

# 1 INTRODUCTION

This Recirculated Draft Environmental Impact Report is part of the ongoing environmental review process for the proposed Sphere of Influence (SOI) Amendment (SOIA) (proposed project) and was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the project (LAFC #07-15, State Clearinghouse Number 2016032015). This document is prepared in conformance with CEQA (California Public Resources Code, Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.). For purposes of clarity, this document is referred to as the Recirculated Draft Environmental Impact Report (Recirculated Draft EIR), and the previously circulated Draft Environmental Impact Report is referred to as the Draft EIR.

After the February 16, 2017, release of the Draft EIR, a public review draft of the South Sacramento Habitat Conservation Plan (SSHCP) and Implementing Agreement, accompanying joint draft Environmental Impact Statement/draft Environmental Impact Report, and draft Aquatic Resources Program, were released (Sacramento County 2017a and 2017b) on June 2, 2017. At the time the original Draft EIR was drafted, the SSHCP was still being developed and details of the proposed plan were not available. Also after the release of the Draft EIR, on June 23, 2017, the City of Elk Grove released a Notice of Preparation (NOP) for an EIR to address impacts associated with a General Plan update and an update to the City's Climate Action Plan. The City's NOP includes information about the proposed SOIA Area, which is identified as the "South Study Area" (City of Elk Grove 2017), as well as preliminary indications of policy direction for the South Study Area and other policies that will be relevant for the proposed SOIA. Sacramento County Water Agency, in response to the Draft Municipal Services Review, also provided LAFCo with new water supply information after the Draft EIR was published. LAFCo has elected to recirculate portions of the EIR to include this and other new information for public review.

Recirculation can include all of a CEQA document or only portions of the document that contain new information (CEQA Guidelines, Section 15088.5[c]). This document is a *partially* recirculated EIR because new information has been added or changed in portions of the Draft EIR after it was initially circulated for public comment in February 2017.

## 1.1 PROPOSED PROJECT

The project is a landowner-initiated proposal to amend the SOIs of the City of Elk Grove, the Sacramento Area Sewer District, and the Sacramento Regional County Sanitation District to include the 1,156-acre proposed SOIA Area that abuts the southern portion of the City of Elk Grove's existing jurisdictional boundary. Throughout this EIR, this area is also called "the project site" or the "SOIA Area." The project vicinity is shown on Exhibit 1-1 and the project location map is shown in Exhibit 1-2.

### 1.1.1 PREVIOUS SOIA PROPOSAL

In 2008, the City of Elk Grove (City) applied to Sacramento Local Agency Formation Commission (Sacramento LAFCo) for a Sphere of Influence Amendment (LAFC#04-08) to the south and east of its current boundary consisting of approximately 10,536 acres, which was subsequently closed and a new application (LAFC#09-10) submitted by the City for 7,869 acres. The City withdrew its application in 2013. Both of these larger areas included the proposed SOIA Area addressed by the *current* proposed project. This project is separate and distinct from the previous proposals.

## 1.2 OVERVIEW OF THE CEQA PROCESS

### 1.2.1 PURPOSE AND AUTHORITY

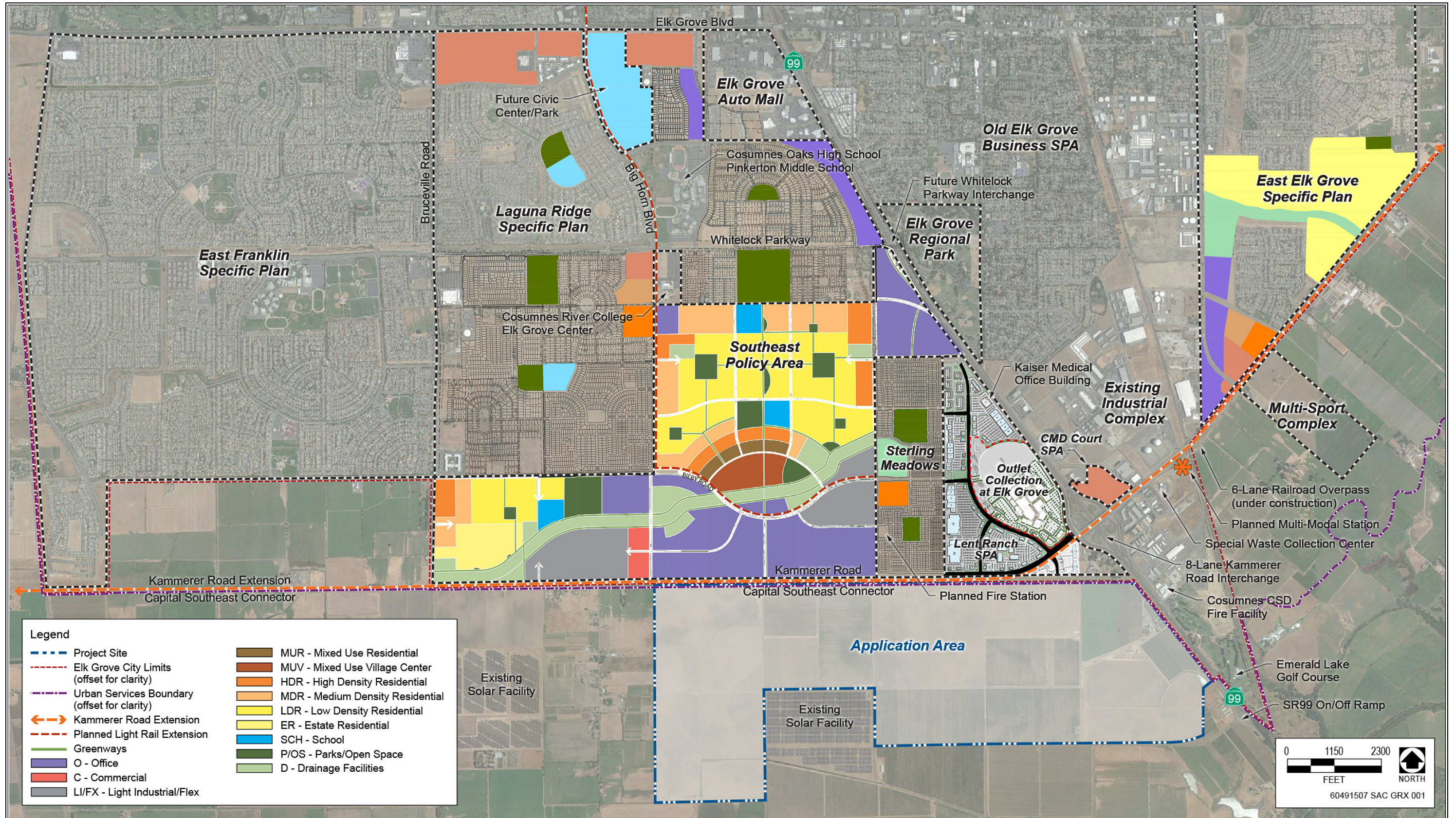
A lead agency recirculates an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification (15088.5). The term “information” can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.

“Significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)

The Draft EIR for the proposed project was circulated for public comment for a public review period, beginning on February 15, 2017, and ending March 31, 2017. After the close of the public comment period, LAFCo staff elected to add new information to the Draft EIR associated with the City of Elk Grove’s General Plan Update and new annexation policies, the publicly available *South Sacramento Habitat Conservation Plan*, water supply information provided by the Sacramento County Water Agency, and requirements of the Sustainable Groundwater Management Act.

The environmental impacts of the proposed project are analyzed in the Recirculated Draft EIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. As with the original Draft EIR, the Recirculated Draft EIR addresses the potentially significant adverse environmental impacts that may be directly or indirectly associated with the proposed SOIA expansion. There are no specific land use entitlements proposed at this time in conjunction with the proposed SOIA. No physical development is proposed in conjunction with the proposed application. However, this EIR acknowledges that future urbanization of the project area may occur in the future as an indirect result of this SOIA; therefore, this EIR contains an analysis of indirect environmental impacts attributable to, or which could result from the proposed project based on a theoretical land use scenario developed exclusively for the purposes of analysis. This EIR is intended to serve as an informational document for the public agency decision makers and the public regarding the possible future implications of the proposed project if the SOIA Area were to be proposed for development in the future.

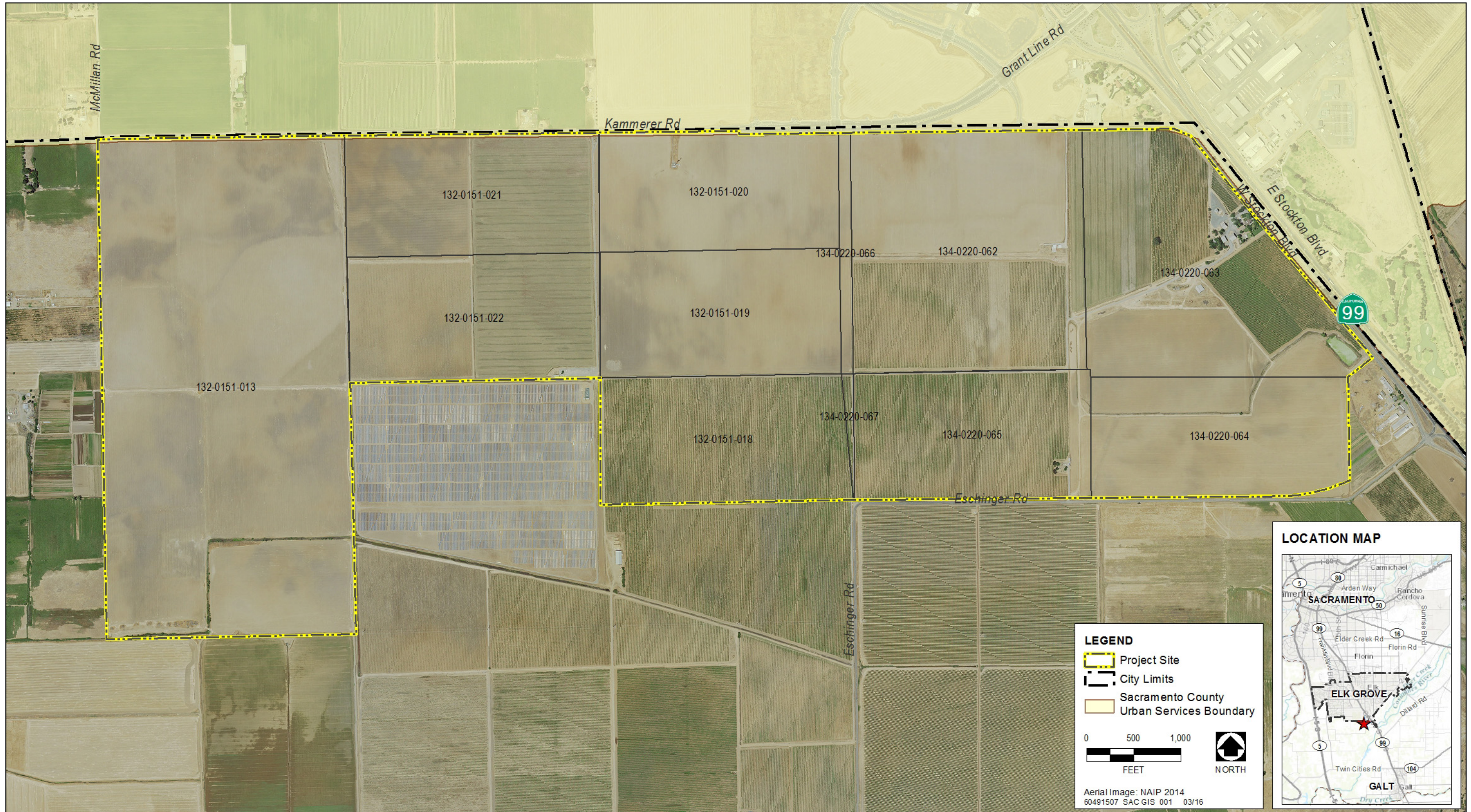


Source: City of Elk Grove 2016 and Sacramento County 2014 adapted by AECOM in 2016

Exhibit 1-1

Project Vicinity

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Source: Sacramento County 2014 adapted by AECOM in 2016

Exhibit 1-2

Project Location Map

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Recirculation of an EIR requires notice pursuant to CEQA Guidelines Section 15087 and consultation pursuant to CEQA Guidelines Section 15086.

This Recirculated Draft EIR was prepared by AECOM through a contract with LAFCo. The document was reviewed by LAFCo before its release and reflects the independent judgment of LAFCo (see Chapter 7 of this EIR, “List of Preparers”).

## 1.2.2 LAFCo LEAD AGENCY AUTHORITY AND PROCEDURE

LAFCo’s authority is defined in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). Government Code Section 56300 requires that each LAFCo establish policies to provide well-planned urban development, preservation of open space, and orderly formation of local agencies. Therefore, the proposed SOIA must be reviewed and approved by LAFCo (Government Code Section 56425[a], Public Resources Code Section 21067). The CHK Act contains the following specific “policy elements” for LAFCo review:

- ▶ Encourage orderly growth and development patterns (Government Code Section 56001);
- ▶ Discourage urban sprawl, preserve open-space and prime agricultural lands, efficiently provide government services, and encourage the orderly formation and development of local agencies based upon local conditions and circumstances (Government Code Section 56301); and
