also serves as a medium for identifying possible methods of minimizing any significant effects and assessing and describing reasonable alternatives to the project.

The EIR for this Project was prepared by the Sacramento LAFCo as the “lead agency” in accordance with CEQA and has been prepared to identify and assess the anticipated effects of the Project. In efforts to streamline the environmental review of the proposed SOI Amendment, the Sacramento LAFCo re-used the City’s recently adopted (2009) General Plan Update: 2030 EIR (GPU: 2030 EIR) to evaluate the SOI Amendment. Section 15153 of the State CEQA Guidelines regulates the later use of an EIR from an earlier project on a new project. Summarily, this Guideline requires that prior to using the previous EIR, a lead agency such as LAFCo must determine that the EIR adequately establishes the environmental setting of the new project, that it identifies the significant effects of the new project, and that it identifies mitigation measures or alternatives related to each significant effect. To determine if the EIR adequately accomplishes this, LAFCo is required to prepare an Initial Study (CEQA Guidelines §15153(b)(1)). If LAFCo is able to answer these questions in the affirmative, LAFCo is then permitted to reuse the City’s EIR for its review of the SOI Amendment project.

As shown in the DEIR for the proposed SOI Amendment, LAFCo has determined that reuse of the EIR is appropriate. In essence, the City’s certified EIR was used as LAFCo’s Draft EIR evaluating the SOI Amendment project. Therefore, the Galt SOI Amendment EIR (SOIA EIR) is composed of the Draft Environmental Impact Report for the 2030 Galt General Plan, the Final Environmental Impact Report for the 2030 Galt General Plan, and the Environmental Checklist Evaluating the Suitability of the Galt General Plan Update: 2030 Environmental Impact Report to Assess the City of Galt SOI Amendment Project.

II. TERMINOLOGY OF FINDINGS

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. Once an EIR has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified area of impact:

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

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

- The terms “mitigation measures” or “environmental commitments” shall constitute the “changes or alterations” discussed above.
- The term “avoid or substantially lessen” will refer to the effectiveness of one or more of the mitigation measures, environmental commitments, or alternatives to reduce the severity of an environmental effect.
- The term “feasible,” pursuant to the CEQA Guidelines, means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

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

III. DEFINITIONS

“APCD” means Air Pollution Control District

“AQMD” means Air Quality Management District

“AQMP” means Air Quality Mitigation Plan

“CARB” means California Air Resources Board

“CCSDFD” Cosumnes Community Services District Fire Department

“CEQA” means California Environmental Quality Act

“CO₂” means carbon dioxide

“CVFPP” means Central Valley Flood Protection Plan

“DEIR” means Draft Environmental Impact Report for the Galt SOI Amendment project, dated July 2010

“EIR” means Environmental Impact Report for the Galt SOI Amendment project, including the DEIR and the FEIR

“Environmental Commitment” means project changes and conditions included as part of the project by the City of Galt, developed in cooperation with Sacramento LAFCo from April to June 2010, in order to reduce or avoid the potential adverse impacts of the project. The environmental commitments will be made binding requirements of the City by LAFCo as conditions of approving the SOIA project. See Section IV.D, *Environmental Commitments*, of these Findings for the terms and conditions of the commitments.

“FEIR” means Final Environmental Impact Report for the Galt SOI Amendment project, dated October 2010

“GAQA” means Guide to Air Quality Assessment

“GHG” means Greenhouse Gas

“GPU: 2030 EIR” means City of Galt General Plan Update: 2030 Draft Environmental Impact Report, dated July 2008, and Final Environmental Impact Report, dated March 2009

“IS” means Initial Study

“Leq” means Equivalent Sound Level

“LOS” means Level of Service

“MRP” means Monitoring and Reporting Program for the Galt SOI Amendment project, dated October 2010

“MSR” means Municipal Services Review

“NO_x” means nitrogen oxides

“NPDES” means National Pollutant Discharge Elimination System

“PM₁₀” means particulate matter with a diameter of 10 microns or less

“PM_{2.5}” means particulate matter with a diameter of 2.5 microns or less

“RWQCB” means Regional Water Quality Control Board

“ROG” means reactive organic gases

“SACOG” means Sacramento Area Council of Governments

“SIP” means State Implementation Plan for the Sacramento Ozone Non-attainment Area

“SMAQMD” means Sacramento Metropolitan Air Quality Management District

“SSHCP” means South Sacramento Habitat Conservation Plan

“SOIA EIR” means City of Galt Sphere of Influence Amendment Environmental Impact Report, including the DEIR and the FEIR

IV. PROJECT DESCRIPTION

A. PROJECT LOCATION

The City of Galt is located on State Route 99 in southern Sacramento County between the cities of Elk Grove and Lodi. The City is located 26 miles south of the Sacramento metropolitan area and 24 miles north of the Stockton metropolitan area. Twin Cities Road connects Galt west to I-5, and State Route 104 provides access to the Sierra Nevada and various foothill communities to the east of the City. Low density Agricultural/Residential development, agricultural lands, and the Cosumnes River Preserve surround the City. See SOIA DEIR Figure 1 for the project area map. (SOIA DEIR pps. 1 and 2)

B. PROJECT DESCRIPTION

LAFCo is considering an application by the City of Galt for a Sphere of Influence Amendment that includes both a detachment of lands on the western boundary of the existing SOI, and the addition of lands north of Twin Cities Road between the Union Pacific Railroad Mainline and Cherokee Lane to the east.

As proposed, the City of Galt SOI Amendment consists of both an added area (Area A) of approximately 1,053 acres and the detachment of territory (Area B) of approximately 1,613 acres from the current SOI (see SOIA DEIR Figure 2). The amended SOI would result in a net decrease of approximately 560 acres from the existing SOI. Project Area A is not located within the existing

Sphere of Influence, but is adjacent to the northern boundary of the City. Placement of Area A within the City's SOI boundary would indicate that LAFCo acknowledges that Area A is a location appropriate for future urbanization and annexation to the City of Galt.

The area to be detached from the current SOI (Area B) is located within the jurisdiction of Sacramento County; the detachment area has not been annexed by the City nor are any municipal utility services provided by the City. (SOIA DEIR pps. 4 and 7)

C. PROJECT OBJECTIVES

The objectives of the City of Galt are:

- To provide a logical and reasonable future physical boundary of the City of Galt; and,
- To aid in the comprehensive planning of future land uses in the project area. (SOIA DEIR p. 3)

D. ENVIRONMENTAL COMMITMENTS

The City has incorporated the following environmental commitments as a component of the project application for the proposed City of Galt SOI Amendment. These environmental commitments will be included as conditions of approval of the proposed Galt SOI Amendment.

1. Important Farmland and Open Space Resources

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will identify lands to be set aside in permanent conservation easements at a ratio of one open space acre converted to urban land uses to one-half open space acre preserved and at a ratio of one agriculture acre converted to urban land uses to one-half agriculture acre preserved. Stacking of mitigation values will be permitted in order to serve multiple overlapping conservation purposes. The total acres of land conserved will be based on the total on-site open space and agriculture acreage converted to urban uses. Conserved open space and agriculture areas may include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake, Swainson's hawk habitat), or additional land identified by the City. (SOIA DEIR p. 22)

2. Habitat Preservation – South Sacramento County Habitat Conservation Plan (SSCHCP)

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will either demonstrate participation with the SSCHCP or provide mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species. The City will continue to mitigate impacts on special habitats and endangered species in consultation with applicable Federal and State agencies prior to adoption of the SSCHCP. (SOIA DEIR p. 22)

3. Development in Floodplain Areas

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will demonstrate compliance with the Central Valley Flood Protection Plan (CVFPP) (as adopted), and with the regulations of all other applicable federal, state, and local agencies. (SOIA DEIR p. 22)

4. SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the Sacramento Area Council of Governments (SACOG) regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

5. Greenhouse Gases and Climate Change

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will demonstrate compliance with Policy COS 7-1 of the City's 2030 General Plan as set forth below:

Policy COS-7.1: Greenhouse Gas Emission Reduction

The City shall reduce greenhouse gas emissions from City operations as well as from private development in compliance with the California Global Warming Act of 2006 and any applicable State regulations. To accomplish this, the City will coordinate with the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the California Air Resources Board in developing a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions. The plan will parallel the requirements adopted by the California Air Resources Board specific to this issue. Specifically, the City will work with the SMAQMD to include the following key items in the Plan:

- *Inventory all known, or reasonably discoverable, sources (both public and private) of greenhouse gases in the City;*
- *Inventory estimated 1990 greenhouse gas emissions based on available data, the current level, those projected for the 2020 milestone year (consistent with AB32), and that projected for the year 2030;*
- *Set a target for the reduction of emissions attributable to the City's discretionary land use decisions and its own internal government operations, and;*
- *Identify specific actions that will be undertaken by the City to meet the emission reduction targets set by the City. (SOIA DEIR p. 23)*

6. Timely Availability of Sustainable Water Supplies Adequate for Projected Needs

Prior to submittal of any application to annex territory within the SOI Amendment area, the City of Galt 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 buildout of the annexation territory, with no adverse impact to existing ratepayers. (SOIA DEIR p. 23)

7. Adequate Services

Wastewater Services and Capacity. At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will submit a Plan for Services that demonstrates that sufficient capacity improvements at its wastewater treatment plant (WWTP) have been constructed, or will be constructed commensurate with demand, to accommodate the buildout of the annexation area with no adverse impact to existing ratepayers. (SOIA DEIR p. 23)

Solid Waste Capacity. At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will identify services 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 annexation area. (SOIA DEIR p. 23)

8. Housing Element

At the time of submittal of any application to annex territory within the amended SOI Area, the City of Galt will confirm that any development planned for the area to be annexed is consistent with the adopted Galt 2030 General Plan Housing Element. (SOIA DEIR p. 24)

9. Air Quality Mitigation Plans

AQ MEASURE 1: The goal of this mitigation measure is to avoid air quality impacts by ensuring that the Galt SOI Amendment 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 Galt and the SOI Amendment area:

At the time of submittal of any application to annex territory within the Sphere of Influence (SOI) Amendment area, the City of Galt will prepare an Air Quality Mitigation Plan (AQMP).

- a. The Plan must reduce the SOI Amendment's operational ozone precursor emissions by 35% when compared to the potential emissions that could occur in the SOI Amendment in the absence of the policies and measures included in the AQMP.
- b. The City of Galt will coordinate the development of the AQMP with the SMAQMD and SACOG, and will use modeling tools approved by those agencies to gauge the effectiveness of the measures.

- AQ MEASURE 2 (Alternative air quality mitigation):

The AQMP required under AQ MEASURE 1 will be required to demonstrate a 15% reduction in ozone precursor emissions if the following conditions are met.

- a. The application for annexation of the SOI Amendment area or any portion thereof occurs after the June 15, 2019 SIP attainment deadline, and the SMAQMD confirms the ozone standards have been achieved.
- b. The City of Galt demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis. If the demonstration uses modeling tools, the tools must be approved by SMAQMD and SACOG. (SOIA DEIR p. 24)

E. DISCRETIONARY ACTIONS

In order to approve the Galt SOI Amendment project, LAFCo must:

- CEQA determination that the project is within the scope of the previously certified Final Environmental Impact Report (FEIR) prepared for the City of Galt General Plan: 2030 as supported by the analysis in the Initial Study; that none of the factors described in CEQA Guidelines §15162 (a) (1), (2) & (3) exist; and, that the conditions, environmental conclusions, and mitigation measures that were adopted with the City of Galt General Plan: 2030 EIR are adequate to address the SOI Amendment request.
- Adopt CEQA Findings and Mitigation Monitoring Plan.
- Consider approval of an amendment of the City of Galt Sphere of Influence.

V. BACKGROUND

A. PROJECT HISTORY

The Draft SOIA EIR (SOIA DEIR) was circulated locally and with the State Clearinghouse (SCH# 2010072039) from July 14, 2010, to August 30, 2010. A notice of availability was posted on the Sacramento LAFCo website (<<http://www.saclafco.org>>) and published in the Galt Herald newspaper on July 14, 2010. Additionally, a noticed public meeting was held by the Sacramento LAFCo during a regular Commission meeting on August 4, 2010 to take public input and to review the Draft EIR. The Sacramento LAFCo received three written comments on the DEIR during the review period (FEIR p. 2-1).

Subsequent to the receipt of comments on DEIR, LAFCo prepared a Final EIR that responded to all comments received on the DEIR. This FEIR, which incorporates all of the environmental analyses contained in the DEIR (as modified in response to comments) was circulated for public and agency review in October 2010.

Together, the following documents compose the EIR for the Galt SOI Amendment project:

- DEIR (July 2010)
- FEIR (October 2010)

Section 15132 of the CEQA Guidelines governs the contents of a FEIR. As required by §15132, a FEIR shall consist of the DEIR or a revision to the draft; comments and recommendations received on the DEIR; a list of those commenting on the DEIR; and the responses of the lead agency to significant environmental points raised in the comments. For the SOIA EIR, these requirements may be found in the following documents:

Guidelines §15132 Content Requirement	DEIR (7/2010)	FEIR (10/2010)
DEIR	X	
Comments Received on DEIR		X
List of Commentors		X
Responses to Comments		X

VI. RECORD OF PROCEEDINGS

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

- The EIR for the Galt SOI Amendment project, including both the DEIR and the FEIR, and including all documents referred to or relied upon therein, and documents relied upon or referenced in these findings, which include, but are not limited to the following:
 - Draft Environmental Impact Report for the 2030 Galt General Plan;
 - Final Environmental Impact Report for the 2030 Galt General Plan;
 - Environmental Checklist Evaluating the Suitability of the Galt General Plan Update: 2030 Environmental Impact Report to Assess the City of Galt SOI Amendment Project;

Technical appendices.

- All comments and correspondence submitted to LAFCo with respect to the Project, in addition to timely comments on the DEIR;
- The Mitigation Monitoring and Reporting Program for the Project;

All applications for approvals and development entitlements related to the Project and submitted to LAFCo;

- All findings and resolutions adopted by LAFCo decision makers in connection with the Project, and all documents cited or referred to therein;
- City of Galt Resolution No 2009-28: Resolution of the City Council of the City of Galt, California, Certifying an EIR, Approving a Mitigation Monitoring Program, Adopted CEQA Findings, Approving a Statement of Overriding Considerations, and Adopting the 2030 General Plan;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by LAFCo, consultants to LAFCo, and responsible or trustee agencies with respect to LAFCo's compliance with the requirements of CEQA and with respect to LAFCo's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing on November 3, 2010;
- Minutes and/or verbatim transcripts of all public meetings and public hearings held by LAFCo in connection with the Project;
- Any documentary or other evidence submitted to LAFCo at such public meetings and public hearings;

The relevant files of LAFCo for the Project;

- Matters of common knowledge to LAFCo, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and,
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6 subdivision (e).

The custodian of the documents comprising the record of proceedings is Peter Brundage, Executive Officer, Sacramento Local Agency Formation Commission, 1112 I Street, Suite 100, Sacramento, California 95814.

