



RECORDING REQUESTED  
WHEN RECORDING MAIL TO:

County of Sacramento  
Planning and Environmental Review  
827 7th Street, Room 225  
Sacramento, CA 95814  
CONTACT PERSON: Julie Newton  
TELEPHONE: (916)874-6141

SPACE ABOVE RESERVED FOR RECORDER'S USE

## NOTICE OF EXEMPTION

**Project Title:**

Elverta 59.5 South Tentative Subdivision Map

**Control Number:**

PLNP2017-00017

**Project Location:**

The proposed Elverta 59.5 South project is located within the Elverta Specific Plan (ESP) area at the northwest corner of 16th Street and Elverta Road, in the Rio Linda/Elverta community of unincorporated Sacramento County.

**APN:**

202-0080-007

**Description of Project:**

The project consists of the following entitlements from the County of Sacramento:

1. A **Rezone** of approximately 10.3-acres of Residential Density-7 (RD-7), 7.8-acres of Residential Density-20 (RD-20), and 14.4-acres of Shopping Center (SC) to 8.1-acres of RD-7, 7.1-acres of RD-20, and 17.3-acres of Light Commercial (LC).
2. A **Large Lot Tentative Subdivision Map** to divide a 32.5 acre property into one (1) RD-7 Lot, one (1) RD-20 Lot, two (2) Commercial Lots, one (1) Powerline Corridor Lot, and two (2) Ancillary Lots for Detention/Road/Landscape/Open Space/Drainage Corridor.
3. A **Small Lot Tentative Subdivision Map** to divide a 7.1-acre portion of the property into 36 Single-Family Residential Lots, one (1) Open Space/Drainage Lot, three (3) Powerline Corridor/Detention Lots, one (1) Detention/Road/Landscape Lot, and one Landscape Lot.
4. A **Design Review** to determine substantial compliance with the Elverta Specific Plan Design Guidelines and the Sacramento County Countywide Design Guidelines.

The project includes a rezone of the project site to be consistent with the slightly modified land use boundaries resulting from the Drainage Master Plan Amendment to the Elverta Specific Plan. Physical improvements associated with the proposed project are limited to the improvements associated with the Small Lot Tentative Subdivision Map. The single-family residential lots, drainage lot and Road "A" lot will be constructed as part of the Small Lot Tentative Subdivision Map. Drainage will be conveyed from the residential lots via drainage pipes to Lot C (open space/drainage) which is approximately 4.78 ± acres of the proposed project site (Plate IS-4). Frontage improvements will be required along 16th Street and Elverta Road including construction of a signal at this intersection.

The extent of construction or extension of off-site infrastructure (drainage, potable water, and sewer) is dependent on the timing of other projects within the Elverta Specific Plan

**Name of Public Agency Approving Project:**

Sacramento County – [ceqa@saccounty.gov](mailto:ceqa@saccounty.gov)

**Person or Agency Carrying out Project:**

Red Tail Acquisitions, LLC. Attn: Tim Kihm  
2082 Michelson Drive, Ste 400, Irvine, CA 92612  
714-624-7539  
tkihm@rtacq.com

**Exempt Status:**

Statutory Exemption- California Government Code § 65457, CEQA Guidelines Section 15182(c)

**Reasons Why Project is Exempt:**

The proposed project is exempt from CEQA due to its conformity with the previously approved Elverta Specific Plan. The project would be required to implement all applicable mitigation as adopted as part of the approval of the Specific Plan. The proposed project would not increase the likelihood of the project to have a significant impact on an environmental resource. The proposed project would be subject to all previously adopted conditions of approval and mitigation measures and is therefore exempt from the provisions of CEQA.

In reviewing the project level information provided for this project, and acting as Lead Agency, the County of Sacramento has analyzed the potential environmental impacts created by the proposed Elverta 59.5 South project and determined that the findings of CEQA Section 15162 concerning the decision not to prepare a subsequent EIR or negative declaration and the findings of California Government Code § 65457 (CEQA Guidelines Section 15182) concerning the decision to exempt the project from further CEQA review can be made in the affirmative. As supported by substantial evidence contained within this Notice of Exemption and associated consistency checklist, the Lead Agency makes the following findings:

- [ X ] No substantial changes are proposed in the project which would require major revisions of the previous EIR or Mitigated Negative Declaration.
- [ X ] No substantial changes have occurred with respect to the circumstances under which the project is undertaken.
- [ X ] There is no new information of substantial importance which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete or the Mitigated Negative Declaration was adopted.
- [ X ] Neither the proposed Project nor changed circumstances will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- [ X ] The proposed project is consistent with California Government Code § 65457 (CEQA Guidelines Section 15182 (c)), and is therefore, exempt from CEQA.

**Julie Newton**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF CALIFORNIA

**Copy To:**

- County Clerk of Sacramento**  
**County Clerk**  
3636 American River Drive, Suite 110  
Sacramento, CA 95864
- Office of Land Use and Climate Innovation**  
**State Clearinghouse**  
1400 10th Street  
Sacramento, CA 95814

COUNTY OF SACRAMENTO  
PLANNING AND ENVIRONMENTAL REVIEW  
ELVERTA SPECIFIC PLAN EIR CONSISTENCY REVIEW

PROJECT INFORMATION

---

**CONTROL NUMBER: PLNP2017-00017**

**NAME:** Elverta 59.5 South Tentative Subdivision Map

**LOCATION:** The project is located at the northwest corner of 16<sup>th</sup> Street and Elverta Road, in the Rio Linda/Elverta community of unincorporated Sacramento County (Plate IS-1).

**ASSESSOR'S PARCEL NUMBER:** 202-0080-007

**APPLICANT:**

Red Tail Acquisitions, LLC  
2082 Michelson Drive, Suite 400  
Irvine, CA 92612  
Attn.: Tim Kihm