- ▶ Guide development away from open space and prime agricultural land uses unless such action would not promote planned, orderly, and efficient development (Government Code Section 56377).

LAFCo has review authority for annexations to, or detachment from, cities or special districts; formation or dissolution of districts; incorporation or disincorporation of cities; consolidation or reorganization of cities or districts; establishment of subsidiary districts; and development of, and amendments to SOIs. LAFCo can approve, modify and approve, or disapprove applications and impose terms and conditions (Government Code Section 56885.5).

Sacramento LAFCo has adopted a *Policy, Standards, and Procedures Manual* (Manual) to guide its decision-making process on municipal annexations and other changes in municipal organization. The Manual includes both general standards for LAFCo decisions and standards specific to municipal annexations. LAFCo may make exceptions to its policies and standards if it determines that such exceptions are necessary because of unique circumstances or conflicts between general and specific standards; if the exceptions would result in improved quality or lower cost of services available; or if no feasible or logical alternative exists.

The factors considered by Sacramento LAFCo when reviewing a proposed SOIA are identified in Government Code Section 56425:

- (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

- (b) Prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached between the city and county, the city shall forward the agreement in writing to the commission, along with the application to update the sphere of influence. The commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section, and the commission shall give great weight to the agreement to the extent that it is consistent with commission policies in its final determination of the city sphere.
- (c) If the commission's final determination is consistent with the agreement reached between the city and county pursuant to subdivision (b), the agreement shall be adopted by both the city and county after a noticed public hearing. Once the agreement has been adopted by the affected local agencies and their respective general plans reflect that agreement, then any development approved by the county within the sphere shall be consistent with the terms of that agreement.
- (d) If no agreement is reached pursuant to subdivision (b), the application may be submitted to the commission and the commission shall consider a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section.
- (e) In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to each of the following:
  - (1) The present and planned land uses in the area, including agricultural and open-space lands.
  - (2) The present and probable need for public facilities and services in the area.
  - (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - (4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
  - (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
- (f) Upon determination of a sphere of influence, the commission shall adopt that sphere.
- (g) On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.
- (h) In determining a sphere of influence, the commission may assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies when reorganization is found to be feasible and if reorganization will further the goals of orderly development and efficient and affordable service delivery. The commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.