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

VII. FINDINGS REQUIRED UNDER CEQA

A. STATE CEQA GUIDELINES SECTION 15091 FINDINGS

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

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

manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations (see also Citizens of Goleta Valley v. Board of Supervisors (“Goleta II”) (1990) 52 Cal.3d 553, 565).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417). “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” (Ibid.; see also Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715).

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

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

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

Moreover, although section 15091 of the CEQA Guidelines, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency (CEQA Guidelines §15091 (a), (b)).

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects" (CEQA Guidelines §§ 15093, 15043(b); see also Pub. Resources Code §21081(b)). The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced" (*Goleta II*, 52 Cal.3d 553, 576).

These findings reflect the independent judgment of LAFCo and constitute its best efforts to set forth the rationales and support for its decision under the requirements of CEQA.

B. STATE CEQA GUIDELINES SECTION 15153 FINDINGS

As discussed in Section I., *Introduction*, of these Findings, LAFCo is reusing the City of Galt's recently adopted GPU: 2030 EIR to evaluate the SOI Amendment and streamline environmental review. Section 15153 of the State CEQA Guidelines regulates the later use of an EIR from an earlier project on a new project, and requires that prior to using the previous EIR, LAFCo must determine: (1) that the EIR adequately establishes the environmental setting of the new project, that (2) it identifies the significant effects of the new project, and that (3) it identifies mitigation measures or alternatives related to each significant effect. An Initial Study entitled "Environmental Checklist Evaluating the Suitability of the Galt General Plan Update: 2030 Environmental Impact Report to Assess the City of Galt SOI Amendment Project" has been prepared to determine if the EIR adequately accomplishes this (CEQA Guidelines §15153(b)(1)). See Section X., *Findings on the Applicability of the General Plan Update: 2030 EIR*, of this document for LAFCo's specific findings pursuant to CEQA Guidelines §15153.

VIII. LEGAL EFFECTS OF FINDINGS

To the extent that these findings conclude that various proposed environmental commitments outlined in the FEIR are feasible and have not been modified, superseded or withdrawn, LAFCo hereby commits itself to require their implementation by including these measures as conditions of approval. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when LAFCo approves the Project.

The environmental commitments are referred to in the Monitoring and Reporting Program (MRP) adopted concurrently with these findings, and will be effectuated through the process of constructing and implementing the Project. All of the feasible measures that will avoid or substantially lessen the significant effects of the Galt SOI Amendment project are binding upon the City of Galt at the time of approval of the Galt SOI Amendment project.

IX. MONITORING AND REPORTING PROGRAM

A MRP has been prepared for the Project and has been adopted concurrently with these Findings (see Pub. Resources Code, §21081.6 (a)(1)). Since the DEIR for the City of Galt SOI Amendment project included re-use of the City's GPU: 2030 EIR, mitigation measures adopted in the City's GPU: 2030 EIR were carried forward in the SOI Amendment project. As described below, all of the mitigation measures are the responsibility of the City or other agencies, and generally require the adoption or modification of General Plan Policies. Therefore, the anticipated finding for all of the measures would be that "[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" (CEQA Guidelines §15091(a)(2)). Since none of the mitigation measures in the GPU: 2030 EIR are within the jurisdiction of LAFCo, and no findings required in subdivision (a)(1) would be made for the SOI Amendment project, a monitoring program for these measures would not be required.

The environmental commitments listed in Section IV D and pages 22-24 of the SOIA DEIR have been incorporated into the project and will be made conditions of approval by LAFCo. CEQA Guidelines §15091(d) specifies that when making the finding that "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 final EIR" (CEQA Guidelines §15091(a)(1)), then a monitoring program for these measures would be required:

"When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures" (CEQA Guidelines §15091(d)).

Because these conditions of approval would avoid or substantially lessen potentially significant environmental effects, in accordance with CEQA Guidelines §§ 15091(d) and 15097(a), a program for monitoring implementation of these conditions has been prepared.

X. FINDINGS ON THE APPLICABILITY OF THE GENERAL PLAN UPDATE: 2030 EIR

LAFCo finds that the GPU: 2030 EIR is applicable for reuse in evaluating the SOI Amendment project in accordance with CEQA Guidelines §15153 as described above in Section VII.B of these Findings. The only significant limitation on the reuse of a previous EIR is that such reuse is not permitted if any of the factors regarding changed conditions set forth in CEQA Guidelines §15162 apply. Once an environmental analysis has been performed for a project such as the City of Galt General Plan Update: 2030, no subsequent EIR is required under CEQA unless LAFCo determines, on the basis of substantial evidence and in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR ... was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR...;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. (CEQA Guidelines §15162(a))

The Initial Study prepared for the SOI Amendment project demonstrates that the EIR certified for the City of Galt General Plan: 2030 adequately establishes the environmental setting of the SOI Amendment project, that it identifies the significant effects of the SOI Amendment project, and that it identifies mitigation measures or alternatives related to each significant effect identified in the City of Galt General Plan: 2030 EIR in accordance with CEQA Guidelines §15153. Further, the Initial Study demonstrates that none of the conditions described above in State CEQA Guidelines §15162 exist. The “Environmental Checklist Evaluating the Suitability of the Galt General Plan Update: 2030 Environmental Impact Report to Assess the City of Galt SOI Amendment Project” is hereby incorporated by reference pursuant to State CEQA Guidelines §15150 as though fully set forth herein. A summary of the conclusions made in the Environmental checklist is included below.

The purpose of the Environmental Checklist is to evaluate the categories in terms of any “**changed condition**” that may result in a changed environmental result. For each impact identified in the Galt General Plan Update: 2030 EIR, the applicability of that analysis for the Galt SOI Amendment project was evaluated in accordance with State CEQA Guidelines §15162 subsections (1), (2), and (3) as follows below.

Do Proposed Changes Involve New Impacts? Pursuant to Section 15162(a)(1) of the CEQA Guidelines, the checklist evaluates whether the changes represented by the City of Galt SOI Amendment project will result in new impacts that have not already been considered and mitigated by the 2009 FEIR for the Galt General Plan Update: 2030 or substantially increase the severity of a previously identified impact.

Finding: As a result of the analysis, no new mitigations were found to be necessary.

Any New Circumstances Involving New Impacts? Pursuant to Section 15162(a)(2) of the CEQA Guidelines, the checklist is required to evaluate whether there have been changes to the project site or the vicinity (environmental setting) which have occurred subsequent to the certification of the 2009 FEIR, which would result in the component project having significant impacts that were not considered or mitigated by the 2009 FEIR or which substantially increase the severity of a previously identified impact.

Finding: As a result of the analysis, no new circumstances involving new impacts were identified.

Any New Information Requiring New Analysis or Verification? Pursuant to Section 15162(a)(3) of the CEQA Guidelines, the checklist is required to evaluate whether new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 2009 FEIR was adopted is available, requiring an update to the analysis of the EIR to verify that the environmental conclusions and mitigations remain valid. The new information could show that: (A) the project will have one or more significant effects not discussed in the certified 2009 FEIR; or (B) that significant effects previously examined will be substantially more severe than shown in the certified 2009 FEIR; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives that are considerably different from those analyzed in the certified 2009 FEIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

Finding: As a result of the analysis, no new circumstances involving new or more significant impacts were identified.

FEIR Mitigations Implemented or Address Impacts. Pursuant to Section 15162(a)(3) of the CEQA Guidelines, the checklist is required to evaluate whether the 2009 FEIR provides mitigations to address effects in the related impact category and identifies mitigation adopted with the FEIR.

Finding: As a result of the analysis, mitigation, where available, is identified for all significant impacts, and the checklist identifies all of these mitigation measures.

Based on the information in the comparative environmental checklist, for impacts that may be reduced below a level of significance, LAFCo finds that the mitigations from the certified DEIR and the FEIR for the City of Galt General Plan Update: 2030 remain adequate in addressing impacts from the City of Galt SOI Amendment project. All mitigation measures identified for significant impacts in the DEIR/FEIR and adopted by the City continue to remain the responsibility of the City as part of implementation of the General Plan. Though changes in the project or its circumstances have occurred since certification of the FEIR, mitigation measures adopted for impacts to the resources shown above would continue to be in effect with the proposed project, and

no impacts not previously evaluated would be expected. Further, the City has included several project environmental commitments to ensure the provision of adequate services. With these project commitments, impacts due to adverse effects to wastewater and solid waste services have been reduced from significant and unavoidable to less than significant levels. LAFCo finds that none of the circumstances described in Section 15162 (a) (1), (2), and (3) of the State CEQA Guidelines exist and therefore no additional environmental documentation is required.

XI. LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS

The Galt SOI Amendment EIR identified numerous environmental impacts for the project that were found to be less than significant, and therefore do not require mitigation. Based on the SOIA EIR, the GPU: 2030 EIR, and the information contained in the record, LAFCo finds that the following impacts associated with the Project would be less than significant and therefore do not require mitigation:

1. *Less-than-Significant Impact 4.2-1: The Proposed Project could physically divide an established community.* Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in the potential division of an established community. Policies and implementation measures included as part of the proposed Project that would minimize this impact are summarized p. 62 of the SOIA DEIR. (SOIA DEIR pps. 61 to 62; GPU: 2030 DEIR pps. 4-3 to 4-4; GPU: 2030 EIR Findings p. 12)
2. *Less-than-Significant Impact 4.2-2: Development resulting from the Proposed Project could conflict with an adopted applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.* Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in the potential conflicts with other adopted plans. Policies and implementation measures included as part of the General Plan Update that would minimize this impact are summarized on p. 62 of the SOI Amendment DEIR. The policies and implementation measures in the General Plan Update will guide growth and help ensure that future projects will not conflict with other land use plans or policies. (SOIA DEIR pps. 61 to 62; GPU: 2030 DEIR pps. 4-4 to 4-6; GPU: 2030 EIR Findings pps. 12 to 13)
3. *Less-than-Significant Impact 4.2-4: Development resulting from the Proposed Project could conflict with an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP).* Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in the potential conflicts with other adopted plans. Policies included as part of the General Plan Update (summarized on p. 63 of the SOIA DEIR) have been designed to promote consistency with the appropriate planning documents of other key neighboring land use agencies including the proposed South Sacramento Habitat Conservation Plan (SSHCP). Further, the City of Galt has included commitments as part of the project application that requires demonstrating participation with the SSHCP or providing mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species (see Environmental Commitment #2: Habitat Preservation – South Sacramento County Habitat Conservation Plan in Section IV.D

above). LAFCo finds that the above environmental commitment incorporated into the SOI Amendment project would further minimize impacts to biological resources as identified in the GPU: 2030 EIR, and this impact would remain less than significant. (SOIA DEIR pps. 61 to 62; GPU: 2030 DEIR pps. 4-8 to 4-9; GPU: 2030 EIR Findings pps 13 to 14)

4. Less-than-Significant Impact 5.2-2: The Proposed Project would exceed, either individually or cumulatively, a level of service standard established by the City on facilities that do not connect with regional facilities. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in circulation and transportation impacts at some intersections and roadway facilities where it is not possible to achieve the City's desired level of service (GPU: 2030 DEIR Section 5.2, Tables 5-6 and 5-7 identify impacted intersections, including regional interchanges). Policies included as part of the General Plan Update (summarized on p. 75 of the SOIA DEIR) and physical improvements identified in the GPU would reduce traffic impacts on City facilities to less than significant. (SOIA DEIR pps. 73 to 75; GPU: 2030 DEIR pps. 5-20 to 5-21; GPU: 2030 EIR Findings p. 15)
5. Less-than-Significant Impact 5.2-4: The Proposed Project would result in inadequate parking capacity. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area may require that additional parking be provided for new development to ensure adequate parking is available. Policies included as part of the General Plan Update (summarized on p. 76 of the SOIA DEIR) would reduce parking capacity impacts to less than significant. (SOIA DEIR pps. 73 to 76; GPU: 2030 DEIR pps. 5-23 to 5-24; GPU: 2030 EIR Findings pps. 15 to 16)
6. Less-than-Significant Impact 5.2-5: The Proposed Project would conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area may require alternative transportation modes to support adopted policies and programs for transportation alternatives. Policies included as part of the General Plan Update (summarized on pps. 76 to 77 of the SOIA DEIR) would reduce impacts due to conflicts with adopted policies, plans, or programs supporting alternative transportation to less than significant. In addition, the City of Galt has included commitments as part of the project application that could reduce traffic related impacts by requiring consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan (see Environmental Commitment #4: SACOG Blueprint and Metropolitan Transportation Plan Consistency in Section IV.D above). LAFCo finds that the above environmental commitment incorporated into the SOI Amendment project would further minimize conflicts with adopted policies, plans, or programs supporting alternative transportation as identified in the GPU: 2030 EIR, and this impact would remain less than significant. (SOIA DEIR pps. 73 to 77; GPU: 2030 DEIR pps. 5-24 to 5-25; GPU: 2030 EIR Findings p. 16)

7. Less-than-Significant Impact 6.2-1: The Proposed Project would require new or expanded water supply entitlements. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for utilities and service systems. The City's 2005 UWMP identified groundwater supplies as being adequate to serve the projected population of the GPU, and the UWMP would be updated every five years. In addition, the City of Galt has included commitments as part of the project application that would further minimize impacts to adequate water supplies by providing a Plan for Services that demonstrates compliance with Federal Clean Drinking Water Act standards; and that demonstrates sufficient, sustainable potable water supplies adequate for projected needs are available to accommodate the buildout of the annexation territory, with no adverse impact to existing ratepayers (see Environmental Commitment #6: Timely Availability of Sustainable Water Supplies Adequate for Projected Needs in Section IV.D above). Future demands would be met through additional groundwater pumping, and this would be a less-than-significant impact. LAFCo finds that the above environmental commitment incorporated into the SOI Amendment project would further minimize impacts to water supply as identified in the GPU: 2030 EIR, and this impact would remain less than significant. (SOIA DEIR pps. 78 to 77; GPU: 2030 DEIR pps. 6-8 to 6-10; GPU: 2030 EIR Findings p. 16)

8. Less-than-Significant Impact 6.4-3: The Proposed Project could place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map or place within a 100-year flood hazard area structures which could impede or redirect flood flows. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased potential damage from flooding. General Plan policies and implementation programs summarized on p. 59 of the SOIA DEIR would address impacts to flood hazards from development in the project area, and this would be a less-than-significant impact. In addition, the City of Galt has included commitments as part of the project application that would further minimize impacts from development in floodplain areas by compliance with the CVFPP (as adopted), and with the regulations of all other applicable federal, state, and local agencies (see Environmental Commitment #3: Development in Floodplain Areas in Section IV.D above). LAFCo finds that the above environmental commitment incorporated into the SOI Amendment project would further minimize impacts due to flood hazards as identified in the GPU: 2030 EIR, and this impact would remain less than significant. (SOIA DEIR pps. 57 to 60; GPU: 2030 DEIR pps. 6-27 to 6-28; GPU: 2030 EIR Findings pps. 18 to 19)