PROJECT DESCRIPTION

---

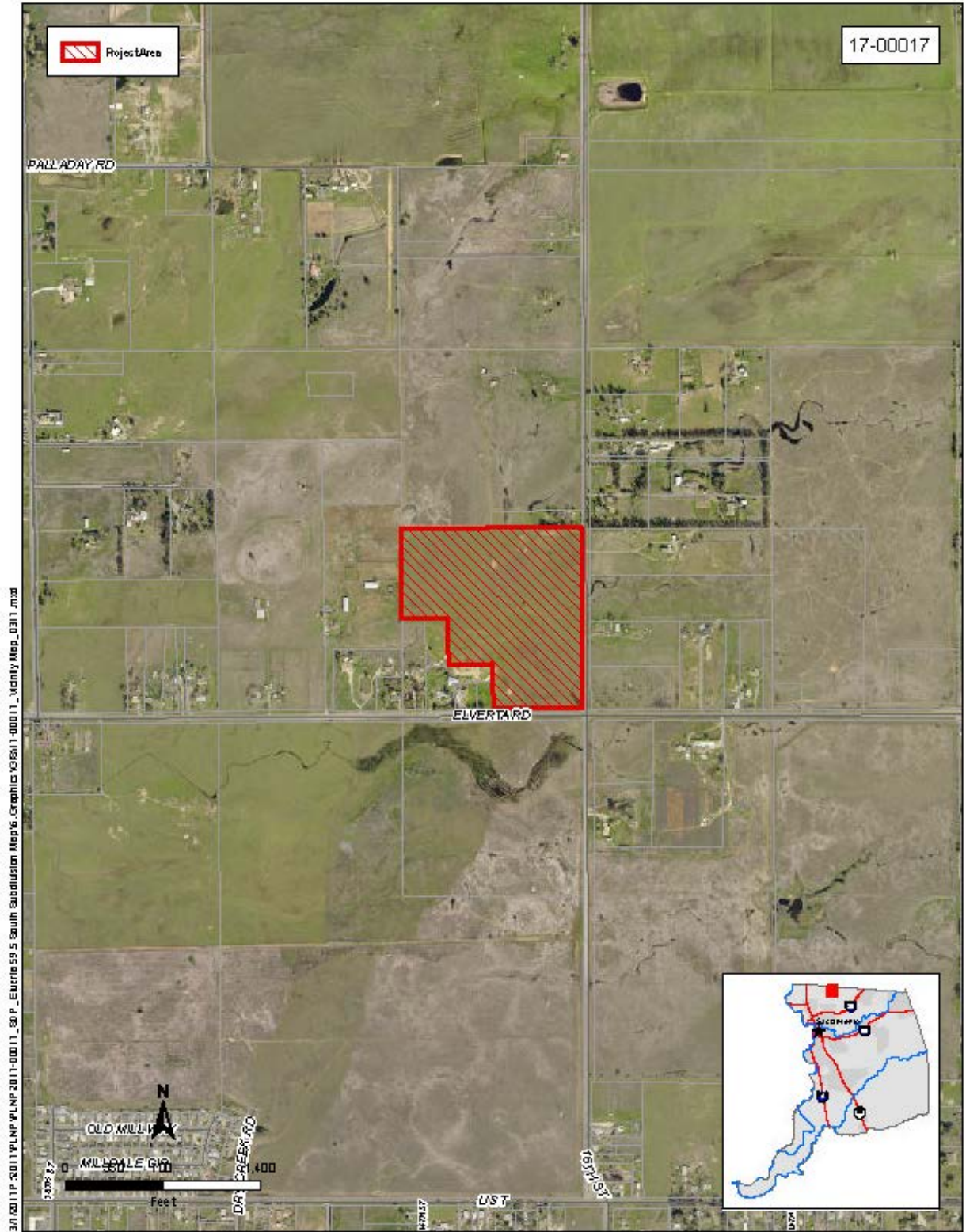
The project consists of the following entitlements from the County of Sacramento:

1. A **Rezone** of approximately 10.3-acres of Residential Density-7 (RD-7), 7.8-acres of Residential Density-20 (RD-20), and 14.4-acres of Shopping Center (SC) to 8.1-acres of RD-7, 7.1-acres of RD-20, and 17.3-acres of Light Commercial (LC).
2. A **Large Lot Tentative Subdivision Map** to divide a 32.5 acre property into one (1) RD-7 Lot, one (1) RD-20 Lot, two (2) Commercial Lots, one (1) Powerline Corridor Lot, and two (2) Ancillary Lots for Detention/Road/Landscape/Open Space/Drainage Corridor (Plate IS-2).
3. A **Small Lot Tentative Subdivision Map** to divide a 7.1-acre portion of the property into 36 Single-Family Residential Lots, one (1) Open Space/Drainage Lot, three (3) Powerline Corridor/Detention Lots, one (1) Detention/Road/Landscape Lot, and one Landscape Lot. (Plate IS-3).
4. A **Design Review** to determine substantial compliance with the Elverta Specific Plan Design Guidelines and the Sacramento County Countywide Design Guidelines.

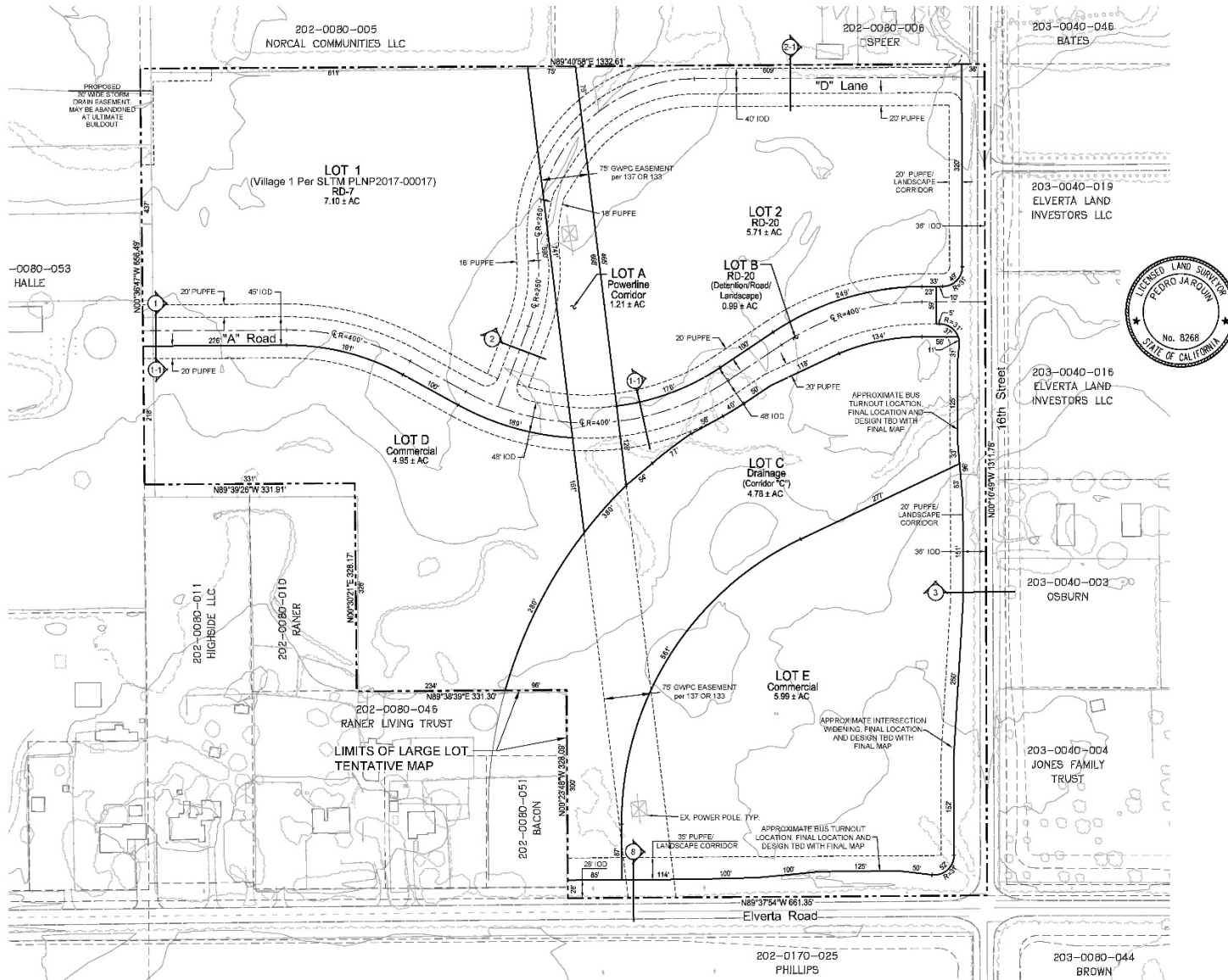
The project includes a rezone of the project site to be consistent with the slightly modified land use boundaries resulting from the Drainage Master Plan Amendment to the Elverta Specific Plan. Physical improvements associated with the proposed project are limited to the improvements associated with the Small Lot Tentative Subdivision Map. The single-family residential lots, drainage lot and Road "A" lot will be constructed as part of the Small Lot Tentative Subdivision Map. Drainage will be conveyed from the residential lots via drainage pipes to Lot C (open space/drainage) which is approximately 4.78 ± acres of the proposed project site (Plate IS-4). Frontage improvements will be required along 16<sup>th</sup> Street and Elverta Road including construction of a signal at this intersection.