- (i) When adopting, amending, or updating a sphere of influence for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.
- (j) When adopting, amending, or updating a sphere of influence for a special district, the commission may require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.

### 1.2.3 LAFCo CEQA POLICIES

#### POLICIES, STANDARDS, AND PROCEDURES MANUAL

Sacramento LAFCo’s Manual contains policies and procedures for implementing CEQA review and a list of standards for determining the significance of environmental impacts. The applicable policies for CEQA review and SOIA proposals are listed below (Sacramento LAFCo 2007).

#### Chapter III, “LAFCo General Policies”

- ▶ **Policy 1.** LAFCo will encourage participation in its decision-making process. LAFCo will contact community members through community councils, give published notice, and, where LAFCo determines appropriate, give mailed notice to the owners of property within 500 feet of a project site.
- ▶ **Policy 2.** LAFCo will encourage communication on actions among the County, cities, and special districts.
- ▶ **Policy 5.** CEQA requires that LAFCo assess the environmental consequences of its actions and decisions, and take actions to avoid or minimize a project’s adverse environmental impacts, if feasible, or approve a project despite significant effects because it finds overriding considerations exist. To comply with CEQA, the LAFCo will take one or more of the following actions:
  - a. At its discretion, approve a project without changes if environmental impacts are insignificant;
  - b. Require an applicant to modify a project;
  - c. Establish mitigating measures as a condition of its approval of the proposal;
  - d. Deny the proposal because of unacceptable adverse environmental impacts; or
  - e. Approve the project despite its significant effects by making findings of overriding concern.
- ▶ **Policy 7.** LAFCo will favorably consider those applications which improve the balance between jobs and housing.

#### Chapter IV, “General Standards”

##### Section A. Spheres of Influence

- ▶ **Standard A.3.** LAFCo will require that any agency making a proposal for action through LAFCo must have an updated Master Service Element [municipal services review] of its Spheres of Influence Plan. LAFCo will approve a proposal only if the proposed service provider is the most efficient provider of services with an acceptable cost, as demonstrated in the provider’s Master Service Element.

## **Section B. Conformance with Applicable General and Specific Plans**

- ▶ **Standard B.1.** LAFCo will approve changes of organization of reorganization only if the proposal is consistent with the General Plan and applicable Specific Plans of the applicable planning jurisdiction.
- ▶ **Standard B.2.** For purposes of the above policy, the applicable jurisdiction is as follows:
  - a. For annexations to a city, the applicable jurisdiction is the city to which annexation is proposed;
  - b. For applications for annexation to or detachment from a district all of whose territory lies within an adopted Sphere of Influence of a city, the General Plans of the city;
  - c. For an application for annexation to a special district for lands outside an adopted city Sphere of Influence, the Sacramento County General Plan;
  - d. For an application for annexation or detachment from a district whose territory lies in both the city and the unincorporated area of the county, the General Plan of the city unless the project lies outside of the city's Sphere of Influence; and
  - e. For application for incorporations, this standard is inapplicable.
- ▶ **Standard B.3.** For the purposes of this standard, the proposal shall be deemed consistent if the proposed use is consistent with the applicable General Plan designation and text, the applicable General Plan is legally adequate and internally consistent and the anticipated types of services to be provided are appropriate to the land use designated for the area.

## **Section E. Agricultural Land Conservation**

- ▶ **Standard E.1.** LAFCo will approve a change of organization or reorganization, which will result in the conversion of prime agricultural land in open space use to other uses, only if the Commission finds that the proposal will lead to the planned, orderly, and efficient development of an area. For purposes of this standard, a proposal leads to the planned, orderly, and efficient development of an area only if all of the following criteria are met:
  - a. The land subject to the change of organization or reorganization is contiguous to either lands developed with an urban use or lands which have received all discretionary approvals for urban development;
  - b. The proposed development of the subject lands is consistent with the Spheres of Influence Plan, including the Master Services Element of the affected agency or agencies;
  - c. Development of all, or a substantial portion of, the subject land is likely to occur within five years. In the case of very large developments, annexation should be phased whenever feasible. If the Commission finds phasing infeasible for the specific reasons, it may approve annexation if all or a substantial portion of the subject land is likely to develop within a reasonable period of time;
  - d. Insufficient vacant, non-prime lands exists within the applicable Spheres of Influence that are planned, accessible, and developable for the same general type of use;

- e. The proposal will have no significant adverse effect on the physical and economic integrity of other agricultural lands. In making this determination, LAFCo will consider the following factors:
    1. The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region;
    2. The use of the subject and the adjacent areas;
    3. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands which lie between the project site and existing facilities;
    4. Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development; and
    5. Applicable provisions of the General Plan open space and land use elements, applicable growth-management policies, or other statutory provisions designed to protect agriculture.
- **Standard E.2.** LAFCo will not make the affirmative findings that the proposed development of the subject lands is consistent with the Spheres of Influence in the absence of an approved Sphere of Influence Plan. LAFCo will not make the affirmative findings that sufficient non- prime land exists within the Spheres of Influence Plan unless the applicable jurisdiction has:
- a. Identified within its Spheres of Influence all “prime agricultural land” as defined herein;
  - b. Enacted measures to preserve prime agricultural land identified within its Sphere of Influence for agricultural use; and
  - c. Adopted as part of its General Plan specific measures to facilitate and encourage infill development as an alternative to development of agricultural lands.