9. Less-than-Significant Impact 6.4-4: The Proposed Project could expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased potential damage from flooding. General Plan policies and implementation programs summarized on pps. 59 to 60 of the SOIA DEIR would address impacts to flood hazards from development in the project area, and this would be a less-than-significant impact. In addition, the City of Galt has included commitments as part of the project application that would further minimize impacts from development in floodplain areas by compliance with the CVFPP (as adopted), and with the regulations of all other applicable federal, state, and local agencies (see Environmental Commitment #3:

Development in Floodplain Areas in Section IV.D above). LAFCo finds that the above environmental commitment incorporated into the SOI Amendment project would further minimize impacts due to flood hazards as identified in the GPU: 2030 EIR, and this impact would remain less than significant. (SOIA DEIR pps. 57 to 60; GPU: 2030 DEIR pps. 6-28 to 6-29; GPU: 2030 EIR Findings p. 19)

10. Less-than-Significant Impact 6.5-2: The Proposed Project could conflict with federal, State, and Local Statutes and Regulations related to solid waste. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in conflicts with regulations related to solid waste. General Plan policies and implementation programs summarized on p. 80 of the SOIA DEIR would require the City to promote a variety of solid waste reduction measures including solid waste recycling, the use of recycled materials, and construction debris recycling, and would minimize conflicts with regulations related to solid waste as a result of development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 78 to 80; GPU: 2030 DEIR pps. 6-33 to 6-34; GPU: 2030 EIR Findings p. 20)
11. Less-than-Significant Impact 6.6-1: The Proposed Project could result in wasteful, inefficient, or unnecessary consumption of energy by residential, commercial, industrial, or public uses. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in an increase in the City's population and an increase in the demand for additional energy. General Plan policies and implementation programs summarized on pps. 64 to 65 of the SOIA DEIR would address impacts due to the inefficient or wasteful use of energy for development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 64 to 65; GPU: 2030 DEIR pps. 6-35 to 6-36; GPU: 2030 EIR Findings pps. 20 to 21)
12. Less-than-Significant Impact 6.8-1: The Proposed Project would increase the need or use of existing law enforcement facilities such that substantial physical deterioration of the facility would occur or be accelerated in order to maintain acceptable service ratios and/or response times. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for public services, including law enforcement. General Plan policies and implementation programs summarized on p. 69 of the SOIA DEIR would address impacts to law enforcement services from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 68 to 69; GPU: 2030 DEIR pps. 6-37 to 6-38; GPU: 2030 EIR Findings p. 21)
13. Less-than-Significant Impact 6.10-1: The Proposed Project would increase the need or use of existing community facilities (such as City administration facilities) such that substantial physical deterioration of the facility would occur or be accelerated in order to maintain acceptable levels of service. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for public services, including community facilities. General Plan policies and implementation programs summarized on p. 70 of the SOIA DEIR would address impacts to community facilities from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 68 to 70; GPU: 2030 DEIR pps. 6-42 to 6-43; GPU: 2030 EIR Findings p. 22)

14. Less-than-Significant Impact 6.11-1: The Proposed Project would increase the need or use of existing school services or facilities such that substantial physical deterioration of the facility would occur or be accelerated. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for public services, including school services and facilities. General Plan policies and implementation programs summarized on p. 70 of the SOIA DEIR would address impacts to school services and facilities from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 68 to 70; GPU: 2030 DEIR pps. 6-44 to 6-45; GPU: 2030 EIR Findings pps. 22 to 23)
15. Less-than-Significant Impact 6.12-1: The Proposed Project would increase the need or use of park facilities such that substantial physical deterioration of the facility would occur or be accelerated. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for public services, including park facilities. General Plan policies and implementation programs summarized on p. 70 of the SOIA DEIR would address impacts to park facilities from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 68 to 70; GPU: 2030 DEIR pps. 6-46 to 6-47; GPU: 2030 EIR Findings p. 23)
16. Less-than-Significant Impact 8.2-2: The Proposed Project could violate water quality standards or waste discharge requirements, or otherwise degrade water quality. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased potential for water contamination. General Plan policies and implementation programs summarized on p. 58 of the SOIA DEIR would address impacts to water quality from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 57 to 58; GPU: 2030 DEIR pps. 8-8 to 8-10; GPU: 2030 EIR Findings p. 24)
17. Less-than-Significant Impact 8.4-1: The Proposed Project would result in substantial soil erosion or the loss of topsoil. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, with increased buildings and population subject to soil hazards. General Plan policies and implementation programs summarized on p. 48 of the SOIA DEIR would address impacts to soil erosion from development in the project area, and this would be a less-than-significant impact. (SOIA DEIR pps. 47 to 48; GPU: 2030 DEIR pps. 8-23 to 8-25; GPU: 2030 EIR Findings pps. 26 to 27)
18. Less-than-Significant Impact 8.4-3: The Proposed Project could conflict with existing zoning for agricultural use, or conflict with existing Williamson Act contracts. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, with increased conflicts with existing agricultural zoning and Williamson Act contracts. General Plan policies and implementation programs summarized on p. 34 of the SOIA DEIR would minimize conflicts with existing agricultural zoning and existing Williamson Act contracts from development in the project area, and this would be considered a less-than-significant impact. However, these issues may need to be evaluated in the site-specific environmental review for future development proposals. (SOIA DEIR pps. 33 to 35; GPU: 2030 DEIR pps. 8-26 to 8-27; GPU: 2030 EIR Findings p. 27)

19. Less-than-Significant Impact 8.4-4: The Proposed Project would involve other changes in the existing environment that, due to their location or nature, could result in the conversion of Important Farmlands, to non-agricultural uses. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area and would involve changes in the existing environment that could result in the conversion of important farmlands to non-agricultural uses. General Plan policies and implementation programs summarized on p. 34 of the SOIA DEIR could help minimize conflicts between agricultural and incompatible land uses, and this would be considered a less-than-significant impact. (SOIA DEIR pps. 33 to 35; GPU: 2030 DEIR pps. 8-27 to 8-28; GPU: 2030 EIR Findings p. 28)

20. Less-than-Significant Impact 10.7-5: The Proposed Project could create objectionable odors affecting a substantial number of people. Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area and would involve potential impacts from objectionable odors. General Plan policies and implementation programs summarized on p. 38 of the SOIA DEIR could help minimize impacts due to odors, and this would be considered a less-than-significant impact. (SOIA DEIR pps. 35 to 38; GPU: 2030 DEIR pps. 10-56 to 10-57; GPU: 2030 EIR Findings pps. 38 to 39)

XII. LESS THAN SIGNIFICANT EFFECTS FOLLOWING MITIGATION

Since the DEIR for the City of Galt SOI Amendment project included re-use of the City's General Plan Update: 2030 Program EIR, mitigation measures adopted in the City's GPU: 2030 EIR were carried forward in the SOI Amendment project. The SOIA DEIR identified several significant environmental effects (or "impacts") that approval and implementation of the Galt SOI Amendment project could cause. Many significant effects were avoided altogether because the proposed Project contains requirements or is situated in such a way that prevents the occurrence of significant effects in the first place. For other effects, additional mitigation is identified in the GPU: 2030 EIR that would reduce the effects to a level of less than significant. However, LAFCo finds that for all of the measures identified below, "[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" (CEQA Guidelines §15091(a)(2)). Project modification or alternatives are not required where the responsibility for modifying the project lies with some other agency (CEQA Guidelines §15091 (a) and (b)). The City has adopted CEQA Findings and a mitigation monitoring program for these measures (Resolution No 2009-28), and no further action with respect to these measures would be required by LAFCo. The impacts, explanation, and mitigation measures adopted by the City are summarized below.

1. Impact 4.2-3: Development resulting from the Proposed Project could conflict with an adopted applicable airport land use compatibility plan.

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which could result in conflicts with other adopted plans. General Plan policies, implementation programs, and mitigation measures listed on p. 62 of the SOIA DEIR would address impacts to land use for development in

the project area, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 61 to 62)

Mitigation Measure 4.2-3: To mitigate airport land use compatibility impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy LU-1.15 “Caltrans Handbook Reference” into the Final General Plan: When reviewing proposed projects within a one mile radius of an airport (Mustang Airport, if approved for public use), the City shall refer to the Caltrans Airport Land Use Planning Handbook (2002) in order to identify any potential safety compatibility concerns between the airport and the proposed land use. [*New Policy – Draft EIR Analysis*] (GPU: 2030 DEIR p. 4-7; GPU: 2030 EIR Findings p. 13)

2. *Impact 6.4-1: The Proposed Project could result in increase of erosion during the construction process or cause significant changes in the flow velocity or volume of storm water runoff to cause environmental harm and the potential for significant increases in erosion of the project site and surrounding areas.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increase in impervious surfaces and thereby the amount and speed of runoff. General Plan policies, implementation programs, and mitigation measures listed on pps. 58 to 60 would address impacts to storm drainage for development in the project area, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 57 to 60; GPU: 2030 DEIR pps. 6-22 to 6-25; GPU: 2030 EIR Findings pps. 17 to 18)

Mitigation Measure 6.4-1a: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy PFS-4.3 “Stormwater Quality” into the Final General Plan: The City shall ensure compliance with Federal and State clean water standards by *continuing to monitor and enforce provisions to control non-point source, and point source water pollution contained in the U.S. Environmental Protection Agency National Pollutant Discharge Elimination System (NPDES) program. (M&A)*

Mitigation Measure 6.4-1b: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Implementation Program PFS-G “Stormwater Management Plan” into the Final General Plan: The City shall prepare, periodically update, *and implement on an ongoing basis, its Stormwater Management Plan, in coordination with other member agencies. (M&A)*

3. *Impact 6.4-2: The Proposed Project could result in an increase of the level of pollutants in storm water runoff from the post-construction activities or cause the impairment of the beneficial uses of receiving waters or areas that provide water quality benefit or cause significant harm on the biological integrity of the waterways and water bides by the discharge of stormwater.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased potential for water contamination from stormwater discharge. General Plan policies, implementation programs, and mitigation measures listed on pps. 58 to 60 would address impacts to water quality for development in the project area, and there would be a less-than-

significant impact following mitigation. (SOIA DEIR pps. 57 to 60; GPU: 2030 DEIR pps. 6-26 to 6-27; GPU: 2030 EIR Findings p. 18)

Mitigation Measure 6.4-1a: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy PFS-4.3 “Stormwater Quality” into the Final General Plan: The City shall ensure compliance with Federal and State clean water standards by *continuing to monitor and enforce provisions to control non-point source, and point source water pollution contained in the U.S. Environmental Protection Agency NPDES program.* (M&A)

Mitigation Measure 6.4-1b: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Implementation Program PFS-G “Stormwater Management Plan” into the Final General Plan: The City shall prepare, periodically update, *and implement on an ongoing basis, its Stormwater Management Plan, in coordination with other member agencies.* (M&A)

4. *Impact 6.4-5: The Proposed Project could result in an increase of the discharge of storm water from material storage areas, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased potential for contaminated stormwater discharge. General Plan policies, implementation programs, and mitigation measures listed on pps. 58 to 60 would address impacts from polluted runoff for development in the project area, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 57 to 60; GPU: 2030 DEIR pps. 6-29 to 6-31; GPU: 2030 EIR Findings p. 19)

Mitigation Measure 6.4-1a: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy PFS-4.3 “Stormwater Quality” into the Final General Plan: The City shall ensure compliance with Federal and State clean water standards by *continuing to monitor and enforce provisions to control non-point source, and point source water pollution contained in the U.S. Environmental Protection Agency NPDES program.* (M&A)

Mitigation Measure 6.4-1b: To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Implementation Program PFS-G “Stormwater Management Plan” into the Final General Plan: The City shall prepare, periodically update, *and implement on an ongoing basis, its Stormwater Management Plan, in coordination with other member agencies.* (M&A)

5. *Impact 9.2-2: The Proposed Project would cause a substantial adverse change in the significance of a unique archaeological resource as defined in CEQA Guidelines Section 15064.5, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside of formal cemeteries.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for

impacts to historic and cultural resources. General Plan policies, implementation programs, and mitigation measures listed on pps. 44 to 46 would address impacts to unique archaeological resources from development in the project area, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 43 to 46; GPU: 2030 DEIR pps. 9-6 to 9-8; GPU: 2030 EIR Findings pps. 30 to 31)

Mitigation Measure 9.2-2a: To mitigate cultural resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy HRE-4.1 “Archaeological Resource Surveys” into the Final General Plan: For future development projects on previously un-surveyed lands, the City shall require a project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the North Central Information Center located at California State University, Sacramento and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports). These requirements shall be completed prior to the approval of the specific project. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 9.2-2b: To mitigate cultural resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy HRE-4.2 “Native American Resources” into the Final General Plan: The City shall consult with Native American representatives regarding cultural resources to identify locations of importance to Native Americans, including archeological sites and traditional cultural properties. Consistent with State requirements, consultation shall occur at the onset of an amendment to the City’s General Plan or a specific plan. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 9.2-2c: To mitigate cultural resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy HRE-4.3 “Discovery of Archaeological Resources” into the Final General Plan: In the event that archaeological/paleontological resources are discovered during site excavation, the City shall require that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist. The City will require that a qualified archeologist/paleontologist make recommendations for measures necessary to protect a site or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 9.2-2d: To mitigate cultural resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy HRE-4.4 “Discovery of Human Remains” into the Final General Plan: Consistent with CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during development project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- a. *The Sacramento County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and*
 - b. *If the remains are of Native American origin,*
 - 1. *The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or*
 - 2. *The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission. [New Policy – Draft EIR Analysis]*
6. *Impact 10.3-1: The Proposed Project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 1) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; 2) strong seismic groundshaking; 3) seismic-related ground failure, including liquefaction; or 4) landslides.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, with increased buildings and population subject to seismic hazards. General Plan policies, implementation programs, and mitigation measures listed on p. 48 of the SOIA DEIR would address impacts from seismic hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 47 to 48; GPU: 2030 DEIR pps. 10-14 to 10-16; GPU: 2030 EIR Findings pps. 31 to 32)

Mitigation Measure 10.3-1: To mitigate potential seismic hazard impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-1.7 “California Building Standard Code” into the Final General Plan: The City shall continue to require that alterations to existing buildings and all new buildings be built according to the seismic requirements of the California Building Standard Code. [New Policy – Draft EIR Analysis]

7. *Impact 10.3-2: The Proposed Project could be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, with increased buildings and population subject to soil hazards. General Plan policies, implementation programs, and mitigation measures listed on p. 48 of the SOIA DEIR would address impacts from soil hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 47 to 48; GPU: 2030 DEIR pps. 10-16 to 10-17; GPU: 2030 EIR Findings p. 32)

Mitigation Measure 10.3-1: To mitigate potential seismic hazard impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-1.7 “California Building Standard Code” into the Final General Plan: The City shall continue to require that alterations to existing buildings and all new buildings be built according to the seismic requirements of the California Building Standard Code. [New Policy – Draft EIR Analysis]