The extent of construction or extension of off-site infrastructure (drainage, potable water, and sewer) is dependent on the timing of other projects within the Elverta Specific Plan.

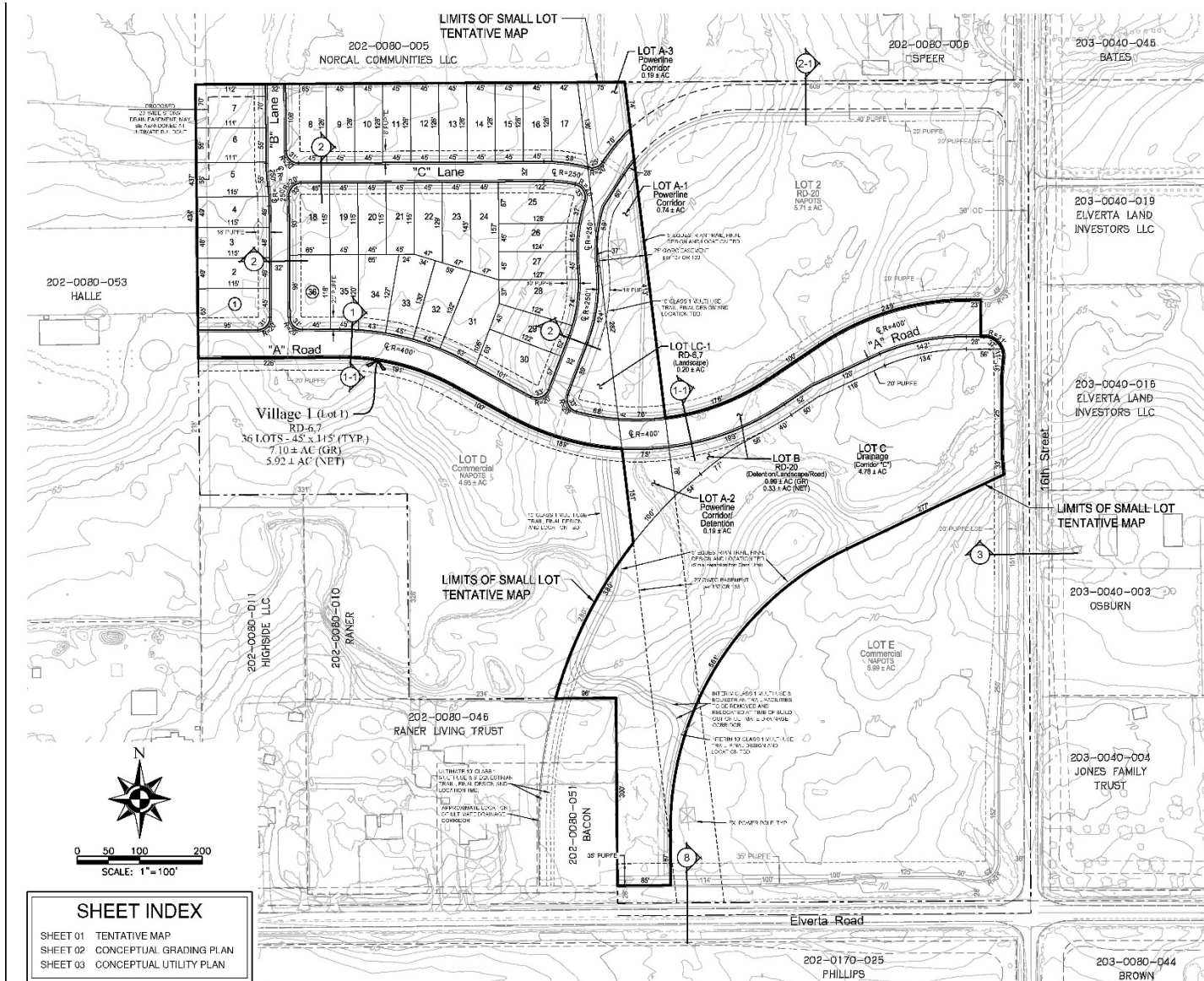
# Plate IS-1: Project Vicinity Map



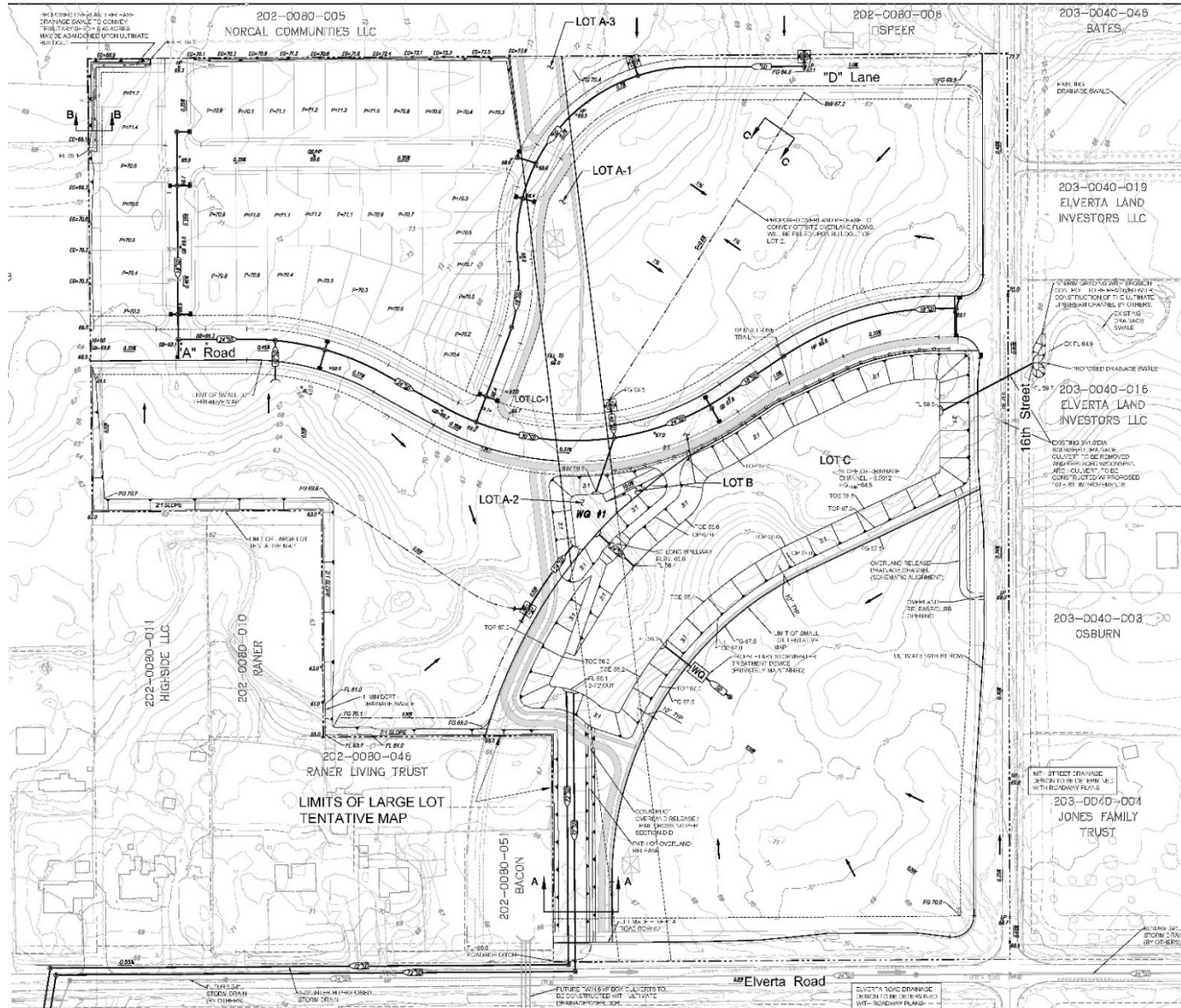
# Plate IS-2: Large Lot Tentative Map



# Plate IS-3: Tentative Subdivision Map



# Plate IS-4: Grading and Drainage Plan



## INTRODUCTION

---

Pursuant to CEQA Guidelines Section 15182, certain residential, commercial and mixed-use projects that are consistent with a specific plan adopted pursuant to Title 7, Division 1, Chapter 3, Article 8 of the Government Code are exempt from CEQA, provided the project meets all of the conditions of Section 15182. Specifically, Section 15182(c) states:

### Residential Projects Implementing Specific Plans.

- 1) Eligibility. Where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of this section. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments.
- 2) Limitation. If after the adoption of the specific plan, an event described in Section 15162 occurs, the exemption in this subdivision shall not apply until the city or county which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan. The exemption provided by this section shall again be available to residential projects after the Lead Agency has filed a Notice of Determination on the specific plan as reconsidered by the subsequent EIR or supplement to the EIR.
- 3) Statute of Limitations. A court action challenging the approval of a project under this subdivision for failure to prepare a supplemental EIR shall be commenced within 30 days after the lead agency's decision to carry out or approve the project in accordance with the specific plan.

This document is intended to provide supporting information for the attached Notice of Exemption to demonstrate that none of the events outlined in CEQA Guidelines Section 15162 have occurred, that the project is consistent with Section 15182, and is therefore exempt from the provisions of CEQA.

### CEQA DOCUMENTS ADDRESSED

The following CEQA documents are addressed herein:

- Final Environmental Impact Report, Elverta Specific Plan and Associated Subdivision Map Known as Countryside Equestrian Estates (SCH Number 2000092026) (Sacramento County 2007), certified by the Sacramento County Board of Supervisors in May 2007 (County Control No. 99-SFB-GPB-CZB-AHS-0351 and 00-RZB-SDP-0442) (Referred to as the Final EIR) (Attachment A).

- Addendum to the Final Environmental Impact Report, Elverta Specific Plan (SCH Number 2000092026) (Sacramento County. 2014.), certified by the Sacramento County Board of Supervisors in April 2014 (County Control No. PLNP2013-00046) (Referred to as the Addendum) (Attachment B).

The above documents are available for review at Sacramento County Planning and Environmental Review, 827 7th Street, Room 225 Sacramento, CA 95814 and are hereby incorporated by reference in accordance with State CEQA Guidelines Section 15150.

This document serves as substantial evidence to support the preparation of a CEQA Notice of Exemption pursuant to CEQA Guidelines Section 15182 (c). In accordance with CEQA, this document also demonstrates that all potential environmental impacts associated with the proposed Project would be within the scope of impacts already evaluated and disclosed in the Final EIR.

#### CEQA AUTHORITY FOR SPECIFIC PLAN CONSISTENCY REVIEW

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15182(c)(2) of the CEQA Guidelines states that:

Additional environmental review shall not be required for a project described in this subdivision unless one of the events in section 15162 occurs with respect to that project.

Section 15162 of the State CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration 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 or negative declaration 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 certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or mitigated negative declaration;

- 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.

Likewise, California Public Resources Code Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis herein, all impacts associated with the proposed Project are found to be within the scope of impacts previously addressed and disclosed in the certified Final EIR and do not constitute a new or substantially increased significant impact. Based on this determination, the proposed Project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