***Section F. Application of the California Environmental Quality Act to Changes of Organization or Reorganization and Spheres of Influence***

The following standards will apply to LAFCo’s implementation of the California Environmental Quality Act (“CEQA”) in reviewing requests for changes of organization or reorganization and spheres of influence. ...

- **Standard F.1.** In general, LAFCo will function as a Lead Agency in situations where:
- a. LAFCo is the first agency in time to act;
  - b. The primary decision relates to a change of organization or reorganization or sphere of influence;
  - c. The applicant agency is unable to act as the Lead Agency; or
  - d. There are no underlying land use approvals involved.
- **Standard F.2.** The Executive Officer shall have the authority to prepare or cause to be prepared the appropriate environmental documentation. LAFCo will not act upon any proposal for a change of organization until environmental documentation has been completed which adequately addresses the

requirements of CEQA. The Executive Officer of LAFCo shall serve as LAFCo's Environmental Coordinator and shall make an environmental determination per the requirements of CEQA.

- ▶ **Standard F.3.** LAFCo shall use its authority to comment on the Notice of Preparation and the EIR to ensure that an EIR prepared by another agency on a project which LAFCo will review complies with standard number 4 listed below. If the Lead Agency fails to notify LAFCo through the Notice of Preparation or provide substantially equivalent notification, LAFCo may assume the lead agency role (CEQA Guidelines sections 15052, 15096). Applicants for projects which will require LAFCo approval are encouraged to consult with LAFCo early in the application process and independently notify LAFCo of the initiation of environmental review.
  
- ▶ **Standard F.4.** In preparing an Initial Study for a project subject to LAFCo review, LAFCo will generally consider the project to have the potential to significantly affect the environment if one or more of the following situations exists:
  - a. Any of the circumstances referred to in Appendix G of the State CEQA Guidelines exist;
  - b. If buildout of the project may result in the capacity of any public service or facility being exceeded or substantially affected<sup>1</sup>;
  - c. If the project would physically divide an existing community or other area having identifiable social and economic homogeneity;
  - d. If the project is inconsistent with the applicable Spheres of Influence and no amendment is applied for;
  - e. If the project has substantial growth-inducing potential because it would result in:
    - 1. extending a major roadway into an undeveloped area;
    - 2. extending a sewer trunk line to a substantial area not currently served;
    - 3. extending water service to a substantial area not currently served;
    - 4. providing electric service to a substantial area not currently served;
    - 5. providing or requiring flood control or other public facility which will protect the public safety so as to permit new development in an area substantially larger than the proposed project;
    - 6. providing any other public service or facility to a substantial area which could not grow without such service; and
    - 7. encouraging or fostering growth in a substantial area;

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<sup>1</sup> For purposes of this provision, public facilities or services include, but are not limited to: sewage disposal, water service, flood control facilities, drainage facilities, law enforcement, fire protection, school, parks, libraries, gas and electric service and solid waste disposal. A public service or facility shall be considered "substantially affected" if the additional demand generated by the project would result in the facility or service exceeding 110 percent of its design capacity, or 120 percent of the available capacity.

- f. If the project, in conjunction with other past, present and reasonably foreseeable future projects would result in significant cumulative environmental impacts;
  - g. If the project would result in substantial noncontiguous urban development; and
  - h. If the project would conflict with open space goals and policies of a community.
- **Standard F.5.** An EIR completed on a project subject to LAFCo review shall contain a discussion of the following topics:
- a. County-wide or cumulative impacts which concern LAFCo; and
  - b. Where the EIR identifies significant effects, a description of the range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project. The range of alternatives to be considered shall include, at a minimum, the “no-action” alternative, alternative boundary locations, and a discussion of using other agencies to provide the facility or service proposed to be provided as a result of the proposed change of organization or reorganization.

## Chapter V, “Specific Standards by Type of Action”

### Section H. Sphere of Influence Plans

A Sphere of Influence plan is a plan for the probable, ultimate physical boundaries and service areas of a local agency. This section of the LAFCo Manual sets forth the required contents of a Sphere of Influence Plan, the procedures for submittal and approval of Sphere of Influence Plans and amendments thereto, and the use of Sphere of Influence Plans in LAFCo determinations.

