

## **RESOLUTION NO. 2013-56**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CERTIFYING A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE SUSTAINABILITY ELEMENT AND CLIMATE ACTION PLAN**

**WHEREAS**, in 2003 the City adopted the Elk Grove General Plan; and

**WHEREAS**, as part of and prior to the adoption of the General Plan, the City Council certified an Environmental Impact Report for the General Plan as required by the California Environmental Quality Act (SCH No. 2002062082); and

**WHEREAS**, in 2006, the State of California adopted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, which sets a target of reducing greenhouse gas (GHG) emissions to 1990 levels by 2020; and

**WHEREAS**, the City, through direction of the City Council in March 2009, desires to adopt a Sustainability Element and Climate Action Plan as local implementation of AB 32 and to reduce the time and cost for new development by streamlining project-level greenhouse gas review; and

**WHEREAS**, the California Environmental Quality Act (CEQA), requires local agencies to consider the potential environmental impacts of their decisions prior to taking action; and

**WHEREAS**, the City determined that the adoption of the Sustainability Element and Climate Action Plan (also referred to herein as the "Project") is subject to the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq. and that an Subsequent Environmental Impact Report (SEIR) to the General Plan Environmental Impact Report needed be prepared to evaluate the potential environmental effects of the Project; and

**WHEREAS**, in compliance with Public Resources Code §21080.4, a Notice of Preparation (NOP) was prepared by the City of Elk Grove and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies and other interested parties on June 10, 2011 with the comment period ending on July 1, 2011; and

**WHEREAS**, the City of Elk Grove distributed a Notice of Availability for the Project's Draft EIR on September 30, 2011, which started the 45-day public review period, ending on November 15, 2011; and

**WHEREAS**, the Draft SEIR was filed with the State Clearinghouse (SCH No. 2011062031) and was distributed to public agencies and other interested parties for public review and comment; and

**WHEREAS**, the City of Elk Grove prepared a Final SEIR, which consists of: 1) Draft SEIR, 2) comments received on the Draft SEIR during the public review period, and 3) responses to comments received; and

**WHEREAS**, the City prepared revisions to the Final SEIR, which included revisions to the Draft SEIR, to reflect changes in the project (the Revised Final SEIR); and

**WHEREAS**, none of the changes in the Revised Final SEIR result in any significant new information that would, under State CEQA Guidelines Section 15088.5, require recirculation of the SEIR.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elk Grove as follows:

**1. Certification of the Final SEIR**

- A. The City Council hereby certifies that the Revised Final SEIR has been completed in compliance with the requirements of the California Environmental Quality Act.
- B. The City Council hereby certifies that the Revised Final SEIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Revised Final SEIR prior to taking action on the Project.
- C. The City Council hereby certifies that the Revised Final SEIR, attached as Exhibit A, reflects the independent judgment and analysis of the City Council.

**2. Findings on Impacts**

The City Council finds that the Revised Final SEIR identifies potentially significant impacts that cannot be mitigated to a less than significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit B.

**3. Findings on Alternatives**

The City Council finds that the alternatives analyzed in the Revised Final EIR are rejected because the alternatives would not achieve the project objectives. The City Council makes the finding as set forth in Exhibit B, attached hereto and incorporated herein by reference.

#### 4. Adoption of the Mitigation Monitoring and Reporting Program

The City Council finds that the proposed mitigation measures described in the Revised Final EIR and Findings are feasible and, therefore, will become binding upon the City. The Mitigation Monitoring and Reporting Program, included as Exhibit C, is hereby adopted.

#### 5. Other Findings

The City Council finds that issues raised during the public comment period and written comment letters submitted after the close of the public review period of the Draft SEIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5.

Further, the revisions to the Final SEIR contained in the Revised Final SEIR does not result in any significant new information that would, under State CEQA Guidelines Section 15088.5, require recirculation of the SEIR.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of March 2013.