7. Impact 10.3-3: The Proposed Project could be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property.

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, with increased buildings and population subject to soil hazards. General Plan policies, implementation programs, and mitigation measures listed on p. 48 of the SOIA DEIR would address impacts from soil hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 47 to 48; GPU: 2030 DEIR pps. 10-17 to 10-19; GPU: 2030 EIR Findings p. 32)

Mitigation Measure 10.3-1: To mitigate potential seismic hazard impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-1.7 “California Building Standard Code” into the Final General Plan: The City shall continue to require that alterations to existing buildings and all new buildings be built according to the seismic requirements of the California Building Standard Code. *[New Policy – Draft EIR Analysis]*

8. Impact 10.6-1: The Proposed Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials to the environment.

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for human-made hazards. General Plan policies, implementation programs, and mitigation measures listed on pps. 53 to 55 of the SOIA DEIR would address impacts from human-made hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 52 to 56; GPU: 2030 DEIR pps. 10-23 to 10-28; GPU: 2030 EIR Findings pps. 33 to 34)

Mitigation Measure 10.6-1a: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-1.2 “Inter-Agency Coordination” into the Final General Plan: The City shall cooperate with the Cosumnes Community Services District Fire Department, the Red Cross, the County and State Offices of Emergency Services, *Sacramento County Environmental Management Department*, and the Federal Office of Emergency Preparedness in their efforts to do emergency planning, evacuation planning, and public disaster education. *[Revised Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1b: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-5.4 “Rancho Seco Nuclear Generating Station” into the Final General Plan: The City should coordinate efforts with Sacramento County to plan emergency evacuation routes in the event that the Rancho Seco Nuclear Generation Station becomes an active nuclear facility in the future *and to be prepared for accidental release of radioactive wastes that are currently stored at the facility.* *[Revised Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1c: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.5 “Hazardous Materials Management” into the Final General Plan: The City shall continue to cooperate with the County and the CCSF Fire Department in the identification of hazardous material users (both large and small scale) and in the development of an inspection process and hazardous materials management plan. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1d: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.6 “Hazardous Materials Inventory” into the Final General Plan: The City shall require, as appropriate and as a component of the environmental review process or business license review/building permit review a hazardous materials inventory for project sites, including an assessment of materials and operations for any development applications. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1e: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.7 “Household Hazardous Waste Collection” into the Final General Plan: The City should continue to provide opportunities for residents to conveniently dispose of household hazardous waste. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1f: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.8 “Increase Public Awareness” into the Final General Plan: The City shall continue to work with the appropriate waste disposal service provider to educate the public as to the types of household hazardous wastes and the proper methods of disposal. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1g: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.9 “Hazardous Materials Studies” into the Final General Plan: The City shall ensure that the proponents of applicable new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1h: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new implementation program SS-D “Use, Production, or Transport of Hazardous Materials and Wastes” into the Final General Plan: The City should develop siting and enforcement criteria for businesses that use, produce, or transport hazardous materials and wastes. *[New Policy – Draft EIR Analysis]*

9. Impact 10.6-2: The Proposed Project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for human-made hazards within one-quarter mile of an existing or proposed school. General Plan policies, implementation programs, and mitigation measures listed on pps. 53 to 55 of the SOIA DEIR would address impacts to schools from human-made hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 52 to 56; GPU: 2030 DEIR pps. 10-28 to 10-31; GPU: 2030 EIR Findings p. 35)

Mitigation Measure 10.6-1a: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-1.2 “Inter-Agency Coordination” into the Final General Plan: The City shall cooperate with the Cosumnes Community Services District Fire Department, the Red Cross, the County and State Offices of Emergency Services, *Sacramento County Environmental Management Department*, and the Federal Office of Emergency Preparedness in their efforts to do emergency planning, evacuation planning, and public disaster education. *[Revised Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1b: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-5.4 “Rancho Seco Nuclear Generating Station” into the Final General Plan: The City should coordinate efforts with Sacramento County to plan emergency evacuation routes in the event that the Rancho Seco Nuclear Generation Station becomes an active nuclear facility in the future *and to be prepared for accidental release of radioactive wastes that are currently stored at the facility.* *[Revised Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1c: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.5 “Hazardous Materials Management” into the Final General Plan: The City shall continue to cooperate with the County and the CCSD Fire Department in the identification of hazardous material users (both large and small scale) and in the development of an inspection process and hazardous materials management plan. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1d: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.6 “Hazardous Materials Inventory” into the Final General Plan: The City shall require, as appropriate and as a component of the environmental review process or business license review/building permit review a hazardous materials inventory for project sites, including an assessment of materials and operations for any development applications. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1e: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.7 “Household Hazardous Waste Collection” into the Final General Plan: The City should continue to provide opportunities for residents to conveniently dispose of household hazardous waste. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1f: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.8 “Increase Public Awareness” into the Final General Plan: The City shall continue to work with the appropriate waste disposal service provider to educate the public as to the types of household hazardous wastes and the proper methods of disposal. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1g: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.9 “Hazardous Materials Studies” into the Final General Plan: The City shall ensure that the proponents of applicable new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1h: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new implementation program SS-D “Use, Production, or Transport of Hazardous Materials and Wastes” into the Final General Plan: The City should develop siting and enforcement criteria for businesses that use, produce, or transport hazardous materials and wastes. *[New Policy – Draft EIR Analysis]*

10. *Impact 10.6-3: Development under the Proposed Project could 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, could create a significant hazard to the public or the environment.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for hazards from development on hazardous materials sites. General Plan policies, implementation programs, and mitigation measures listed on pps. 53 to 55 of the SOIA DEIR would address impacts from development on hazardous materials sites, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 52 to 56; GPU: 2030 DEIR pps. 10-32 to 10-35; GPU: 2030 EIR Findings p. 35)

Mitigation Measure 10.6-1a: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-1.2 “Inter-Agency Coordination” into the Final General Plan: The City shall cooperate with the Cosumnes Community Services District Fire Department, the Red Cross, the County and State Offices of Emergency Services, *Sacramento County Environmental Management Department*, and the Federal Office of Emergency Preparedness in their efforts to do emergency planning, evacuation planning, and public disaster education. *[Revised Policy – Draft EIR Analysis]*

Mitigation Measure 10.6-1b: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy SS-5.4 “Rancho Seco Nuclear Generating Station” into the Final General Plan: The City should coordinate efforts with Sacramento County to plan emergency

evacuation routes in the event that the Rancho Seco Nuclear Generation Station becomes an active nuclear facility in the future *and to be prepared for accidental release of radioactive wastes that are currently stored at the facility.* [Revised Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1c: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.5 “Hazardous Materials Management” into the Final General Plan: The City shall continue to cooperate with the County and the CCSD Fire Department in the identification of hazardous material users (both large and small scale) and in the development of an inspection process and hazardous materials management plan. [New Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1d: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.6 “Hazardous Materials Inventory” into the Final General Plan: The City shall require, as appropriate and as a component of the environmental review process or business license review/building permit review a hazardous materials inventory for project sites, including an assessment of materials and operations for any development applications. [New Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1e: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.7 “Household Hazardous Waste Collection” into the Final General Plan: The City should continue to provide opportunities for residents to conveniently dispose of household hazardous waste. [New Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1f: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.8 “Increase Public Awareness” into the Final General Plan: The City shall continue to work with the appropriate waste disposal service provider to educate the public as to the types of household hazardous wastes and the proper methods of disposal. [New Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1g: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy SS-5.9 “Hazardous Materials Studies” into the Final General Plan: The City shall ensure that the proponents of applicable new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. [New Policy – Draft EIR Analysis]

Mitigation Measure 10.6-1h: To mitigate potential public safety impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new implementation program SS-D “Use, Production, or Transport of Hazardous Materials and Wastes” into the Final General Plan: The City should develop siting and

enforcement criteria for businesses that use, produce, or transport hazardous materials and wastes. *[New Policy – Draft EIR Analysis]*

11. *Impact 10.6-4: The Proposed Project could result in development located within an airport land use plan area or and could result in a safety hazard for people residing or working in the Study Area.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for safety hazards for people residing or working in a development located within an airport land use plan area. General Plan policies, implementation programs, and mitigation measures listed on pps. 53 to 55 of the SOIA DEIR would address impacts from airport safety hazards, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 52 to 56; GPU: 2030 DEIR pps. 10-35 to 10-38; GPU: 2030 EIR Findings pps. 35 to 36)

Mitigation Measure 4.2-3: To mitigate airport land use compatibility impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy LU-1.15 “Caltrans Handbook Reference” into the Final General Plan: When reviewing proposed projects within a one mile radius of an airport (such as Mustang Airport, if approved for public use), the City shall refer to the Caltrans Airport Land Use Planning Handbook (2002) in order to identify any potential safety compatibility concerns between the airport and the proposed land use. *[New Policy – Draft EIR Analysis]*

12. *Impact 10.7-2: The Proposed Project could conflict with or obstruct implementation of an applicable air quality plan.*

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in air quality impacts such as temporary short-term emissions due to construction activity and operational impacts from local and regional vehicle and area source emissions. Within the General Plan Update, Conservation Element policies were identified to reduce air emissions and ensure coordination with air quality planning agencies, including policy COS-5.6, which required coordination with the SMAQMD. General Plan policies, implementation programs, and mitigation measures listed on pps. 37 to 38 of the SOIA DEIR would address impacts from conflicts with the air quality plan, and there would be a less-than-significant impact following mitigation. (SOIA DEIR pps. 35 to 38; GPU: 2030 DEIR pps. 10-50 to 10-52; GPU: 2030 EIR Findings p. 37)

Mitigation Measure 10.7-1a: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.11 “Construction Mitigation Measures,” into the Final General Plan: The City shall require developers to implement dust suppression measures as well as the applicable standard construction mitigation measures associated with exhaust NO_x and PM₁₀ reduction in accordance with the current SMAQMD CEQA Guide to Air Quality Assessment. *[New Policy Draft EIR Analysis]*

Mitigation Measure 10.7-1b: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5-12 “Construction Mitigation Fees” into the Final General Plan: The City shall require developers to comply with the current SCAQMD construction mitigation fee offset program [*New Policy – Draft EIR Analysis*].

Mitigation Measure 10.7-1c: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.13 “Air Pollution Technology” into the Final General Plan: The City shall follow the rules and regulations as adopted by the SMAQMD to maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate. [*New Policy – Draft EIR Analysis*]

Environmental Commitment # 4: SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the Sacramento Area Council of Governments (SACOG) regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

Environmental Commitment # 9: Air Quality Mitigation Plans

AQ MEASURE 1: The goal of this mitigation measure is to avoid air quality impacts by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, which consists of all or parts of Yolo, Solano, El Dorado, Placer, Sutter, and Sacramento counties, including the City of Galt and the SOI Amendment area:

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will prepare an AQMP.

- a. The Plan must reduce the SOI Amendment’s operational ozone precursor emissions by 35% when compared to the potential emissions that could occur in the SOI Amendment in the absence of the policies and measures included in the AQMP.
- b. The City of Galt will coordinate the development of the AQMP with the SMAQMD and SACOG, and will use modeling tools approved by those agencies to gauge the effectiveness of the measures.

- AQ MEASURE 2 (Alternative air quality mitigation):

The AQMP required under AQ MEASURE 1 will be required to demonstrate a 15% reduction in ozone precursor emissions if the following conditions are met.

- a. The application for annexation of the SOI Amendment area or any portion thereof occurs after the June 15, 2019 SIP attainment deadline, and the SMAQMD confirms the ozone standards have been achieved.

- b. The City of Galt demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis. If the demonstration uses modeling tools, the tools must be approved by SMAQMD and SACOG. (SOIA DEIR p. 24)

Finding on the Project Environmental Commitments:

The City of Galt has included commitments as part of the project application that would further minimize air quality impacts by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, and would require consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. LAFCo finds that the above-stated project environmental commitments are made conditions of approval of the Galt SOI Amendment project. With these project commitments, any proposed annexation by the City within the SOI Amendment area would be coordinated with air quality attainment planning. This measure would further minimize conflicts with air attainment planning as identified in the GPU: 2030 EIR, and this impact would remain less than significant following mitigation.

XIII. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The SOIA DEIR identified several significant environmental effects (or “impacts”) that approval and implementation of the Galt SOI Amendment project could cause. Many significant effects were avoided altogether because the proposed Project contains requirements or is situated in such a way that prevents the occurrence of significant effects in the first place. For other effects, additional mitigation is identified in the GPU: 2030 DEIR and the FEIR that would reduce the effects to a level of less than significant. This Section XII presents in greater detail LAFCo’s findings with respect to the environmental effects of the Project.

Impact 3.2-1: The Proposed Project would substantially degrade the existing visual character or quality of the site and its surroundings (including a scenic vista). (GPU: 2030 DEIR pps. 3-2 to 3-4)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, including several permanent changes to existing views associated with new development. Although development anticipated under the proposed SOI Amendment would represent the continuation of existing city-wide land use patterns, new development within the project area is proposed on land currently used for a variety of rural residential, agricultural, and open space uses. This new development would alter the existing open space views of surrounding visible areas and contrast with the surrounding open space/agricultural environment at the edge of these new development areas. (SOIA DEIR p. 31)

Finding on Significance of Impact:

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 32-33 of the SOIA DEIR, the impact to the existing visual character of the City was considered significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard. (GPU: 2030 DEIR p. 3-3)

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation:

The City found that new development along the periphery of the existing City boundary would substantially degrade the existing visual character or quality of the site and its surroundings through the introduction of developed uses within areas currently used for open space/agricultural activities, and this impact would remain significant and unavoidable with no feasible mitigation available (GPU: 2030 EIR Findings pps. 10 to 11). The Sacramento LAFCo also finds that no feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 3.2-2: The Proposed Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (GPU: 2030 DEIR pps. 3-4 to 3-4)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Buildout of the project area would increase the amount of light and glare associated with the development of urban uses and would increase the amount of spill light and glare onto adjacent areas. (SOIA DEIR p. 31)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 32-33 of the SOIA DEIR, the impact due to light and glare would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 3.2-2a: To mitigate light and glare impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy CC-1.11 “Outdoor Lighting” into the Final General Plan: The City shall ensure that future development includes provisions for the design of outdoor light fixtures to be directed/shielded downward and screened to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 3.2-2b: To mitigate light and glare impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy CC-1.12 “Reflective Materials” into the Final General Plan: The City shall consider a range of building materials to ensure that future building design reduces the potential impacts of daytime glare. *[New Policy – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation:

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, new development along the periphery of the existing City boundary would result in substantial new sources of light and glare within areas currently used for a variety of open space/agricultural activities and would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 11 to 12). The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 5.2-1: *The Proposed Project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). (GPU: 2030 DEIR pps. 5-17 to 5-19)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in circulation and transportation impacts at some intersections and roadway facilities where it is not possible to achieve the City’s desired level of service. As shown at p. 5-18 of the GPU: 2030 DEIR, policies included in the Circulation Element have been designed to minimize circulation and transportation impacts through the establishment of design and LOS standards. (SOIA DEIR p. 73)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 74 to 77 of the SOIA DEIR, including an update to the Traffic Capital Improvement Program (TCIP) and collection of fees for future improvements for new facilities, there may be a delay between the need for and full funding of improvements, and the impact would be considered significant (GPU: 2030 DEIR pps. 5-17 to 5-19). LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation:

The City of Galt found that the timing for State and regional funding for regional facilities is uncertain, and that some physical improvements to facilities outside City of Galt jurisdiction would require cooperation and funding from a variety of entities, and implementation of the improvements cannot be guaranteed through the City's actions. The City therefore found that no additional feasible mitigation measures are currently available to reduce this impact to a less than significant level, and it would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 14 to 15).