- **Standard H.1:** The Sphere of Influence Plan for all government agencies within the LAFCo’s jurisdiction, shall contain the following:
- a. A map defining the probable boundary of its service area;
  - b. A statement of the present and planned land uses in the area, including agricultural and open space lands;
  - c. The present and probable need for public facilities and services in the area;
  - d. The present capacity of public facilities and adequacy of public services, which the agency provides or is authorized to provide;
  - e. The existence of any relevant social or economic communities of interest in the area; and
  - f. With respect to all cities, sewer districts, water districts, community service districts, drainage districts, and multi-purpose districts within the jurisdiction of Sacramento LAFCo, a Master Services Element as defined in paragraph H.2 below. Other agencies may prepare a Master Services Element.

- ▶ **Standard H.2.** A Master Service Element shall contain the following:
  - a. A projection of the geographic extent of service capabilities during the next 20 years denominated in 5-year increments. In the case of cities, a shorter time frame may be appropriate if the applicable General Plan has a shorter planning period.
  - b. Projected level of service capabilities in the same time frames and geographical areas.
  - c. Actual and projected costs of services to consumers. This shall include a statement of actual and projected allocation of the cost of services between existing and new residents.
  - d. The Service Element shall contain sufficient information concerning current and projected capital improvement programs, revenues, costs, rate structures and financing, and other information necessary to support the projected service capabilities for those areas set forth in the element.
- ▶ **Standard H.3.** LAFCo may, at its discretion, designate a geographic area beyond the Sphere of Influence as an Area of Concern to the local agency. An Area of Concern is a geographic area beyond the Sphere of Influence in which land use decisions or other governmental actions of the County impact directly or indirectly upon the local agency. For example, a development project outside the limits or Sphere of Influence of a local agency may result in that local agency providing services or adjusting its planning assumptions.
- ▶ **Standard H.4.** LAFCo will adopt, amend, or revise Sphere of Influence Plans after a public hearing and pursuant to the procedures set forth in section 56427 and 56428 of the Cortese-Knox Act. Sphere of Influence Plans shall be revised as necessary, but in all cases at least every five years.
- ▶ **Standard H.10.** In the case of a Sphere of Influence Plan which contains a Master Services Element, if the evidence demonstrates that an agency is unable to provide an adequate level of service within a portion of its ultimate service area boundaries, the Sphere of Influence Plan shall be amended pursuant to the procedures for periodic review such that the ultimate service boundaries are consistent with the Master Services Element. If the Master Services Element projections demonstrate an adequate level of service beyond the ultimate service boundary, the Sphere of Influence Plan may be amended accordingly.

### ***Section I. Amendments to Spheres of Influence***

- ▶ **Standard I.1.** The LAFCo will generally treat a proposed amendment to an agency's Sphere of Influence similarly to an application for approval of a Sphere of Influence. The LAFCo's policies will be applied to applications planned for the mid- to long-range future. For that reason, each of the following sets of policies will apply to applications for amendment to Spheres of Influence:
  - a. General policies;
  - b. Specific policies and standards for annexations to cities and special districts; and
  - c. Specific policies and standards for amendments for amendments to Spheres of Influence.
- ▶ **Standard I.2.** The Sphere of Influence Master Services Element must be current before additions to a Sphere of Influence will be approved by LAFCo.
- ▶ **Standard I.3.** The Sphere of Influence amendments shall precede applications for annexations.

- ▶ **Standard I.7.** A phased plan for annexation of Sphere of Influence territory should be included in the Sphere of Influence proposal.
- ▶ **Standard I.8.** No amendments to a Sphere of Influence Plan will be approved unless a Master Services Element of the Sphere of Influence Plan exists that has been prepared by a local agency and adopted by LAFCo if required.
- ▶ **Standard I.10.** The LAFCo will approve a proposed amendment to a Sphere of Influence only if the subject agency will be the most logical and prospectively most efficient provider of services to the subject territory.

## **LAFCo DEFINITION OF OPEN SPACE**

Sacramento LAFCo uses the following criteria to define open space:

- ▶ According to Section 56059, "Open Space," of the Cortese-Knox Act, open space means any parcel or area of land or water which is substantially unimproved and devoted to an open-space use, as defined in Section 65560.
- ▶ Section 65560 of the *Planning, Zoning, and Development Laws 2011* further defines open space as follows:
  - a. "Local open-space plan" is "the open-space element of a county or city general plan adopted by the board or council. ..."
  - b. "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:
    1. Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
    2. Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
    3. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
    4. Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the

protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

### 1.3 SCOPE OF THE EIR

Sacramento LAFCo reviewed and considered all comments received on the notice of preparation (NOP) for the proposed project and submitted on the Draft EIR. As relevant and appropriate, this Recirculated Draft EIR addresses those comments.

A NOP was issued on March 7, 2016. The NOP, describing the project and issues to be addressed in the EIR, was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period, extending from March 7, 2016 through April 8, 2016. The NOP comments on the scope and content of the EIR are contained in Appendix A of this Recirculated Draft EIR and are listed in Table 1 of Appendix A.