## BACKGROUND – APPROVED AND PROPOSED PROJECT

---

### OVERVIEW OF APPROVED PROJECT[S]

#### *ELVERTA SPECIFIC PLAN FINAL EIR*

The Elverta Specific Plan (ESP) guides the development of 1,744± acres of land in a comprehensive manner. Residential development is the primary form within the ESP area. The ESP includes 880.3 acres of urban residential uses and 551.8 acres of agricultural-residential uses with a total holding capacity of up to 4,950 units; 15.0 acres of commercial uses; 4.4 acres of office/professional uses; 20.2 acres of school uses; 73.3 acres of park uses; 18.4 acres (former landfill site) to be designated as open

space; and 191.9 acres to be used for drainageways, detention facilities, trails, powerline corridor and major roads.

The EIR found that the Elverta Specific Plan would result in significant and unavoidable impacts related to cumulative downstream flooding, traffic, air quality, and biological resources. Project-related impacts associated with parks and recreational facilities, contamination from former landfill, groundwater overdraft, peak runoff flows, stormwater quality, sewer service, public facilities financing, traffic noise, toxic and hazardous substances, and cultural resources were found to be potentially significant impacts which could be reduced to a less than significant level through inclusion of recommended mitigation measures. Impacts associated with land use consistency, airport compatibility, public services, carbon monoxide emissions, and soils/grading/geologic conditions were considered less than significant.

#### *ELVERTA SPECIFIC PLAN ADDENDUM*

An Addendum to the Elverta Specific Plan was prepared in response to the Environmental Impact Statement prepared for the U.S. Army Corps of Engineers Clean Water Act, Section 404 permit, which altered the design of the Drainage Master Plan for a more biologically sound alternative. The approved Drainage Master Plan reviewed and approved with the ESP channelized and moved portions of the three natural waterways that flow through the ESP area to optimized flood control and land use. Revisions to the Drainage Master Plan would widen and modify the existing natural channels. Creek channels will be widened on average between 200-350 feet, resulting in more land dedication 157 acres instead of 72 acres. In addition, the redesigned drainage corridors would allow for previously identified detention facilities to be reduced.

The Addendum found that the revisions to the Drainage Master Plan would not result in any new significant impacts. Physical impacts associated with the implementation of the Drainage Master Plan were updated and mitigation measures were revised to match current language.

#### ENVIRONMENTAL CHECKLIST FOR SPECIFIC PLAN CONSISTENCY

---

The purpose of this checklist is to evaluate the categories in terms of any “changed condition” (i.e. changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result. A “no” answer does not necessarily mean there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed in prior environmental documents.

#### EXPLANATION OF CHECKLIST EVALUATION CATEGORIES

Where Impact was Analyzed. This column provides a cross-reference to the pages of the prior environmental documents where information and analysis may be found relative to the environmental issue listed under each topic. Unless otherwise indicated, page number references are to the Final EIR.

Do Proposed Changes Involve New Significant Impacts? Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether the changes represented by the current project will result in new significant impacts that have not already been considered and mitigated by the prior environmental review documents and related approvals or will result in a substantial increase in the severity of a previously identified impact.

Any New Circumstances Involving New Impacts? Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (circumstances under which the project is undertaken) which have occurred subsequent to the certification or adoption of prior environmental documents, which would result in the current project having new significant environmental impacts that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impact.