LAFCo Environmental Commitments

4. SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the Sacramento Area Council of Governments (SACOG) regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 5.2-3: *The Proposed Project would exceed, either individually or cumulatively, the level of service standard established by the City on facilities that connect with regional facilities. (GPU: 2030 DEIR pps. 5-21 to 5-23)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in circulation and transportation impacts at some intersections and roadway facilities where it is not possible to achieve the City's desired level of service. As shown at p. 5-22 of the GPU: 2030 DEIR, policies included in the Circulation Element and the physical improvements identified in the Circulation Diagram would minimize LOS impacts to facilities that connect with regional facilities. (SOIA DEIR pps. 73 to 76)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 75-76 of the SOIA DEIR, the impact would be considered significant (GPU: 2030 DEIR pps. 5-22 to 5-23). LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation:

The City of Galt found that because these improvements are under the jurisdiction of other entities such as Caltrans or Sacramento and San Joaquin Counties, and implementation of the proposed roadway improvements would be subject to funding programs that are not fully developed at this time, implementation of the improvements cannot be guaranteed through the City's actions. The City further found that no additional feasible mitigation measures are currently available to reduce this impact to a less than significant level, and it would be considered significant and unavoidable.

LAFCo Environmental Commitments

4. SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the Sacramento Area Council of Governments (SACOG) regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring consultation with the SACOG

regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 6.3-1: *The Proposed Project would exceed wastewater treatment requirements of the RWQCB and would require additional capacity to serve the project's projected demand in addition to existing commitments. (General Plan Update 2030 DEIR pps. 6-13 to 6-19)*

Finding: *This would be a less than significant impact after conditions*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for utilities and service systems. The GPU: 2030 DEIR identified a significant and unavoidable impact to wastewater services since General Plan buildout would exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB) and would require additional capacity to serve the project's projected demand in addition to existing commitments. At the time of GPU: 2030 EIR preparation, the City was working toward compliance, but since a definitive time frame to achieve compliance with the requirements of the RWQCB and to increase the capacity of the City's WWTP could not be assumed at that time, the impact would remain significant after mitigation. As stated in the City's Municipal Services Review (MSR), the SOI Amendment area is currently served by individual private septic systems on private property. Upon annexation, the SOI Amendment area would be served by the City of Galt Public Works Wastewater Division. The MSR identifies a number of wastewater treatment facility improvements that would be constructed over the next seven years that would improve treatment and increase capacity sufficient to serve the SOI Amendment area.

Sacramento County LAFCo Policies, Standards, and Procedures require that proposed annexations be consistent with applicable service elements of the Sphere of Influence of the City and that adequate services be provided within the time frame needed for the inhabitants of the annexation area (Section I, Standard Number 4). General Plan policies and implementation programs summarized on pps. 79 to 80 of the SOIA DEIR would also minimize potential impacts to wastewater services. (SOIA DEIR pps. 78 to 80)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 79 to 80 of the SOIA DEIR, because of the uncertain time frame to achieve compliance with the requirements of the RWQCB and to increase the City's WWTP capacity, this would be a significant impact. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 6.3-1a: To mitigate wastewater system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy PFS-3.9 “Expand Use of Reclaimed Water” into the Final General Plan: *The City shall encourage the use of tertiary treated wastewater for irrigation of agricultural lands, large landscaped areas, and recreation/ open space areas within close proximity to the City’s WWTP to help ensure ongoing compliance with RWQCB requirements.* [New Policy – Draft EIR Analysis]

Mitigation Measure 6.3-1b: To mitigate wastewater system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy PFS-3.10 “Point Source Control” into the Final General Plan: *The City shall work with the RWQCB to ensure that all point source pollutants are adequately mitigated (as part of the CEQA review and project approval process) and monitored to ensure long-term compliance.* [New Policy – Draft EIR Analysis]

Mitigation Measure 8.2-1: To mitigate water resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy PFS-2.14 “Water Meter Retrofit Program” into the Final General Plan: *At the direction of the City Council, the City shall prepare and implement a water meter retrofit program (consistent with State requirements as indicated in AB 2572) whereby all existing non-metered connections would be retrofitted with a water meter to improve water conservation.* [New Policy – Draft EIR Analysis]

Research has indicated that the installation of water meters, and the billing of customers based upon volumetric usage has resulted in a 15% to 30% decrease in water usage as compared to a flat rate structure. This is an indication that the installation of water meters could also realize benefits in terms of decreased wastewater flows.

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The GPU: 2030 DEIR states that City is continuing efforts to achieve compliance with RWQCB requirements through the implementation of an NPDES Permit Compliance Action Plan, which is currently being implemented through the City’s Capitol improvement Plan. Since a definitive time frame to achieve compliance with the requirements of the RWQCB and to increase the capacity of the City’s wastewater treatment plant cannot be assumed at this time, the City found that the impact would remain significant and unavoidable after mitigation (GPU: 2030 EIR Findings pps. 16 and 17).

LAFCo Environmental Commitments

7. Adequate Services

Wastewater Services and Capacity. At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will submit a Plan for Services that

demonstrates that sufficient capacity improvements at its wastewater treatment plant (WWTP) have been constructed, or will be constructed commensurate with demand, to accommodate the buildout of the annexation area with no adverse impact to existing ratepayers. (SOIA DEIR p. 23)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project in that any proposed annexation by the City within the SOI Amendment area would require the provision of adequate wastewater services consistent with LAFCo standards. The above-stated measure would reduce the magnitude of this impact to a less-than-significant level (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4 (a)(2)). LAFCo has been presented with no evidence to contradict their conclusion in this regard.

Impact 6.5-1: *The Proposed Project would produce substantive solid waste that would exceed the permitted capacity of a landfill serving the Study Area. (GPU: 2030 DEIR pps. 6-32 to 6-33)*

Finding: *This would be a less than significant impact after conditions*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for utilities and service systems. The GPU: 2030 DEIR found that buildout of the General Plan would produce substantive amounts of solid waste that could exceed the permitted capacity of a landfill serving the area. To accommodate future solid waste needs resulting from additional growth associated with buildout of the General Plan, additional landfill capacity or waste disposal locations may be required for the City. Because the City employs a private company to provide waste management services (including residential recycling and composting pickup services), it is assumed that this company would continue to maximize the use of existing disposal options and plan for future waste disposal opportunities once existing disposal options reach their capacity, although future waste disposal opportunities may require greater handling costs depending on their location and method of transfer.

Sacramento County LAFCo Policies, Standards, and Procedures require that proposed annexations be consistent with applicable service elements of the Sphere of Influence of the City and that adequate services be provided within the time frame needed for the inhabitants of the annexation area (Section I, Standard Number 4). General Plan policies and implementation programs summarized on p. 80 of the SOIA DEIR would also minimize potential impacts to solid waste services. (SOIA DEIR pps. 78 to 80)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 80 of the SOIA DEIR, because additional landfill capacity or waste disposal locations may be required for the City, this would be a significant impact. LAFCo has been presented with no evidence to contradict its conclusion in this regard. (GPU: 2030 DEIR p. 6-33).

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation

The City found that because of the uncertain availability of where and what these future waste disposal options may be by 2030, this impact would remain significant and unavoidable, with no feasible mitigation available (GPU: 2030 EIR Findings pps. 19 to 20).

LAFCo Environmental Commitments

7. Adequate Services

Solid Waste Capacity. At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will identify services 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 annexation area. (SOIA DEIR p. 23)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project; with these project commitments, any proposed annexation by the City within the SOI Amendment area would require the provision of adequate solid waste services consistent with LAFCo standards. The above-stated measure would reduce the magnitude of this impact to a less-than-significant level (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). LAFCo has been presented with no evidence to contradict their conclusion in this regard.

Impact 6.9-1: *The Proposed Project would increase the need or use of existing fire protection facilities such that substantial physical deterioration of the facility would occur or be accelerated in order to maintain acceptable service ratios and/or response times. (GPU: 2030 DEIR pps. 6-39 to 6-41)*

Finding: *This would be a less than significant impact after mitigation*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased demand for public services. The Cosumnes Community Services District Fire Department (CCSDFD) identified a variety of staffing, facility improvements (including new stations), and equipment needs that would be required to address the provision of adequate levels of service based on anticipated growth resulting from implementation of the General Plan. Sacramento County LAFCo Policies, Standards, and Procedures require that proposed annexations be consistent with applicable service elements of the Sphere of Influence of the City and that adequate services be provided within the time frame needed for the inhabitants of the annexation area (Section I, Standard Number 4). (SOIA DEIR pps. 68 to 71)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 69 to 70 of the SOIA DEIR, this would be a significant impact. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 6.9-1: To mitigate potential fire protection and emergency medical response impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy PFS-7.4 “Fire Protection and Emergency Medical Facilities” into the Final General Plan: The City shall cooperate with CCSD in the development of a new master plan for fire and emergency medical facilities and services, which includes the City of Galt, and shall periodically review the city fire protection impact fee, based upon an updated Government Code 66000 (AB 1600) study to be completed by CCSD. In conjunction with the district, the City will review the City’s public safety special tax applicable to new development. *[Revised Policy – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The GPU: 2030 DEIR states that because staffing and facility needs identified by the CCSDFD also require cooperation and funding from a variety of entities outside of the City (including the City of Elk Grove, County of Sacramento, CCSD), and implementation of these improvements cannot be

guaranteed solely through the City's actions, the City found that the impact would remain significant and unavoidable after mitigation (GPU: 2030 EIR Findings pps. 21 to 22). As identified in the City's MSR, the CCSD has a current Strategic Plan (2009-2014) that helps guide mid- and long-term planning efforts for facility siting and operations. As requested by the CCSD, the City of Galt identified areas for future fire stations that would service the proposed SOI Amendment area in the 2030 Galt General Plan. Construction of necessary fire protection facilities would occur concurrent with future development of the SOI Amendment area as outlined by the policies addressing station distribution and concentration in the CCSD Strategic Plan. These policies were put in place to ensure that there are, and would continue to be, adequate fire and rescue services in the Cosumnes Fire service area. Therefore, any proposed annexation by the City within the SOI Amendment area would result in the provision of adequate fire protection services consistent with LAFCo provisions. LAFCo finds that because the underlying status of fire protection services has changed since certification of the FEIR, the impact to fire protection services would be less than significant with General Plan policies and implementation programs summarized on pps. 69 to 70 of the SOIA DEIR in addition to required mitigation included above. LAFCo has been presented with no evidence to contradict their conclusion in this regard.

Impact 8.2-1: *The Proposed Project would have the potential, in the long-term, to deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. (GPU: 2030 DEIR pps. 8-3 to 3-4)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in an increased demand on groundwater supplies for urban and rural uses within the City. (SOIA DEIR pps. 57 to 60)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 58 of the SOIA DEIR, new development would lead to the depletion of groundwater resources, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 8.2-1: To mitigate water resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy PFS-2.14 "Water Meter Retrofit Program" into the Final General Plan: At the direction of the City Council, the City shall prepare and implement a water meter retrofit program (consistent with State requirements as indicated in AB 2572) whereby all existing non-metered connections would be retrofitted with a water meter to improve water conservation. *[New Policy – Draft EIR Analysis]*

Findings on the City's Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091 (a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, until definitive conclusions can be drawn regarding the effectiveness of groundwater management efforts, and whether or not these efforts will effectively prevent overdraft conditions, this impact would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 23 to 24). The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 8.3-1: *The Proposed Project would have a substantial adverse effect, either directly or through habitat modifications, on any fish or wildlife species including those officially designated species identified as endangered, threatened, candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. (GPU: 2030 DEIR pps. 8-12 to 3-16)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for conversion of habitat and other sensitive wildlife impacts. The SOI Amendment project area includes large open space areas on agricultural lands, and implementation of the project would result in conversion of several vegetation communities and sensitive habitats to urban land uses. (SOIA DEIR pps. 39 to 42)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 40 to 41 of the SOIA DEIR, new development would lead to substantial adverse effects to protected species, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 8.3-1a: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.8 “Habitat Conservation Easement Coordination” into the Final General Plan: The City will initiate contact with private conservation trusts and work to identify

trust lands within the SOI and to the extent feasible will inventory known trust lands to address potential conflicts with development in the City's planning area. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 8.3-1b: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.9 “Minimize Lighting Impacts” into the Final General Plan: The City should ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis]*

Findings on the City's Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, implementation of the General Plan would still result in the conversion of some open space and habitat areas, which would result in the overall reduction of a plant or wildlife species habitat, and this impact would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 24 to 25).

LAFCo Environmental Commitments

2. Habitat Preservation – South Sacramento County Habitat Conservation Plan (SSCHCP)

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will either demonstrate participation with the SSCHCP or provide mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species. The City will continue to mitigate impacts on special habitats and endangered species in consultation with applicable Federal and State agencies prior to adoption of the SSCHCP. (SOIA DEIR p. 22)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring demonstration of participation with the South Sacramento County Habitat Conservation Plan or providing mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or

eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 8.3-2: *The Proposed Project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. (GPU: 2030 DEIR pps. 8-16 to 8-18)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for conversion of habitat and other sensitive wildlife impacts. The SOI Amendment project area includes large open space areas on agricultural lands, and implementation of the project would result in conversion of several vegetation communities and sensitive habitats to urban land uses. (SOIA DEIR pps. 39 to 42)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 40 to 41 of the SOIA DEIR, new development would lead to substantial adverse effects to riparian habitat and other sensitive natural communities, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 8.3-1a: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.8 "Habitat Conservation Easement Coordination" into the Final General Plan: The City will initiate contact with private conservation trusts and work to identify trust lands within the SOI and to the extent feasible will inventory known trust lands to address potential conflicts with development in the City's planning area. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 8.3-1b: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.9 "Minimize Lighting Impacts" into the Final General Plan: The City should ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis]*

Findings on the City's Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, implementation of the General Plan would still result in the conversion of some open space and habitat areas, which would result in the conversion of riparian or other sensitive communities, and this impact would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 24 to 25).