The Draft EIR was received on February 15, 2017 by the State Clearinghouse. The Draft EIR was circulated for a 45-day public review period, which concluded on March 31, 2017. In addition to written comments, Sacramento LAFCo also accepted verbal comments related to the Draft EIR at the regularly scheduled Commission meeting on March 1, 2017, and at an open house on March 10, 2017. Verbal and written comments were received in response to the Draft EIR. They are listed in Table 1-1 and provided in Appendix B of this Recirculated Draft EIR.

**Table 1-1  
Comments Received on the Draft EIR**

Letter #	Commenter	Date Received
<b>Agencies/Tribes</b>		
A-1	Sacramento Regional County Sanitation District/Sacramento Area Sanitation District	February 15, 2017
A-2	Sacramento Area Council of Governments (SACOG)	March 7, 2017
A-3	California Department of Fish and Game (CDFW)	March 8, 2017
A-4	United Auburn Indian Community of the Auburn Rancheria	March 17, 2017
A-5	Sacramento County	March 21, 2017
A-6	California Department of Conservation, Division of Oil, Gas, and Geothermal Resources	March 27, 2017
A-7	California Department of Transportation (Caltrans)	March 29, 2017
A-8	Sacramento Metropolitan Air Quality Management District (SMAQMD)	March 30, 2017
A-9	Cosumnes Community Services District (CCSD)	March 31, 2017
A-10	Elk Grove Unified School District (EGUSD)	March 31, 2017
A-11	Sacramento Municipal Utility District (SMUD)	March 31, 2017
A-12	California Office of Planning and Research, State Clearinghouse and Planning Unit	April 5, 2017
<b>Organizations</b>		
O-1	Friends of the Swainson's Hawk (FOSH)	March 31, 2017
O-2	Environmental Council of Sacramento (ECOS)	April 3, 2017
O-3	Friends of Stone Lakes National Wildlife Refuge	April 3, 2017
<b>Individuals</b>		
I-1	Public Comments Received at the Open House	March 15, 2017
I-2	Paul Lindsay	March 15, 2017
I-3	Diane Owen	March 29, 2017
I-4	Suzanne Pecci	March 31, 2017
I-5	Applicants: Martin Feletto and Gerry Kamilos	April 3, 2017
I-6	Grant Lynes	April 3, 2017
I-7	Lynn Wheat	April 3, 2017



## 1.4 FORMAT OF RECIRCULATED DRAFT EIR

This Recirculated Draft EIR focuses on updates to the agricultural resources; biological resources; hazards and hazardous materials; hydrology and water quality; land use, population, housing, employment, environmental justice, and unincorporated disadvantaged communities; public services and recreation; transportation; and utilities and service systems analyses that was presented in the Draft EIR, as well as related revisions to Chapter 4, Alternatives, and Chapter 5, Other CEQA Considerations. Changes to the Draft EIR text are indicated by ~~strikethrough~~, which indicates the deletion of text from the Draft EIR, and underline, which indicates new text added to the Recirculated Draft EIR. Text within this Recirculated Draft EIR that appears without strikethrough or underline indicates that it is the same as in the Draft EIR.

## 1.5 ORGANIZATION OF THE EIR

This Recirculated Draft EIR is organized into the following main sections:

- ▶ **Executive Summary.** This section orients the reader to the LAFCo-specific matters of jurisdiction and concern. It also includes a summary of the proposed project and alternatives addressed in the Recirculated Draft EIR, as well as a summary of the project’s environmental impacts, required mitigation measures, and level of significance after mitigation associated with those resource sections included in the Recirculated Draft EIR.
- ▶ **Chapter 1, “Introduction.”** This chapter provides an introduction and overview describing the purpose of this Recirculated Draft EIR, its scope and components, and its review and certification process.
- ▶ **Chapter 2, “Project Description.”** This chapter includes a detailed description of the proposed project, including its location and land use assumptions developed for the purpose of analysis in this EIR. It also describes the intended uses of the EIR, potential responsible agencies, and the needed permits and approvals.
- ▶ **Chapter 3, “Environmental Impact Analysis.”** This chapter analyzes the environmental impacts of the proposed project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental setting, methodology, significance criteria, impacts, mitigation measures, and significance after mitigation. The following specific environmental topics are addressed in Chapter 3:
  - **3.2 Agricultural Resources**— The Recirculated Draft EIR provides City policies that are intended to avoid incompatibilities that could adversely affect ongoing agricultural operations and provides new information related to potential future annexation areas, percentages of different uses for these growth areas, and rural transition areas in the vicinity of Eschinger Road. In addition, an error was revised on Exhibit 3.2-1 and Exhibit 3.2-5.
  - **3.4 Biological Resources**—The Recirculated Draft EIR defines the biological resources in the vicinity of the SOIA Area and surrounding habitats and evaluates potential effects on wetlands, other sensitive natural communities (e.g., riparian habitat), and special-status species (e.g., raptors and other migratory birds). This section also addresses the relationship between the proposed project and the public review draft of the *South Sacramento Habitat Conservation Plan*, which has become available since circulation of the Draft EIR. This section of the Recirculated Draft EIR identifies mitigation measures that are consistent with the avoidance, minimization, and mitigation measures for covered species described in the draft SSHCP; discusses how implementation of these mitigation measures will ensure future development

is not likely to conflict with the provisions of the SSHCP; describes how the South Sacramento Habitat Conservation Plan characterizes agricultural lands in Elk Grove and surrounding areas; and determines how these lands are proposed to be integrated with the South Sacramento Habitat Conservation Plan system of planned preserves.