Any new Information Requiring New Analysis or Verification? Pursuant to Section 15162(a)(3)(A–D) of the CEQA Guidelines, this column indicates whether 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 environmental documents were certified or adopted is available requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. Either “yes” or “no” will be answered to indicate whether there is new information showing that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; (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 proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. If “no,” then no additional environmental documentation (supplemental or subsequent EIR) is required.

Mitigation Measures Implemented or Addressing Impacts. Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether the prior environmental documents provide mitigation measures to address effects in the related impact category. In some cases, the mitigation measures may have already been implemented. A “yes” response will be provided in any instance where mitigation was included, regardless of whether the mitigation has been completed at this time. If “none” is indicated, this environmental analysis concludes a significant impact does not occur with this project, no mitigation was previously included, and no mitigation is needed.

*DISCUSSION AND MITIGATION SECTIONS*

Discussion. A discussion of the elements of the checklist is provided under each environmental category to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue and the status of any mitigation that may be required or has already been implemented.

Mitigation Measures. Applicable mitigation measures from the prior environmental review that apply to the project are listed under each environmental category. Refer to Attachment C for the full text of listed Mitigation Measures.

Conclusions. A discussion of the conclusion relating to the analysis contained in each section.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

The FEIR identified several mitigation measures to reduce impacts to less than significant. To ensure project compliance with adopted mitigation measures, a project specific MMRP has been drafted (Attachment C) that identifies all mitigation measures that are applicable to the proposed project. Note that some mitigation measures were adopted as Specific Plan-wide measures and may not be site specific. Projects are required to comply with mitigation measures as applicable. Some measures may not apply in their entirety to the currently proposed project. In some cases, mitigation language has been updated to reflect site-specific conditions, but no new mitigation is proposed.

*MITIGATION MEASURE COMPLIANCE*

The project shall comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:

1. It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$12,600.00**, which includes administrative costs of **\$1,097.00**. Over the course of the project, the Division of Planning and Environmental Review will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.
2. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

CHECKLIST

**I. Aesthetics**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Substantially alter existing viewsheds such as scenic highways, corridors or vistas?	Page N/A	No	No	No	None recommended
b. In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings?	Page 17-15	No	No	No	None recommended
c. If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality	Page N/A	No	No	No	None recommended
d. Create a new source of substantial light, glare, or shadow that would result in safety hazards or adversely affect day or nighttime views in the area	Page 17-15	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project will not introduce a new aesthetic impact. The primary aesthetic impacts were associated with the overall conversion of the Specific Plan area from rural to urban. This impact was adequately covered in the Final EIR and no mitigation was adopted to reduce this impact. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**II. Agricultural & Forestry Resources**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance or areas containing prime soils to uses not conducive to agricultural production?	Page 14-7	No	No	No	None recommended
b. Conflict with any existing Williamson Act contract?	Page 14-7	No	No	No	None recommended
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Page N/A	No	No	No	None recommended
d. Result in the loss of forest land or conversion of forest land to non-forest use?	Page N/A	No	No	No	None recommended
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Page 14-7	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
<p><b>Discussion:</b> The proposed project is mapped as grazing land or urban and built up land according to the Sacramento County Map of Important Farmland (2010). The analysis within the Plan EIR indicated that the Elverta Specific Plan project would contribute to a cumulative decline in farmland, but impacts were not significant because none of the impacted farmland was Farmland of Statewide Importance or Prime Farmland. The project will not intensify the conversion of agricultural land over that previous analyzed in the Final EIR. The prior analysis adequately addressed impacts associated with conversion of important farmland and conflicts with Williamson Act.</p> <p>The Final EIR did not analyze impacts to forestry resources, but the Elverta Specific Plan area does not contain any forestry resources. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**III. Airports**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Result in a safety hazard for people residing or working in the vicinity of an airport/airstrip?	Page 4-38	No	No	No	None recommended.
b. Expose people residing or working in the project area to aircraft noise levels in excess of applicable standards?	Page 4-38	No	No	No	None recommended
c. Result in a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft?	Page 4-38	No	No	No	None recommended
d. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Page N/A	No	No	No	None recommended

**Discussion:** The proposed project does not change the location, concentration, or overall number of dwelling units within the Specific Plan area. The EIR concluded that the project's land uses (primarily agricultural-residential, urban residential, neighborhood/community shopping, elementary schools, and neighborhood/ community parks) are generally compatible with the McClellan Airport noise (less than 65 dB) and safety (overflight) zones that affect the planning area; no mitigation was recommended. The impacts associated with airport safety and overflight zones, and noise contours were adequately addressed in the Final EIR.

Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

**Mitigation Measures:** None required.

**IV. Air Quality**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Conflict with or obstruct implementation of the applicable air quality plan?	Page 11-14	No	No	No	None recommended
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?	Page 11-16	No	No	No	Yes
c. Expose sensitive receptors to pollutant concentrations in excess of standards?	Page 11-21 and 11-27	No	No	No	None recommended
d. Create objectionable odors affecting a substantial number of people?	Page N/A	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project would not increase densities or associated construction activities already analyzed in the Final EIR. The Final EIR identified significant and unavoidable impacts associated with construction emissions related to particulate matter and operational emissions. Mitigation is adopted to reduce these impacts, but not to a less than significant level. Mitigation consists of the application of equipment emission reporting and compliance with the Specific Plan-wide Air Quality Mitigation Plan. All projects within the Specific Plan area must comply with all previously adopted mitigation. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Implement Mitigation Measure B: Construction Ozone Precursors, Mitigation Measure C: Construction Ozone Precursors fee, Mitigation Measures AQ-1: AQMP compliance, AQ-3: No Wood Burning Fireplaces, AQ-4: Dust Control Measures.</p>					

**V. Biological Resources**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Have a substantial adverse effect on any special status species, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community?	Page 15-65	No	No	No	Yes
b. Have a substantial adverse effect on riparian habitat or other sensitive natural communities?	Page 15-2	No	No	No	None recommended
c. Have a substantial adverse effect on streams, wetlands, or other surface waters that are protected by federal, state, or local regulations and policies?	Page 15-51	No	No	No	Yes
d. Have a substantial adverse effect on the movement of any native resident or migratory fish or wildlife species?	Page 15-55	No	No	No	None recommended
e. Adversely affect or result in the removal of native or landmark trees?	Page 15-66	No	No	No	Yes
f. Conflict with any local policies or ordinances protecting biological resources?	Page 15-44	No	No	No	Yes