LAFCo Environmental Commitments

Habitat Preservation – South Sacramento County Habitat Conservation Plan (SSCHCP)

2. At the time of submittal of any application to annex territory within the Sphere of Influence (SOI) Amendment area, the City of Galt will either demonstrate participation with the South Sacramento County Habitat Conservation Plan or provide mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species. The City will continue to mitigate impacts on special habitats and endangered species in consultation with applicable Federal and State agencies prior to adoption of the South Sacramento County Habitat Conservation Plan. (SOIA DEIR p. 23)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring demonstration of participation with the South Sacramento County Habitat Conservation Plan or providing mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 8.3-3: *The Proposed Project would have a substantial adverse effect on “federally protected” wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, etc.) through direct removal, filling, hydrological interruption, or other means. (GPU: 2030 DEIR pps. 8-18 to 8-20)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for substantial adverse effects to wetlands. The SOI Amendment project area includes large open space areas on agricultural lands, and implementation of the project would result in conversion of several vegetation communities and sensitive habitats to urban land uses. (SOIA DEIR pps. 39 to 42)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 40 to 41 of the SOIA DEIR, new development would lead to substantial adverse effects to wetlands, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 8.3-1a: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.8 “Habitat Conservation Easement Coordination” into the Final General Plan: The City will initiate contact with private conservation trusts and work to identify trust lands within the SOI and to the extent feasible will inventory known trust lands to address potential conflicts with development in the City’s planning area. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 8.3-1b: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.9 “Minimize Lighting Impacts” into the Final General Plan: The City should ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and

mitigation measures, implementation of the General Plan would still result in the conversion of some open space and habitat areas, which would result in adverse effects to wetlands, and this impact would be considered significant and unavoidable (GPU: 2030 EIR Findings pps. 25 to 26).

LAFCo Environmental Commitments

2. Habitat Preservation – South Sacramento County Habitat Conservation Plan (SSCHCP)

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will either demonstrate participation with the SSCHCP or provide mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species. The City will continue to mitigate impacts on special habitats and endangered species in consultation with applicable Federal and State agencies prior to adoption of the SSCHCP. (SOIA DEIR p. 22)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring demonstration of participation with the South Sacramento County Habitat Conservation Plan or providing mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 8.3-4: ***The Proposed Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (GPU: 2030 DEIR pps. 8-20 to 8-22)***

Finding: ***This would be a significant and unavoidable impact***

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for conversion of habitat and other sensitive wildlife impacts. The SOI Amendment project area includes large open space areas on agricultural lands, and implementation of the project would result in conversion of several vegetation communities and sensitive habitats to urban land uses. (SOIA DEIR pps. 39 to 42)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 40 to 41 of the SOIA DEIR, new development would lead to substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 8.3-1a: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.8 “Habitat Conservation Easement Coordination” into the Final General Plan: The City will initiate contact with private conservation trusts and work to identify trust lands within the SOI and to the extent feasible will inventory known trust lands to address potential conflicts with development in the City’s planning area. *[New Policy – Draft EIR Analysis]*

Mitigation Measure 8.3-1b: To mitigate biological resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new policy COS-2.9 “Minimize Lighting Impacts” into the Final General Plan: The City should ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures (GPU: 2030 EIR Findings p. 26) that because implementation of the General Plan would still result in the conversion of some open space areas that could serve as migratory corridors, this impact would remain significant and unavoidable.

LAFCo Environmental Commitments

Habitat Preservation – South Sacramento County Habitat Conservation Plan (SSCHCP)

2. At the time of submittal of any application to annex territory within the Sphere of Influence (SOI) Amendment area, the City of Galt will either demonstrate participation with the South Sacramento County Habitat Conservation Plan or provide mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species. The City will continue to mitigate impacts on special habitats and endangered species in consultation with applicable Federal and State agencies prior to adoption of the South Sacramento County Habitat Conservation Plan. (SOIA DEIR p. 23)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring demonstration of participation with the South Sacramento County Habitat Conservation Plan or providing mitigation consistent with the requirements of State and Federal regulatory authorities regarding impacts to special habitats and endangered species; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 8.4-2: The Proposed Project would result in the conversion of important farmland to non-agricultural uses. (GPU: 2030 DEIR pps. 8-25 to 8-26)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project buildout of the General Plan project area, including the SOI Amendment area, would result in the conversion of important farmlands. Policies included as part of the 2030 General Plan that would minimize this impact are summarized on p. 34 of the SOIA DEIR. (SOIA DEIR pps. 33 to 35)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 34 of the SOIA DEIR, new development would lead to loss of important farmlands within the General Plan area, and this impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation

The City of Galt found that even with implementation of policies and implementation programs, because implementation of the General Plan would still result in the loss of important farmland, this impact would remain significant and unavoidable (GPU: 2030 EIR Findings p. 27).

LAFCo Environmental Commitments

1. Important Farmland and Open Space Resources

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will identify lands to be set aside in permanent conservation easements at a ratio of one open space acre converted to urban land uses to one-half open space acre preserved and at a ratio of one agriculture acre converted to urban land uses to one-half agriculture acre preserved. Stacking of mitigation values will be permitted in order to serve multiple overlapping conservation purposes. The total acres of land conserved will be based on the total on-site open space and agriculture acreage converted to urban uses. Conserved open space and agriculture areas may include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake, Swainson's hawk habitat), or additional land identified by the City. (SOIA DEIR p. 22)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitment is made a condition of approval of the Galt SOI Amendment project. LAFCo further finds that the above measure is appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring the establishment of permanent conservation easements at a ratio of one open space acre converted to urban land uses to one-half open space acre preserved and at a ratio of one agriculture acre converted to urban land uses to one-half agriculture acre preserved; however these impacts would not be reduced to a less-than-significant level implementation of the SOI Amendment project would still result in the loss of important farmland. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 9.2-1: *The Proposed Project could cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. (GPU: 2030 DEIR pps. 9-3 to 9-6)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased potential for impacts to historic resources. (SOIA DEIR pps. 43 to 46)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 44 of the SOIA DEIR, this impact to historic resources is still

considered potentially significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 9.2-1a: To mitigate historic resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy HRE-1.2 “Preservation of Architectural Styles” into the Final General Plan: The City should encourage the preservation of varied architectural styles that reflect Galt’s cultural, social, economic, political, and architectural past. *For structures listed on the City’s cultural resources list or on the NRHP or CRHR, preservation efforts shall conform to the current Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building. [Galt Area Historical Society – Draft EIR Analysis]*

Mitigation Measure 9.2-1b: To mitigate historic resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following to Policy HRE-1.4 “Renovations” into the Final General Plan: The City shall continue to assist in financing and accomplishing renovation efforts in the Downtown area, including façade enhancements, as funding allows. *For designated historic structures, renovation efforts shall conform to the current Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building. [City: D-2 – Draft EIR Analysis]*

Mitigation Measure 9.2-1c: To mitigate historic resource impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy HRE-1.9 “Downtown Revitalization and Historic Preservation Specific Plan Area” into the General Plan: The City should continue to implement the Downtown Revitalization and Historic Preservation Specific Plan, including the design guidelines to ensure that new construction, renovations, and additions are compatible with existing adjacent structures. *For designated historic structures, renovation efforts shall conform to the current Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. [M&A – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, implementation of the General Plan may ultimately result in a “substantial adverse change” through various development activities for which no possible mitigation may be available to maintain the historic integrity of the affected resource or its surroundings, and this impact would be considered significant and unavoidable (GPU: 2030 EIR Findings p. 30). The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091,

15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.2-1: *The Proposed Project would result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. (GPU: 2030 DEIR pps. 10-4 to 10-11)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in noise impacts such as temporary short-term construction noise and operational impacts from on-road mobile vehicles travelling along local roadways, siting residential land uses near railroad operations, and the siting of new industrial uses that can result in increased heavy truck and rail traffic and the use of noise-generating equipment. The project area may also locate commercial, office, and high density residential land uses within less than one mile of Mustang Airport, a private use airport that has applied for public airport status. (SOIA DEIR pps. 65 to 66)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on page 66 of the SOIA DEIR, there would be a potentially significant impact due to noise. LAFCo has been presented with no evidence to contradict its conclusion in this regard. (GPU: 2030 DEIR pps. 10-10 to 10-11)

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation

As stated in the City's Findings, the City will ensure that future CEQA documentation be prepared for individual projects (with project-specific data) that will (if technically possible) mitigate any potential noise impacts to a less-than-significant level. However, the ability to mitigate this potential impact is contingent upon a variety of factors including the severity of the noise impact, existing land use conditions, existing sources of noise (i.e., highway or roadway noise), and the technical feasibility of being able to implement any proposed mitigation measures. The City found that given the uncertainty as to whether future noise impacts could be adequately mitigated (i.e., establishment

of setbacks near at-grade railroad crossings, etc.) for all the individual projects that will be implemented as part of the General Plan, this impact would remain significant and unavoidable, with no feasible mitigation available (GPU: 2030 EIR Findings p. 31). The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.2-2: The Proposed Project will result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. (GPU: 2030 DEIR pps. 10-11 to 10-13)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Buildout of the SOI Amendment area may expose more people to groundborne vibration. (SOIA DEIR pps. 65 to 66)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 66 of the SOIA DEIR, there would be a potentially significant impact due to exposure of people to groundbone vibration. LAFCo has been presented with no evidence to contradict its conclusion in this regard. (GPU: 2030 DEIR p. 10-13)

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation

As stated in the City's Findings, it is expected that subsequent CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and if possible, mitigate any potential construction/operations-related vibration and noise impacts to a less-than-significant level. However, the City found that the ability to mitigate this potential impact is contingent upon a variety of factors including the severity of the vibration impact, existing land use conditions, and the technical feasibility of being able to implement any proposed mitigation measures. The City found that given the uncertainty as to whether future vibration impacts could be adequately mitigated (i.e., establishment of setbacks near at-grade railroad crossings, etc.) for all the individual projects that will be implemented as part of the General Plan, this impact would remain significant and unavoidable, with no feasible mitigation available (GPU: 2030 EIR Findings p. 31). The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its

conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.5-1: *The Proposed Project would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. (GPU: 2030 DEIR pps. 10-20 to 10-22)*

Finding: *This would be a less-than-significant impact after mitigation*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased development adjacent to areas of potential wildland fires. (SOIA DEIR pps. 52 to 56)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 54 of the SOIA DEIR, the CCSDFD has identified a variety of staffing, facility improvements (including new stations), and equipment needs that will be required to address the provision of adequate levels of service based on anticipated growth resulting from implementation of the General Plan, and the impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 6.9-1: To mitigate potential fire protection and emergency medical response impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy PFS-7.4 “Fire Protection and Emergency Medical Facilities” into the Final General Plan: The City shall cooperate with CCSD in the development of a new master plan for fire and emergency medical facilities and services, which includes the City of Galt, and shall periodically review the city fire protection impact fee, based upon an updated Government Code 66000 (AB 1600) study to be completed by CCSD. In conjunction with the district, the City will review the City’s public safety special tax applicable to new development. *[Revised Policy – Draft EIR Analysis]*

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, staffing and facility needs identified by the CCSDFD require cooperation and

funding from a variety of entities outside of the City (including the City of Elk Grove, County of Sacramento, CCSD), and implementation of these improvements cannot be guaranteed solely through the City's actions (GPU: 2030 EIR Findings p. 33). As identified in the City's MSR, the CCSD has a current Strategic Plan (2009-2014) that helps guide mid- and long-term planning efforts for facility siting and operations. As requested by the CCSD, the City of Galt identified areas for future fire stations that would service the proposed SOI Amendment area in the 2030 Galt General Plan. Construction of necessary fire protection facilities would occur concurrent with future development of the SOI Amendment area as outlined by the policies addressing station distribution and concentration in the CCSD Strategic Plan. These policies were put in place to ensure that there are, and would continue to be, adequate fire and rescue services in the Cosumnes Fire service area. Therefore, any proposed annexation by the City within the SOI Amendment area would result in the provision of adequate fire protection services consistent with LAFCo provisions. LAFCo finds that because the underlying status of fire protection services has changed since certification of the FEIR, the impact to fire protection services would be less than significant with General Plan policies and implementation programs summarized on pps. 69 to 70 of the SOIA DEIR in addition to required mitigation included above. The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Impact 10.6-5: The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (GPU: 2030 DEIR pps. 10-38 to 10-39)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area, which would result in increased traffic that would deteriorate roadway traffic conditions and could interfere with emergency response. (SOIA DEIR pps. 52 to 56)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 54 of the SOIA DEIR, there would be a potentially significant impact due to increased traffic potentially interfering with emergency response. LAFCo has been presented with no evidence to contradict its conclusion in this regard. (GPU: 2030 DEIR p. 10-39)

Mitigation Measures Adopted by the City of Galt:

No feasible mitigation available.

Findings on the City's Adopted Mitigation

The City found that because roadways operating at unacceptable levels of service (through increased vehicle traffic associated with the General Plan) could physically impede the response times of emergency response vehicles or delay implementation of an evacuation plan, this impact would remain significant and unavoidable, with no feasible mitigation available (GPU: 2030 EIR Findings

p. 36). The Sacramento LAFCo also finds that no feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.7-1: *The Proposed Project would result in a cumulatively considerable net increase of criteria pollutants. Future growth in accordance with the Proposed Project would exceed the daily SMAQMD thresholds for NO_x and ROG. (GPU: 2030 DEIR pps. 10-47 to 10-50)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in air quality impacts such as temporary short-term emissions due to construction activity and operational impacts from local and regional vehicle and area source emissions. Within the General Plan, Conservation Element policies were identified to reduce air emissions and ensure coordination with air quality planning agencies, including policy COS-5.6, which required coordination with the SMAQMD. (SOIA DEIR pps. 35 to 38)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 37 to 38 of the SOIA DEIR, given the amount of development associated with implementation of the General Plan, it is reasonable to assume that some large-scale construction activity would exceed SMAQMD adopted thresholds over the duration of the General Plan development, and the impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 10.7-1a: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.11 “Construction Mitigation Measures,” into the Final General Plan: The City shall require developers to implement dust suppression measures as well as the applicable standard construction mitigation measures associated with exhaust NO_x and PM₁₀ reduction in accordance with the current SMAQMD CEQA Guide to Air Quality Assessment. *[New Policy Draft EIR Analysis]*

Mitigation Measure 10.7-1b: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.12 “Construction Mitigation Fees” into the Final General Plan: The City

shall require developers to comply with the current SCAQMD construction mitigation fee offset program [*New Policy – Draft EIR Analysis*].

Mitigation Measure 10.7-1c: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.13 “Air Pollution Technology” into the Final General Plan: The City shall follow the rules and regulations as adopted by the SMAQMD to maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate. [*New Policy – Draft EIR Analysis*]

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, total air quality emissions associated with buildout of the General Plan would still exceed SMAQMD thresholds for ROG and NOx, and this impact would remain significant and unavoidable (GPU: 2030 EIR Findings pps. 36 to 37).