- **3.6 Energy**—The Recirculated Draft EIR incorporates new information provided by SMUD, which identifies existing infrastructure within and adjacent to the SOIA Area and SMUD’s requirements for construction of new infrastructure.
  - **3.9 Hazards and Hazardous Materials**—The Recirculated Draft EIR includes additional regulatory requirements and updates information related to the Suburban Propane facility.
  - **3.10 Hydrology and Water Quality**—The Recirculated Draft EIR incorporates new information in the existing setting and regulatory framework from the Sacramento Central Groundwater Authority’s *South American Subbasin Alternative Submittal*, which analyzes the change in groundwater storage and groundwater extraction, and updates the groundwater analysis based on this information.
  - **3.11 Land Use, Population, Housing, Employment, Environmental Justice, and Unincorporated Disadvantaged Communities**—The Recirculated Draft EIR summarizes new information related to Elk Grove’s General Plan update EIR NOP, draft annexation policies, and preliminary information from the General Plan update process related to absorption and phasing, particularly as it relates to the proposed “South Study Area” and rural transition areas in the vicinity of Eschinger Road.
  - **3.13 Public Services and Recreation**—The Recirculated Draft EIR updates the existing setting, the regulatory framework, and environmental impacts of the proposed project related to fire protection, law enforcement, public schools, and parks and recreation based on new information provided by the City, Cosumnes Community Service District, and Elk Grove Unified School District.
  - **3.14 Transportation**—The Recirculated Draft EIR evaluates existing traffic conditions and potential traffic impacts related to a conflict with one or more applicable transportation plans, ordinances, or policies; conflicts with applicable congestion management plans; hazards due to a design feature or incompatible use; inadequate emergency access; or conflicts with adopted plans, policies, or programs regarding public transit, bicycle, or pedestrian facilities. In 2013, Senate Bill (SB) 743 was passed, which required the Governor’s Office of Planning and Research (OPR) to revise the CEQA Guidelines to replace LOS with an alternative method of transportation impact analysis. The recommended method is to analyze vehicle miles travelled (VMT) in lieu of LOS. The Recirculated Draft EIR adds information related to transportation facility maintenance and vehicle miles traveled.
  - **3.15 Utilities and Service Systems**—The Recirculated Draft EIR updates the water supply and demand analysis based on new information provided by the Sacramento County Water Agency.
- **Chapter 4, “Alternatives.”** This chapter compares the impacts of the proposed project with two alternatives: the No Project Alternative and a Reduced Size Alternative. An environmentally superior alternative is identified.

- ▶ **Chapter 5, “Other CEQA Considerations.”** This chapter provides a summary of significant environmental impacts; significant and unavoidable impacts; growth-inducing effects; and cumulative impacts.
- ▶ **Chapter 6, “References.”** This chapter contains the list of references used in preparing the EIR.
- ▶ **Chapter 7, “Preparers.”** This chapter contains a list of preparers of the EIR.
- ▶ **Appendices:** The appendices include notices and other procedural documents pertinent to the Recirculated Draft EIR, as well as technical material prepared to support the analysis.

## 1.6 REVIEW OF THE RECIRCULATED DRAFT EIR

Upon completion of the Recirculated Draft EIR, the Sacramento LAFCo filed a notice of completion (NOC) with the Governor’s Office of Planning and Research to begin the public review period (Public Resources Code Section 21161). Concurrent with the NOC, this Recirculated Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as to all parties requesting a copy of the Recirculated Draft EIR, in accordance with Public Resources Code Section 21092(b)(3).

During the public review period, the Recirculated Draft EIR, including the technical appendices, is available for review at the Sacramento LAFCo offices, located at the address provided below. Agencies, organizations, and interested parties not previously contacted or who provided comments on the NOP or draft EIR have the opportunity to comment on the Recirculated Draft EIR during the public review period on the Recirculated Draft EIR. Comments should be focused on the sections included in this Recirculated Draft (CEQA Guidelines Section 15088.5[f][2]). Written comments on this Recirculated Draft EIR should be addressed to:

Don Lockhart, AICP, Executive Officer  
 Sacramento Local Agency Formation Commission  
 1112 I Street, Suite 100  
 Sacramento, CA 95814  
 Phone: (916) 874-2937  
 Fax: (916) 854-2939  
 Email: [Don.Lockhart@SacLAFCo.org](mailto:Don.Lockhart@SacLAFCo.org)

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the public review period, written responses to comments on the Recirculated Draft, as well as responses to comments on the portions of the original Draft EIR that were not recirculated, will be prepared and made available for review by the commenting agencies at least 10 days before the public hearing before the Commission, at which the certification of the Final EIR will be considered. The Final EIR will incorporate responses to comments received on the sections of the Draft EIR that were not recirculated and the comments received on the sections in this Recirculated Draft EIR. The comments and responses will be included as part of the record for consideration by the Commission.

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