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
g. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, state or federal plan for the conservation of habitat?	Page 15-44	No	No	No	None recommended.
<p><b>Discussion:</b> The proposed project is consistent with the analysis contained in the Final EIR related to impacts to biological resources. The Final EIR analyzed impacts to special status species, wetlands and waters, sensitive natural communities, native and landmark trees, migratory species, and consistency with adopted policies and programs to protect natural resources. The FEIR concluded that the project would result in significant and unavoidable impacts to biological resources as a result of development. Mitigation measures to address impacts to biological resources were included in both the Elverta Specific Plan Final EIR and Addendum. The mitigation language between the two documents differed slightly and has been updated, as appropriate, to address project-specific impacts.</p> <p>A project-specific arborist report was prepared by Sierra Nevada Arborists (July 10, 2017) (Appendix A). Based on the information contained in the arborist report, all trees on the proposed project site are non-native trees and do not require mitigation for project impacts. Therefore, mitigation measure K is not applicable.</p> <p>The proposed project site does contain approximately 2.444 acres of wetlands, wetland swale, and vernal pools. Therefore, mitigation measures BR-1, BR-2, I and J are applicable to the proposed project. Similarly, the 32.5 acre project site contains valley grassland habitat which supports nesting and foraging habitat for Swainson's hawk, nesting raptors and burrowing owl. Mitigation measures D, E, F, G, and H are applicable to the proposed project. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Implement Mitigation Measure D: Swainson's Hawk Foraging Habitat; Mitigation Measure E: Swainson's Hawk Nesting Habitat; Mitigation Measure F: Nesting Raptors; Mitigation Measure G: Loggerhead Shrike Nest Protection; Mitigation Measure H: Burrowing Owl; Mitigation Measure I: Sanford's Arrowhead and Rose Mallow; Mitigation Measure J: Rare Vernal Pool Plants; Mitigation Measure BR-1: Wetlands; Mitigation Measure BR-2: Streambed Alteration Agreement.</p>					

**VI. Cultural Resources**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Cause a substantial adverse change in the significance of a historical resource?	Page 16-16	No	No	No	Yes
b. Have a substantial adverse effect on an archaeological resource?	Page 16-18	No	No	No	Yes
c. Disturb any human remains, including those interred outside of formal cemeteries?	Page 16-18	No	No	No	Yes
<p><b>Discussion:</b> The proposed project is consistent with the densities and associated construction activities already analyzed in the Final EIR. Potentially significant impacts were identified regarding the discovery of unknown buried resources and would be reduced to less than significant with implementation of adopted mitigation measures. Mitigation consists of the proper notification, avoidance or treatment of unknown archeological resources and applies to all future development within the Plan area. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Implement Mitigation Measure CR-1.</p>					

**VII. Energy**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction?	Page 6-5	No	No	No	None recommended
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Page 6-5	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project is consistent with the land uses analyzed in the Final EIR. The Final EIR analysis did not determine specific energy consumption numbers but did acknowledge the Specific Plan would increase energy consumption and energy providers are able to serve the Specific Plan Area. Since the certification of the Final EIR, the California Green Building Code and Title 24 regulations have become more stringent to reduce energy consumption for residential and commercial buildings. For example, all new construction must meet insulation and window glazing efficiencies and include solar energy systems. The proposed project will not substantially increase energy consumption or conflict with a state or local plan for energy efficiency. The Final EIR adequately analyzed energy use and concluded that impacts associated with the project are less than significant. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**VIII. Geology and Soils**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving 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?	Page 14-11 – 14-12	No	No	No	None recommended
b. Result in substantial soil erosion, siltation or loss of topsoil?	Page 14-12	No	No	No	None recommended
c. 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 on- or off-site landslide, lateral spreading, subsidence, soil expansion, liquefaction or collapse?	Page 14-11 – 14-12	No	No	No	None recommended
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available?	Page N/A	No	No	No	None recommended
e. Result in a substantial loss of an important mineral resource?	Page 14-5	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Page 14-11	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project is consistent with land uses contemplated in the Final EIR. All impacts associated with geology and soils, except for adequate soils for septic systems, were adequately addressed in the Final EIR. The Final EIR did not address soils for septic systems because all parcels under two-acres are to hook-up to the new sewer system. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**XI. Greenhouse Gases**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Page 11-34	No	No	No	None recommended
b. Conflict with an applicable plan, policy or regulation for the purpose of reducing the emission of greenhouse gases?	N/A	No	No	No	None recommended
<p><b>Discussion:</b> The Draft EIR for the Elverta Specific Plan was released prior to 2010 when the CEQA Guidelines were updated to require consideration of greenhouse gas emissions. Prior case law in California has uniformly concluded that projects subject to supplemental review under CEQA do not need to address this new subject matter, as there is no new information, which was not known and could not have been known at the time the EIR was certified as complete. The effect of greenhouse gas emissions on climate was known prior to certification of the EIR (Reference <i>Citizens for Responsible Equitable Environmental Development v. City of San Diego</i> (2011) 196 Cal.App.4th 525, 530-532; <i>Citizens Against Airport Pollution v. City of San Jose</i> (2014) 227 Cal.App4th 788, 806-808; see also CEQA Guidelines Section 15007(b)(c).) The proposed project is consistent with the assumptions of the Specific Plan and; therefore, no new analysis was completed. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**X. Hazards and Hazardous Materials**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Create a substantial hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Page 13-29	No	No	No	None recommended
b. Expose the public or the environment to a substantial hazard through reasonably foreseeable upset conditions involving the release of hazardous materials?	Page 13-32	No	No	No	Yes
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	Page 4-61	No	No	No	None recommended
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in a substantial hazard to the public or the environment?	Page 4-60 and 13-29	No	No	No	Yes
e. Impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan?	Page 6-10	No	No	No	None recommended
f. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to or intermixed with urbanized areas	Page N/A	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
<p><b>Discussion:</b> The proposed project is located in the portion of the Specific Plan area in which there are properties with the potential to have prior hazardous materials stored, used or deposited on. The proposed project site may contain abandoned wells or private septic systems, trash or debris, which would require proper disposal and handling if encountered. The Final EIR identified mitigation measures to reduce potential impacts associated with the handling, storage or use of hazardous materials and concluded that with mitigation the impact is less than significant. The proposed project does not change land use densities or end use and therefore the prior analysis and conclusions remain appropriate.</p> <p>At the time of Final EIR certification, loss, injury or death involving wildland fires was not a topical impact under CEQA. This area of the County is largely open grassland and rural residential. The fuel load is not high and the risk of wildland fires is low. The proposed project will not expose people or structure to a significant risk due to wildland fires.</p> <p>Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred relative to the mandatory findings.</p> <p><b>Mitigation Measures:</b> Mitigation Measure: TX-4 Well Abandonment, and Mitigation Measure: TX-5 Debris Removal.</p>					

**XI. Hydrology and Water Quality**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Page 8-9	No	No	No	Yes
b. Substantially alter the existing drainage pattern of the project area and/or increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	Page 7-17 Addendum AD-16	No	No	No	Yes
c. Develop within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map or within a local flood hazard area?	Page 7-24	No	No	No	Yes
d. Place structures that would impede or redirect flood flows within a 100-year floodplain?	Page 7-24	No	No	No	Yes
e. Develop in an area that is subject to 200-year urban levels of flood protection (ULOP)?	Page Addendum AD-16	No	No	No	None recommended
f. Expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Page 7-17	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
g. Create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems?	Page 7-17	No	No	Yes	Yes
h. Create substantial sources of polluted runoff or otherwise substantially degrade ground or surface water quality?	Page 7-29	No	No	No	None recommended

**Discussion:** A Drainage Master Plan was originally approved for the entire Specific Plan Area in 2007 and revised in 2013 responding to the U.S. Army Corps of Engineers permit process. An Addendum to the Final EIR was prepared for the revised Drainage Master Plan. No new significant impacts were identified, but some mitigation measures were updated during that review process. Additionally, the applicant submitted a preliminary drainage report consistent with the revised Drainage Master Plan. Overall, the Drainage Master Plan outlines the necessary drainage and detention features necessary to reduce impacts associated with flooding and surface water quality Plan-wide.