LAFCo Environmental Commitments

4. SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

9. Air Quality Mitigation Plans

AQ MEASURE 1: The goal of this mitigation measure is to avoid air quality impacts by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, which consists of all or parts of Yolo, Solano, El Dorado, Placer, Sutter, and Sacramento counties, including the City of Galt and the SOI Amendment area:

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will prepare an AQMP.

- a. The Plan must reduce the SOI Amendment’s operational ozone precursor emissions by 35% when compared to the potential emissions that could occur in the SOI Amendment in the absence of the policies and measures included in the AQMP.
- b. The City of Galt will coordinate the development of the AQMP with the SMAQMD and SACOG, and will use modeling tools approved by those agencies to gauge the effectiveness of the measures.

- AQ MEASURE 2 (Alternative air quality mitigation):

The AQMP required under AQ MEASURE 1 will be required to demonstrate a 15% reduction in ozone precursor emissions if the following conditions are met.

- a. The application for annexation of the SOI Amendment area or any portion thereof occurs after the June 15, 2019 SIP attainment deadline, and the SMAQMD confirms the ozone standards have been achieved.
- b. The City of Galt demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis. If the demonstration uses modeling tools, the tools must be approved by SMAQMD and SACOG. (SOIA DEIR p. 24)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitments are made conditions of approval of the Galt SOI Amendment project. LAFCo further finds that the above measures are appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, and would require consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. With these project commitments, any proposed annexation by the City within the SOI Amendment area would be coordinated with air quality attainment planning. However, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.7-3: Buildout of the Proposed Project would generate emissions above the daily SMAQMD significance thresholds for NO_x and ROG, primarily due to traffic and area source emissions. (GPU: 2030 DEIR pps. 10-52 to 10-54)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in air quality operational impacts from local and regional vehicle and area source emissions. Within the General Plan, Conservation Element policies were identified to reduce air emissions and ensure coordination with air quality planning agencies, including policy COS-5.6, which required coordination with the SMAQMD. (SOIA DEIR pps. 35 to 38)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 37 to 38 of the SOIA DEIR, buildout of the General Plan would generate emissions above the significance thresholds for NO_x and ROG, and the impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 10.7-1c: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.13 “Air Pollution Technology” into the Final General Plan: The City shall follow the rules and regulations as adopted by the SMAQMD to maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate. [*New Policy – Draft EIR Analysis*]

Findings on the City’s Adopted Mitigation

The Sacramento LAFCo finds that mitigation measure has been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, total air quality emissions associated with buildout of the General Plan would still exceed SMAQMD thresholds for ROG and NO_x, and this impact would remain significant and unavoidable (GPU: 2030 EIR Findings pps. 36 to 37).

LAFCo Environmental Commitments

4. **SACOG Blueprint and Metropolitan Transportation Plan Consistency**
At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

9. **Air Quality Mitigation Plans**
AQ MEASURE 1: The goal of this mitigation measure is to avoid air quality impacts by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, which consists of all or parts of Yolo, Solano, El Dorado, Placer, Sutter, and Sacramento counties, including the City of Galt and the SOI Amendment area:

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will prepare an AQMP.

- a. The Plan must reduce the SOI Amendment's operational ozone precursor emissions by 35% when compared to the potential emissions that could occur in the SOI Amendment in the absence of the policies and measures included in the AQMP.
 - b. The City of Galt will coordinate the development of the AQMP with the SMAQMD and SACOG, and will use modeling tools approved by those agencies to gauge the effectiveness of the measures.
- AQ MEASURE 2 (Alternative air quality mitigation):

The AQMP required under AQ MEASURE 1 will be required to demonstrate a 15% reduction in ozone precursor emissions if the following conditions are met.

- a. The application for annexation of the SOI Amendment area or any portion thereof occurs after the June 15, 2019 SIP attainment deadline, and the SMAQMD confirms the ozone standards have been achieved.
- b. The City of Galt demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis. If the demonstration uses modeling tools, the tools must be approved by SMAQMD and SACOG. (SOIA DEIR p. 24)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitments are made conditions of approval of the Galt SOI Amendment project. LAFCo further finds that the above measures are appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, and would require consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. With these project commitments, any proposed annexation by the City within the SOI Amendment area would be coordinated with air quality attainment planning. However, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.7-4: The Proposed Project would expose sensitive receptors to substantial pollutant concentrations. (GPU: 2030 DEIR pps. 10-54 to 10-56)

Finding: This would be a significant and unavoidable impact

Explanation:

Implementation of the proposed SOI Amendment project would result in the potential future urbanization of the project area. Urbanization of the project area would result in air quality operational impacts and exposure of sensitive receptors to pollutant concentrations. (SOIA DEIR pps. 35 to 38)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on pps. 37 to 38 of the SOIA DEIR, this impact would remain significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 10.7-1a: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.11 “Construction Mitigation Measures,” into the Final General Plan: The City shall require developers to implement dust suppression measures as well as the applicable standard construction mitigation measures associated with exhaust NO_x and PM₁₀ reduction in accordance with the current SMAQMD CEQA Guide to Air Quality Assessment. *[New Policy Draft EIR Analysis]*

Mitigation Measure 10.7-1c: To mitigate air quality impacts resulting from implementation of the Proposed Project, the City shall incorporate the following new Policy COS-5.13 “Air Pollution Technology” into the Final General Plan: The City shall follow the rules and regulations as adopted by the SMAQMD to maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate. *[New Policy – Draft EIR Analysis]*

Findings on the City's Adopted Mitigation

The Sacramento LAFCo finds that mitigation measures have been incorporated into the GPU: 2030 EIR, and that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines §15091(a)(2)). As stated in the City’s Findings, subsequent CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and to the extent feasible, mitigate any significant or potentially significant air quality impacts to a less-than-significant level. Examples of mitigation that may be proposed include intersection/roadway capacity improvements or additional land use siting and required setbacks. However, the ability to mitigate these potential impacts is contingent on a variety of factors including the severity of the air quality impact, existing land use conditions, and the technical feasibility of being able to implement any proposed mitigation measures (e.g., relocations, road widening, etc.). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, this impact would remain significant and unavoidable (GPU: 2030 EIR Findings p. 38).

LAFCo Environmental Commitments

4. SACOG Blueprint and Metropolitan Transportation Plan Consistency

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will consult with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. (SOIA DEIR p. 22)

9. **Air Quality Mitigation Plans**

AQ MEASURE 1: The goal of this mitigation measure is to avoid air quality impacts by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, which consists of all or parts of Yolo, Solano, El Dorado, Placer, Sutter, and Sacramento counties, including the City of Galt and the SOI Amendment area:

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will prepare an AQMP.

- a. The Plan must reduce the SOI Amendment's operational ozone precursor emissions by 35% when compared to the potential emissions that could occur in the SOI Amendment in the absence of the policies and measures included in the AQMP.
 - b. The City of Galt will coordinate the development of the AQMP with the SMAQMD and SACOG, and will use modeling tools approved by those agencies to gauge the effectiveness of the measures.
- AQ MEASURE 2 (Alternative air quality mitigation):

The AQMP required under AQ MEASURE 1 will be required to demonstrate a 15% reduction in ozone precursor emissions if the following conditions are met.

- a. The application for annexation of the SOI Amendment area or any portion thereof occurs after the June 15, 2019 SIP attainment deadline, and the SMAQMD confirms the ozone standards have been achieved.
- b. The City of Galt demonstrates that the development proposal is consistent with the new SIP or attainment plan and the SMAQMD concurs with the analysis. If the demonstration uses modeling tools, the tools must be approved by SMAQMD and SACOG. (SOIA DEIR p. 24)

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitments are made conditions of approval of the Galt SOI Amendment project. LAFCo further finds that the above measures are appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by ensuring that the Galt SOI Amendment area meets or exceeds the air pollution control requirements in the federally-mandated SIP, and would require consultation with the SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan. With these project commitments, any proposed annexation by the City within the SOI Amendment area would be coordinated with air quality attainment planning. However, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

Impact 10.7-6: *The Proposed Project would potentially conflict with implementation of state goals for reducing greenhouse gas emissions and thereby have a negative effect on Global Climate Change. (GPU: 2030 DEIR pps. 10-57 to 10-59)*

Finding: *This would be a significant and unavoidable impact*

Explanation:

The proposed SOI Amendment area would involve the urbanization of existing land uses, which would result in an incremental increase in traffic or on-road vehicle carbon dioxide (CO₂) emissions, which are considered the primary contributors to operational GHG emissions. Because the proposed SOI Amendment area would contribute to an incremental increase in GHG emissions, the proposed project would conflict with state AB 32 goals related to reducing emissions, making the project's contribution a significant impact. (SOIA DEIR pps. 49 to 51)

Finding on Significance of Impact

Based on the analysis contained within the DEIR and the FEIR, other considerations in the record, and the impact evaluation criteria, LAFCo finds that even with implementation of the policies and implementation programs listed on p. 50 of the SOIA DEIR, the General Plan would conflict with the state AB32 goals related to greenhouse gas emissions, and the impact would be significant. LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Mitigation Measures Adopted by the City of Galt:

Mitigation Measure 10.7-6: To mitigate potential climate change impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revised policy COS-7.1 "Greenhouse Gas Emission Reduction" into the Final General Plan: The City should reduce greenhouse gas emissions from City operations as well as from private development in compliance with the California Global Warming Act of 2006 and any applicable State regulations. *To accomplish this, the City will coordinate with the SMAQMD and the California Air Resources Board in developing a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions. The plan will parallel the requirements adopted by the California Air Resources Board specific to this issue. Specifically, the City will work with the SMAQMD to include the following key items in the Plan:*

- *Inventory all known, or reasonably discoverable, sources of greenhouse gases in the City,*
- *Inventory the greenhouse gas emissions level in 1990, the current level, and that projected for the year 2030, and*
- *Set a target for the reduction of emissions attributable to the City's discretionary land use decisions and its own internal government operations. [Revised Policy –Draft EIR Analysis]*

Findings on the City's Adopted Mitigation

The Sacramento LAFCo finds that the mitigation measure has been incorporated into the GPU: 2030 EIR, and that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency" (CEQA Guidelines

§15091(a)(2)). The City of Galt found that even with implementation of policies, implementation programs, and mitigation measures, the emission level at which project generated CO₂ would result in or contribute to a significant impact has not been defined. Consequently, the increase in greenhouse gases by the General Plan potentially places it in conflict with AB32 goals, and this impact would remain significant and unavoidable (GPU: 2030 EIR Findings pps. 39 to 40).

LAFCo Environmental Commitments

5. Greenhouse Gases and Climate Change

At the time of submittal of any application to annex territory within the SOI Amendment area, the City of Galt will demonstrate compliance with Policy COS 7-1 of the City's 2030 General Plan as set forth below:

Policy COS-7.1: Greenhouse Gas Emission Reduction

The City shall reduce greenhouse gas emissions from City operations as well as from private development in compliance with the California Global Warming Act of 2006 and any applicable State regulations. To accomplish this, the City will coordinate with the SMAQMD and the California Air Resources Board in developing a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions. The plan will parallel the requirements adopted by the California Air Resources Board specific to this issue. Specifically, the City will work with the SMAQMD to include the following key items in the Plan:

- *Inventory all known, or reasonably discoverable, sources (both public and private) of greenhouse gases in the City;*
- *Inventory estimated 1990 greenhouse gas emissions based on available data, the current level, those projected for the 2020 milestone year (consistent with AB32), and that projected for the year 2030;*
- *Set a target for the reduction of emissions attributable to the City's discretionary land use decisions and its own internal government operations, and;*
- *Identify specific actions that will be undertaken by the City to meet the emission reduction targets set by the City. (SOIA DEIR p. 23)*

Findings on the Project Environmental Commitments

LAFCo finds that the above-stated project environmental commitments are made conditions of approval of the Galt SOI Amendment project. LAFCo further finds that the above measures are appropriate and feasible, and would substantially lessen the potential adverse environmental effects associated with the Galt SOI Amendment project by requiring demonstration of compliance with Policy COS 7-1 of the City's 2030 General Plan, which requires coordination with the SMAQMD and the California Air Resources Board in developing a Greenhouse Gas Emissions Reduction Plan that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions; however, these impacts would not be reduced to a less-than-significant level. The Sacramento LAFCo finds that no additional feasible measures are available to reduce this impact below a level of significance (Pub. Resources Code, §21002; CEQA Guidelines §§ 15091, 15126.4(a)(2)). The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. To the extent that this adverse impact will not be substantially lessened or eliminated, the Sacramento LAFCo finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support the approval of the proposed Project.

XIV. GROWTH INDUCEMENT

The purpose of a general plan is to guide the growth and development of a community. Accordingly, the City's proposed General Plan Update is premised on a certain amount of growth taking place. Once situated within the largely rural Sacramento Valley, the City of Galt finds itself surrounded by growth and population expansion. According to the US Bureau of the Census, Galt had a population of 19,470 in 2000. The city added 10,700 people from 1990 to 2000. This resulted in a 122 percent change, compared to the 19 percent increase in Sacramento County as a whole. This 110 percent increase was greater than the other Sacramento County cities of Elk Grove or Sacramento, and is also greater than the City of Lodi in San Joaquin County (GPU: 2030 EIR Findings p. 10).