A preliminary drainage study was prepared by MacKay and Soms for the proposed project in 2021 (Appendix B). The study was prepared consistent with the Drainage Master Plan and identified that the proposed project is not viable as a stand-alone project and requires off-site improvements prior to or concurrent with development. These improvements are located downstream (to the southwest) and are currently contemplated to be constructed by the Elverta 245 project. However, given the timing and speed of development, the first project to break ground will have to make all necessary improvements. Mitigation measures HY-5, HY-6, HY-7 and A remain applicable for the proposed project. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

**Mitigation Measures:** Implement Mitigation Measure A: DMP Implementation, Mitigation Measure HY-5: Impacts Associated with Drainage Improvements, Mitigation Measure HY-6: Permit Requirements for Drainage Improvements, Mitigation Measure HY-7: Channel Maintenance Requirements.

**XII. Land Use and Planning**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Page 4-17	No	No	No	Yes
b. Physically disrupt or divide an established community?	Page 4-24	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project is consistent with the land uses analyzed in the Final EIR, and all impacts associated with land use and planning were adequately addressed in the Final EIR. To address impacts associated with land use, mitigation measures were adopted to reduce impacts associated with land use impacts, including implementing a Public Facilities Financing Plan, requiring agricultural residential lots connect to public water and sewer, and to develop a funding mechanism for the maintenance and operations of landscape corridors, multi-use trails, all park and recreation facilities and open space within the Elverta Specific Plan area. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Mitigation Measure LA-1 &amp; PF-1: Public Facilities and Financing Plan, Mitigation Measure LA-3: Funding Mechanism for Public Corridors, Parks and Open Space.</p>					

**XIII. Mineral Resources**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state?	Page 17-15	No	No	No	None recommended
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Page 17-15	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project is consistent with the land uses analyzed in the Final EIR. The ESP is not located on lands identified as important mineral resources. All impacts associated with mineral resources were adequately addressed in the Final EIR. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**XIV. Noise**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Result in generation of a Substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established by the local general plan, noise ordinance or applicable standards of other agencies?	Page 12-31	No	No	No	Yes
b. Generate excessive groundborne vibration or groundborne noise levels.	Page N/A	No	No	No	None recommended
<p><b>Discussion:</b> The Final EIR analyzed noise impacts to new sensitive receptors due to existing or future roadway traffic. The analysis in the Final EIR showed that with the exception of Elverta Road, the traffic noise level at the building façade for all primary roads in the Specific Plan area is expected to be less than 65 dB. The Final EIR concluded that traffic noise would be potentially significant for sensitive receptors along Elverta Road and mitigation was adopted to reduce impacts.</p> <p>The main roadways in the proposed project area are 16<sup>th</sup> Street along the eastern boundary and Elverta Road along the southern boundary. According to the circulation section of the Elverta Specific Plan, 16<sup>th</sup> Street is designated as a four-lane arterial road (north/south) with a 10-foot median and a 7-foot bike lane and Elverta Road is designated as a four-lane thoroughfare (east/west) with a 34-foot median and 8-foot bike lane. As concluded in the Final EIR, traffic noise for sensitive receptors along 16<sup>th</sup> Street are not expected to exceed County thresholds. Therefore, only sensitive receptors along Elverta Road are analyzed further below.</p> <p>According to Table NO-6 (Elverta Road Noise Summary) in the Final EIR, sensitive noise receptors would need to be placed at 311 feet from Elverta Road to be below 60 dB and 144 feet to be below 65 dB. The approximate distance from the edge of the single-family residential property (limits of the Small Lot Tentative Map) to the centerline of Elverta Road is approximately 929 feet. This is well beyond the 311 foot distance and predicted traffic noise would be below 60 dB and is less than significant. Therefore, no mitigation is recommended. Similarly, the distance from Lot 2 (RD-20 lot) is over 900 feet north of Elverta Road and predicted traffic noise would be below 60 dB and is less than significant. Therefore, no mitigation is recommended. This impact was adequately covered on the Final EIR and the proposed project, and thus, does not change the analysis contained in the Final EIR.</p>					

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
<p>The Final EIR did not discuss groundborne vibration or noise as standard construction techniques do not generally produce excessive groundborne vibration or noise. The proposed project does not change the type of land use, and typical construction on the subject parcel does not involve methods which would create excessive groundborne vibration or noise.</p> <p>Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**XV. Population and Housing**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of infrastructure)?	Page 17-16	No	No	No	None recommended
b. Displace substantial amounts of existing people or housing, necessitating the construction of replacement housing elsewhere?	Page 17-16	No	No	No	None recommended
<p><b>Discussion:</b> The Final EIR did recognize that the Specific Plan would substantially increase population growth in the area due to new homes and extension of public sewer and water infrastructure. The proposed project will not increase densities already evaluated in the Final EIR and therefore, there will be no new substantial increases to population growth. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**XVI. Public Services**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Have an adequate water supply for full buildout of the project?	Page 8-35	No	No	Yes	Yes
b. Have adequate wastewater treatment and disposal facilities for full buildout of the project?	Page 9-12 and 9-14	No	No	No	Yes
c. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Page 6-17	No	No	No	None recommended
d. Result in substantial adverse physical impacts associated with the construction of new water supply or wastewater treatment and disposal facilities or expansion of existing facilities?	Page 9-18	No	No	No	Yes
e. Result in substantial adverse physical impacts associated with the provision of stormwater drainage facilities?	Page 7-17	No	No	No	Yes
f. Result in substantial adverse physical impacts associated with the provision of electric or natural gas service?	Page 6-2	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
g. Result in substantial adverse physical impacts associated with the provision of emergency services?	Page 6-10	No	No	No	None recommended
<p><b>Discussion:</b> The proposed project is consistent with the land uses and densities evaluated in the Final EIR. The water supply assessment prepared for the Specific Plan assumed that all properties under two acres would be connected to the public water system; therefore, impacts associated with future connections the public system has been adequately analyzed. Connection to public sewer service is required for all properties under two acres in the Specific Plan area, and mitigation has been adopted to develop a sewer master plan, install necessary sewer infrastructure and provide for sewer service in the Specific Plan area. Impacts associated with the provision and development of stormwater facilities has been captured in the drainage and water quality section. Impacts associated with the provision of gas and electrical service were accounted for in the analysis of associated land uses throughout the plan. Less than significant impacts were identified for provision of solid waste disposal and emergency services. Impacts associated with public utilities and services have been adequately analyzed. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Mitigation Measure PF-1: Public Facilities Financing Plan, Mitigation Measure SS-2: Sewer Study, Mitigation Measure SS-3: Regional Sewer System, Mitigation Measure SS-4: Impacts Associated with Implementation of Sewer System, Mitigation Measure SS-5: Sewer System Permitting</p>					

**XVII. Transportation**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) – measuring transportation impacts individually or cumulatively, using a vehicles miles traveled standard established by the County?	Page N/A	No	No	No	
b. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Page 10-36	No	No	No	None recommended
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Page 10-109	No	No	No	None recommended
d. Result in inadequate emergency access?	Page 10-109	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
<p><b>Discussion:</b> The Draft EIR for the Elverta Specific Plan was released prior to 2020 when the CEQA Guidelines were updated to shift the analysis for transportation impacts from Level of Service (LOS) to Vehicle Miles Traveled (VMT). Prior case law in California has uniformly concluded that projects subject to supplemental review under CEQA did not need to address new subject matter, even though the prior EIR being updated did not address the new subject matter (greenhouse gases for these cases). (Reference <i>Citizens for Responsible Equitable Environmental Development v. City of San Diego</i> (2011) 196 Cal.App.4th 525, 530-532; <i>Citizens Against Airport Pollution v. City of San Jose</i> (2014) 227 Cal.App.4th 788, 806-808; see also CEQA Guidelines Section 15007(b)(c).) This case law can apply to VMT analysis as the CEQA Guidelines expressly states that it (VMT analysis) “shall apply prospectively as described in Section 15007.” If a document meets the requirements in effect at the time of public review, the document does not need to conform to any new content. Therefore, no additional VMT analysis was completed for the Project as the Final EIR was released well before VMT was adopted as a metric for analysis requirements.</p> <p>The Final EIR analysis identified significant impact associated with LOS for several roadway segments and intersections. Transportation improvements to reduce these impacts were identified and adopted as mitigation measures. Some mitigation measures require the construction of new roadway infrastructure, while others require fair-share payment. The proposed project is consistent with the land uses analyzed in the Final EIR and associated impact analyses remain adequate. These parcels will be required to pay fair share fees through the Public Facilities Finance Plan or the Sacramento County Transportation Development Fee. These fees are collected at the time of development to pay for identified road improvements in the Specific Plan area. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> Mitigation Measure: TC-1 (portion): Fair Share payments and Mitigation Measures TC-1 (portion) and Mitigation Measure TC-2: Fair Share payments.</p>					

**XVIII. Tribal Cultural Resources**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	Page16-6 and 16-8	No	No	No	Yes
<p><b>Discussion:</b> The Final EIR did not directly analyze impacts associated with Tribal Cultural Resources but would have been considered as a component of the review for cultural resources. Mitigation included for potential inadvertent discoveries related to Cultural Resources is also applicable to tribal cultural resources (see the Cultural Resources section above). The proposed project will not increase the area of disturbance already approved for development. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Compliance with the Cultural Resources mitigation measure ensures proper treatment of cultural resources if uncovered during construction.</p> <p><b>Mitigation Measures:</b> Mitigation Measure CR-1.</p>					

**XIX. Wildfire**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
If located in or near a State responsibility areas or lands classified as a very high fire severity zone would the project:					
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	N/A	No	No	No	None recommended
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	N/A	No	No	No	None recommended
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	N/A	No	No	No	None recommended
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	N/A	No	No	No	None recommended

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
<p><b>Discussion:</b> The Draft EIR for Elverta Specific Plan was released prior to 2018 when the CEQA Guidelines were updated to require consideration of Wildfire. In a related topical section, Greenhouse Gas, prior case law has uniformly concluded that projects subject to supplemental review under CEQA did not need to address new subject matters, even though the prior EIR being updated did not address said subject matter (greenhouse gases). (Reference <i>Citizens for Responsible Equitable Environmental Development v. City of San Diego</i> (2011) 196 Cal.App.4<sup>th</sup> 525, 530-532; <i>Citizens Against Airport Pollution v. City of San Jose</i> (2014) 227 Cal.App4<sup>th</sup> 788, 806-808; see also CEQA Guidelines Section 15007(b)(c).) Therefore, no new analysis for wildfire is required for the proposed Project.</p> <p>The project is located within the Sacramento Metropolitan Fire District, which is responsible for fire suppression. Standard urban development and building code require installation of proper fire suppression systems. The proposed Project would not introduce uses more intensive than previously approved. No environmental impacts associated with wildfire have been identified; no mitigation is recommended. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.</p> <p><b>Mitigation Measures:</b> None required.</p>					

**XX. Other Considerations**

Since certification of the Final EIR, the Governor's Office of Land Use and Climate Innovation (LCI) has updated CEQA Guidelines Appendix G (Environmental Checklist Form) to include four new topical sections (Tribal Cultural Resources, Energy, Wildfire, and Greenhouse Gases) and includes new and modified requirements as part of the Transportation/Traffic section. The new Energy section was formerly included in CEQA Guidelines Appendix F, but has been moved into Appendix G, so while it is new to the checklist it is not new to the CEQA Guidelines. The changes to the Transportation/Traffic section, which is now called Transportation, refocuses the analysis on vehicle miles traveled (VMT). Prior case law in California has uniformly concluded that projects subject to supplemental review under CEQA did not need to address new subject matters, even though the prior EIR being updated did not address the new subject matter (greenhouse gases for these cases). (Reference *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4<sup>th</sup> 525, 530-532; *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4<sup>th</sup> 788, 806-808; see also CEQA Guidelines Section 15007(b)(c).) The adoption of new topical sections does not constitute significant new information which has been supported by case law, cited above and in the appropriate topical Checklist sections. Regardless, impacts are less than significant or are reasonably covered by adopted mitigation measures.

Based on the foregoing, none of the modifications to CEQA Guidelines Appendix G require new analysis related to impacts which were not known, or which could not have been known, at the time the Final EIR was prepared. Therefore, the Project is exempt from further review under CEQA pursuant to CEQA Guidelines Section 15182 (c).

**XXI. Mandatory Findings of Significance**

	Where Impact Was Analyzed in Prior Environmental Documents	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Environmental Documents' Mitigation Measures Implemented or Addressing Impacts
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, threatened or rare species, or eliminate important examples of the major periods of California history or prehistory?	Page 17-3	No	No	No	
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	Page 17-15 - 16	No	No	No	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly	Page 17-1 - 3	No	No	No	
<p><b>Discussion:</b> The proposed project is consistent with the Specific Plan density assumptions and will not substantially degrade wildlife habitat, introduce new cumulatively considerable impacts, nor will it cause new substantial adverse effects to humans over that identified in the EIR. Pursuant to CEQA Guidelines Section 15182, subdivision (c), the County finds that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred relative to the mandatory findings.</p>					

*In reviewing the project level information provided for this project and acting as Lead Agency, the County of Sacramento has analyzed the potential environmental impacts created by the proposed Elverta 59.5 South project and determined that the findings of CEQA Section 15162 concerning the decision not to prepare a subsequent EIR or negative declaration and the findings of CEQA Section 15182 concerning the decision to exempt the project from further CEQA review. As supported by substantial evidence contained within this Notice of Exemption, the Lead Agency makes the following findings:*

[ X ] No substantial changes are proposed in the project which would require major revisions of the previous EIR or Mitigated Negative Declaration.

[ X ] No substantial changes have occurred with respect to the circumstances under which the project is undertaken.

[ X ] There is no new information of substantial importance which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete or the Mitigated Negative Declaration was adopted.

[ X ] Neither the proposed Project nor changed circumstances will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

#### **PROJECT SPECIFIC APPENDICES**

Appendix A: Tree Inventory Report, CA Tree and Landscaping Consulting, Inc.

Appendix B: Preliminary Drainage Report, MacKay and Soms.

#### **ATTACHMENTS:**

Attachment A: Final Environmental Impact Report, Elverta Specific Plan (SCH Number 2000092026) (County Control No. 99-SFB-GPB-CZB-AHS-0351)

Attachment B: Addendum to the Final Environmental Impact Report, Elverta Specific Plan (SCH Number 2000092026) (County Control No. PLNP2013-00046).

Attachment C: Mitigation Monitoring and Reporting Program (MMRP) for Elverta 59.5 South (County Control No. PLNP2017-00017).

Due to length, Attachments A and B are available to view at the Sacramento County Department of Planning and Environmental Review, 827 7th Street, Sacramento, CA 95814, Room 225 during normal business hours, or online at:

<https://planningdocuments.saccounty.net/projectdetails.aspx?projectID=3899&communityID=8>