As of January 1, 2007, the City's population was estimated at 23,470. The City is expected to continue to grow at a similar rate through 2030. According to SACOG estimates for population growth in Sacramento County, Galt can expect to have a population of over 29,000 in 2015 and over 33,800 in 2025. GPU: 2030 DEIR Table 12-1 shows the projected population growth for Galt and Sacramento County. Population estimates for Year 2002 in Table 12-1 of the DEIR are based on population estimates calculated by the US Bureau of the Census, while subsequent population figures 2015 through 2025 are official projections used by SACOG for the purposes of regional land-use planning and analysis. According to SACOG, Galt will grow by two percent annually between 2002 and 2025. However, local officials in Galt believe that, based on recent trends, Galt will grow by 3.4 percent annually between 2002 and 2025. (GPU: 2030 EIR Findings p. 10)

While the General Plan and the proposed SOI Amendment would result in an increase of growth locally, the policies included as part of the General Plan would reduce the potential for negative impacts associated with directly induced growth. Overall, implementation of the General Plan would potentially encourage growth, given the regional pressures for housing and Galt's desire to increase its tax base with new commercial uses. General Plan policies (including Policy LU-11.2 "Maintaining Planning Consistency") encourage a uniform land use policy and strive for regional cooperation to address land use planning issues; however, the City has limited ability to constrain future development (driven by market forces) adjacent to the City's planning area by neighboring jurisdictions. Consequently, the proposed SOIA project may also encourage indirect inducing growth effects. (GPU: 2030 DEIR Section 12.1.) (GPU: 2030 EIR Findings p. 10)

XV. FINDINGS REGARDING ALTERNATIVES

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

The detailed discussion in Section XIII demonstrates that all significant environmental effects of the Project have been either substantially lessened or avoided through the imposition of policies or regulations of the City of Galt, or by the adoption of additional, formal mitigation measures identified in the GPU: 2030 EIR. However, even with mitigation in the form of the application of policies and, where feasible, the addition of formal mitigation measures or environmental commitments, the following significant effects remain significant and unavoidable, though they have been substantially lessened:

- Impact 3.2-1: The Proposed Project would substantially degrade the existing visual character or quality of the site and its surroundings (including a scenic vista).
- Impact 3.2-2: The Proposed Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.
- Impact 5.2-1: The Proposed Project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).
- Impact 5.2-3: The Proposed Project would exceed, either individually or cumulatively, the level of service standard established by the City on facilities that connect with regional facilities.
- Impact 8.2-1: The Proposed Project would have the potential, in the long-term, to deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table.
- Impact 8.3-1: The Proposed Project would have a substantial adverse effect, either directly or through habitat modifications, on any fish or wildlife species including those officially designated species identified as endangered, threatened, candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Impact 8.3-2: The Proposed Project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Impact 8.3-3: The Proposed Project would have a substantial adverse effect on “federally protected” wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, etc.) through direct removal, filling, hydrological interruption, or other means.
- Impact 8.3-4: The Proposed Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Impact 8.4-2: The Proposed Project would result in the conversion of important farmland to non-agricultural uses.
- Impact 9.2-1: The Proposed Project could cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

- Impact 10.2-1: The Proposed Project would result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- Impact 10.2-2: The Proposed Project will result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- Impact 10.6-5: The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Impact 10.7-1: The Proposed Project would result in a cumulatively considerable net increase of criteria pollutants. Future growth in accordance with the Proposed Project would exceed the daily SMAQMD thresholds for NO_x and ROG.
- Impact 10.7-3: Buildout of the Proposed Project would generate emissions above the daily SMAQMD significance thresholds for NO_x and ROG, primarily due to traffic and area source emissions.
- Impact 10.7-4: The Proposed Project would expose sensitive receptors to substantial pollutant concentrations.
- Impact 10.7-6: The Proposed Project would potentially conflict with implementation of state goals for reducing greenhouse gas emissions and thereby have a negative effect on Global Climate Change.

LAFCo can fully satisfy its CEQA obligations by determining whether any alternatives identified in the GPU: 2030 EIR are both feasible and environmentally superior with respect to these impacts (Laurel Hills, *supra*, 83 Cal.App.3d at pp. 520-521 and pp. 526-527); Kings County Farm Bureau v. City of Hanford, *supra*, 221 Cal.App.3d at pp. 730-731; and Laurel Heights I, *supra*, 47 Cal.3d at pp. 400-403; see also Pub. Resources Code, § 21002). As the succeeding discussion will show, no identified alternative is both feasible and environmentally superior with respect to the unmitigated impacts.

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

LAFCo's review of project alternatives is guided primarily by the need to reduce potential impacts associated with the Project, while still achieving the basic objectives of the Project. The project applicant has identified the following objectives of the proposed City of Galt SOI Amendment project.

- To provide a logical and reasonable future physical boundary of the City of Galt; and,
- To aid in the comprehensive planning of future land uses in the project area (SOIA DEIR p. 3).

The City of Galt engaged in an extensive process to evaluate and select the alternatives analyzed in the GPU: 2030 DEIR. Each alternative was based on common assumptions regarding projected housing, commercial, office, industrial and public facility needs for the City. The City initially analyzed four alternatives in the Expanded Study Area Report (December 2005) based on community preferences and opinions gathered through various types of public outreach. Based on further responses by the City Council and the public, the GPU: 2030 DEIR analyzed the following three alternatives:

- Alternative 1: No-Project Alternative
- Alternative 2: Compact Growth
- Alternative 3: Focused Growth

The factors considered in selection of the alternatives, as well as the alternatives selection process, are outlined in the GPU: 2030 DEIR in Section 11.2.

Definition of Alternative 1

The CEQA Guidelines have clarified that, under a “No Project” alternative, an EIR must examine both the existing conditions, as well as a “buildout” scenario (i.e., what would occur if the site were developed as allowed under applicable City plans). The CEQA Guidelines Section 15126.6(e)(2) states:

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

As evaluated by the City, Alternative 1 (No-Project or Existing General Plan) analyzes the effects of continued implementation of the City’s existing 1989 General Plan, which would remain as the adopted long-range planning policy document for the City. Consequently, current development patterns would continue to occur in accordance with the existing General Plan, Zoning Code, and Specific Plans. Development outside the existing SOI would require LAFCo review and approval on a case-by-case basis. Additionally, the 1989 General Plan does not encourage orderly growth patterns using a variety of current planning concepts (see Policy LU-2.3 “Smart Growth Principles and Sustainable Land Use Practices”) provided as part of the GPU. Continued implementation of the No-Project Alternative would also not likely result in as large a build-out population as that provided under the GPU and would not include any of the General Plan policies and implementation measures designed to address the environmental impacts of future City development. (GPU: 2030 DEIR p. 11-9)

Implementation of the No Project Alternative would result in a similar impact to agricultural resources compared to the proposed SOI Amendment project. This is because Area B to be detached from the SOI represents a similar acreage of Prime, Unique, or Farmland of Statewide Importance as Area A (see analysis in SOIA DEIR pps. 8 to 19), and a similar amount of land designated as Prime, Unique, or Farmland of Statewide Importance would likely be converted to urban uses under the No Project Alternative within the SOI Amendment area compared to the amount of farmland that would be converted to urban uses under the proposed SOI Amendment

project. Therefore, since there would be conversion of important farmland to urbanized uses under this alternative, there would still be a significant and unavoidable impact (SOIA DEIR p. 34).

Evaluation and Finding of Feasibility of Alternative 1

The Sacramento LAFCo rejects Alternative 1, No Project Alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible:

- The City of Galt has previously adopted the General Plan Update: 2030, thus precluding action by LAFCo to implement Alternative 1. Sacramento LAFCo does not have jurisdiction or land use authority to re-establish the the City's previous General Plan.

LAFCo finds that the reason described above is individually sufficient to outweigh the environmental benefits that may be gained from implementation of the No Project Alternative. The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard.

Implementation of the No Project Alternative would not fully meet the following goals of the project applicant in proposing the SOI Amendment project:

- To provide a logical and reasonable future physical boundary of the City of Galt (*the existing General Plan does not encourage orderly growth patterns using a variety of current planning concepts*);
- To aid in the comprehensive planning of future land uses in the project area (*Development outside the existing SOI would require LAFCo review and approval on a case-by-case basis and would be inconsistent with LAFCo's policies designating Spheres of Influence as the ultimate service boundary of an agency*).

The basis for the foregoing determinations can be found in Section IV of these Findings and p. 3 of the SOIA DEIR dated July 2010 regarding the LAFCo's Project objectives, and pps. 11-9 through 11-12 of the GPU: 2030 DEIR dated July 2008 regarding the environmental effects of the Alternative, and City of Galt Resolution No 2009-28 regarding City policy and factual determinations on the GPU: 2030 EIR.

To the extent that any environmental impacts might be less significant under the No Project Alternative, the rejection of this alternative is appropriate for the reason stated above and in the statement of overriding considerations.

Definition of Alternative 2: Compact Growth

As evaluated by the City, under Alternative 2, land uses within the existing City limits would be similar to those anticipated under the GPU. However, land uses adjacent to the existing City limits would intensify to some degree such that the anticipated population at build-out of Alternative 2 would be similar to that of the GPU but would ultimately occur within a smaller SOI compared to that of the proposed Project. It is anticipated that this new growth would be integrated into distinct neighborhoods with a mix of uses similar to the GPU. The total buildout population for this alternative would be approximately 51,500 people.

Overall, the intensification of land uses would result in a decreased need to convert existing open space/agricultural lands to a developed use, but it would still be considered significant and unavoidable. Such an approach may result in increased levels of traffic congestion within these areas of intensified development. Alternative 2 would be expected to result in substantial new development within the northern and eastern portions of the City's expanded sphere of influence. This development would require the expansion of a variety of local city services (including police, fire, water supply, parks, etc.) in addition to those provided by both local school districts. Because development proposed under this alternative would be similar to that anticipated under the proposed SOIA project, public service and utility impacts are also anticipated to be similar. However, the intensification of land uses may also increase the feasibility of inter-city or citywide transit service that would help to reduce air quality and traffic impacts within these new areas of development (GPU: 2030 DEIR p. 11-12 to 11-16).

Evaluation and Finding of Feasibility of Alternative 2

The Sacramento LAFCo rejects Alternative 2, Compact Growth, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible:

- The Sacramento LAFCo does not have jurisdiction or land use authority to modify the City's adopted General Plan and establish the preferred alternative.

LAFCo finds that the reason described above is individually sufficient to outweigh the environmental benefits that may be gained from implementation of the Compact Growth alternative. The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. LAFCo further finds that the environmental commitments incorporated into the project by the City of Galt, in particular consultation with SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan, promotes LAFCo's policy for "the planned, orderly, efficient development of an area" and could meet some of the intent of Alternative 2, Compact Growth.

Implementation of the Compact Growth Alternative would not conflict with the goals of the project applicant in proposing the SOI Amendment project.

The basis for the foregoing determinations can be found in Section IV of these Findings and p. 3 of the SOIA DEIR dated July 2010 regarding the LAFCo's Project objectives, and pps. 11-12 through 11-16 of the GPU: 2030 DEIR dated July 2008 regarding the environmental effects of the Alternative, and City of Galt Resolution No 2009-28 regarding City policy and factual determinations on the GPU: 2030 EIR.

To the extent that any environmental impacts might be less significant under the Compact Growth Alternative, the rejection of this alternative is appropriate for the reason stated above and in the statement of overriding considerations.

Definition of Alternative 3: Focused Growth

Alternative 3 would focus future growth primarily around three activity nodes (identified as the notch, new high school, and Twin Cities Road) that have services within easy driving or walking distance. The “notch” neighborhood (east of downtown) would include a regional commercial and entertainment center oriented towards the highway, and office and neighborhood commercial uses near residential. The “new high school” neighborhood would be a predominately single family residential neighborhood with parks, a continuation of the City’s trail system, and an emphasis on joint-use facilities with the school district. The “Twin Cities Road” neighborhood would be focused primarily on shopping and employment opportunities. This alternative would require urbanization of approximately 1,040 acres outside of the current City limits. The total buildout population for this alternative would be approximately 44,150 people.

Evaluation and Finding of Feasibility of Alternative 3

The Sacramento LAFCo rejects Alternative 3, Focused Growth, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which LAFCo finds the alternative to be infeasible:

- The Sacramento LAFCo does not have jurisdiction or land use authority to modify the City’s adopted General Plan and establish the preferred alternative.

LAFCo finds that the reason described above is individually sufficient to outweigh the environmental benefits that may be gained from implementation of the Focused Growth alternative. The Sacramento LAFCo has been presented with no evidence to contradict its conclusion in this regard. LAFCo further finds that the environmental commitments incorporated into the project by the City of Galt, in particular consultation with SACOG regarding the Regional Blueprint and consistency with the Metropolitan Transportation Plan, promotes LAFCo’s policy for “the planned, orderly, efficient development of an area” and could meet some of the intent of Alternative 3, Focused Growth.

Implementation of the Focused Growth Alternative would not conflict with the goals of the project applicant in proposing the SOI Amendment project.

The basis for the foregoing determinations can be found in Section IV of these Findings and p. 3 of the SOIA DEIR dated July 2010 regarding the LAFCo’s Project objectives, and pps. 11-12 through 11-16 of the GPU: 2030 DEIR dated July 2008 regarding the environmental effects of the Alternative, and City of Galt Resolution No 2009-28 regarding City policy and factual determinations on the GPU: 2030 EIR.

To the extent that any environmental impacts might be less significant under the Focused Growth Alternative, the rejection of this alternative is appropriate for the reason stated above and in the statement of overriding considerations.

XVI. STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

The Sacramento LAFCo finds that the Project will have the following specific economic, legal, social, technological, or other benefits:

- A. The City of Galt is one of the fastest growing areas within Sacramento County. Population and employment projections indicate that the City will continue to grow at a rate significantly greater than the countywide average. The City of Galt's current Sphere of Influence includes Area B described in Section IV above, which is predominantly developed with residential ranchettes and would not allow the growth anticipated in the GPU: 2030. Modification of the City's Sphere of Influence is necessary to accommodate future year urban expansion.
- B. The Cortese-Knox-Hertzberg Act holds that a Sphere of Influence is an area designated as that necessary to accommodate urban development for a City over a 20-year period. Given the above findings, the City of Galt does not have a 20-year supply of land necessary to serve projected urban development. Amendment of the City's Sphere of Influence would modify the City's probable, future urban boundary necessary to provide for the urban development needs of the City for a 20-year period.
- C. The SOI Amendment represents a logical and reasonable extension of the City boundaries because it is coterminous with the existing City limits. The SOI Amendment Area can be served by existing or planned infrastructure and municipal services, consistent with the City General Plan.
- D. According to LAFCo policy, in reviewing proposals that could be expected to convert open space uses to non open space uses, "[d]evelopment 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" (GC §56377(a)). There are similar proportions of Farmland of Statewide Importance in the General Plan Study Area and the SOI Amendment project area (10,210 acres/42 percent vs. 492 acres/47 percent). However, compared to other

areas in the General Plan Study Area, the SOI Amendment project area contains proportionately less prime agricultural lands (706 acres/3 percent vs. 1 acre/0.1 percent) (see GPU: 2030 DEIR Figure 8-9 Important Farmlands and Williamson Act Lands in the Study Area and Table 8.9 FMMP Land Use Designations within the City of Galt's Study Area) (SOIA DEIR p. 34).

- E. The Municipal Service Review submitted by the City of Galt for the proposed SOI Amendment shows that City is the most logical and prospectively the most efficient provider of infrastructure and services for the project territory.
- F. Approval of the proposed SOI Amendment would lead to future urbanization of the area, thus providing an undetermined number of construction and labor jobs over a period of several decades. In addition, development of the area would include commercial and industrial land uses and associated jobs.
- G. LAFCo has found that no feasible alternative would avoid the adverse impacts as defined above which would occur with approval of the City of Galt SOI Amendment. All of the alternatives, including the proposed project, would have significant and unavoidable environmental effects. On balance, LAFCo finds that the proposed project would best meet the requirements of LAFCo and the needs and adopted policy of the City of Galt.
- H. The City of Galt has included environmental commitments as part of the project. LAFCo has included these environmental commitments as conditions on the approval of the Galt Sphere of Influence Amendment. The conditions are in addition to mitigation measures and are consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to discourage urban sprawl, preserve open space, agriculture, and habitat for species, and promote orderly development.
- I. Federal, state, and local planning entities were consulted during the environmental review process, and their concerns have been incorporated into the SOIA project as environmental commitments, thereby meeting regional planning goals.
- J. Specific annexation proposals that may adversely affect resources will be subject to subsequent environmental review pursuant to the requirements of CEQA.

The Sacramento LAFCo finds that the above described benefits from implementing the SOI Amendment project override the significant and unavoidable environmental impacts of the Proposed Project.

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