\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
JENNIFER A. ALVES,  
ASSISTANT CITY ATTORNEY

EXHIBIT A

# REVISED FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

FOR THE

## SUSTAINABILITY ELEMENT AND CLIMATE ACTION PLAN

SCH# 2011062031

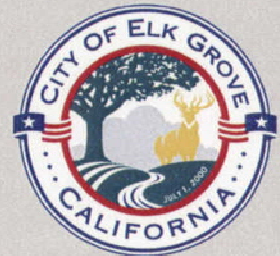
OCTOBER 2012

*Prepared for:*

City of Elk Grove  
Attn: Taro Echiburú  
8401 Laguna Palms Way  
Elk Grove, CA 95758

*Prepared by:*

De Novo Planning Group  
4630 Brand Way  
Sacramento, CA 95819  
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De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

**REVISED FINAL  
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT**

**FOR THE  
SUSTAINABILITY ELEMENT AND  
CLIMATE ACTION PLAN**

**SCH# 2011062031**

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**This document has received funding from an Energy Efficiency and Conservation Block Grant (EECBG) from the United States Department of Energy (DOE).**

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The City of Elk Grove (City) is the lead agency responsible for the environmental review of the proposed Sustainability Element and Climate Action Plan (CAP) project (Project) evaluated herein. The California Environmental Quality Act (CEQA) requires the preparation of an Environmental Impact Report (EIR) prior to the approval of any project that may have a significant impact on the environment.

## 1.1 PURPOSE AND INTENDED USES OF THE EIR

### CEQA REQUIREMENTS FOR A FINAL EIR

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This Revised Final Subsequent EIR (Revised Final SEIR) for the Project has been prepared in accordance with CEQA and the State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a Final EIR consist of the following:

- the Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft Subsequent EIR (Draft SEIR) for the Sustainability Element and Climate Action Plan is incorporated by reference into this Final SEIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

### PURPOSE AND USE

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The City, as the lead agency, has prepared this Revised Final SEIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from adoption and the subsequent implementation of the proposed project.

The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public



## 1.0 INTRODUCTION

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objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the Project. Subsequent actions that may be associated with the Project are identified in Chapter 2.0, Project Description, of the Draft SEIR.

### RECIRCULATION OF AN EIR PRIOR TO CERTIFICATION

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A lead agency is required to recirculate a draft EIR, prior to certification, when “significant new information” is added to the EIR after the public review period begins as described at CEQA Guidelines Section 15088.5. According to CEQA Guidelines Section 15088.5(a), new information is deemed significant if the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a new 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 proponent declines to implement. The CEQA Guidelines further state under Section 15088.5(a) that new information is deemed significant if it reveals the following:

*“(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.”*

Chapter 3.0 identifies revisions made to the Draft SEIR. The revisions to the Draft SEIR are made in response to comments received on the Draft SEIR (see Chapter 2.0 of this document) and revisions to the proposed CAP (see Chapter 3.0 – Revised Project Description (Draft SEIR Chapter 2.0).

The revisions to the Draft SEIR provide supplemental information and do not identify any new significant environmental impacts nor any increase in the severity of environmental impacts. The revisions to the Draft EIR do identify a new mitigation measure that will be adopted following City Council approval of the project. Therefore, the Draft SEIR does not require recirculation pursuant to CEQA.

## 1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR involves the following general procedural steps:

## NOTICE OF PREPARATION AND INITIAL STUDY

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The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on June 10, 2011 to trustee and responsible agencies, the State Clearinghouse, and the public. The comments received in response to the NOP were considered during preparation of the Draft SEIR. The NOP, Initial Study, and responses to the NOP by interested parties are presented in Appendix A of the Draft SEIR.

## NOTICE OF AVAILABILITY AND DRAFT EIR

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The City provided the State Clearinghouse with the Notice of Completion (NOC) and Draft SEIR for review on September 29, 2011. The City published a public notice of availability (NOA) for the Draft SEIR on September 30, 2011, inviting comment from the general public, trustee agencies, responsible agencies, organizations, and other interested parties. The Draft SEIR was available for review from September 29 through November 15, 2011. The Draft SEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft SEIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft SEIR.

## RESPONSE TO COMMENTS/FINAL EIR

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In December 2011, the City issued a Final EIR that responded to the two written comments received, as required by CEQA. The Final SEIR also contained minor edits to the Draft SEIR. The December 2011 Final SEIR is replaced by this Revised Final SEIR.

## REVISED FINAL SEIR

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Following issuance of the Final SEIR in December 2011, the City made changes to the proposed CAP. The Draft SEIR was revised to address the changes to the CAP. Following the revisions to the Draft SEIR, the City reviewed the changes to determine whether any "significant" new information was added. The City determined that no new significant information was added and, based upon the requirements established under CEQA Guidelines Section 15088.5, the Draft SEIR did not need to be recirculated.

This Revised Final SEIR provides responses to the two comment letters the City received regarding the Draft SEIR. This Revised Final SEIR also contains minor edits to the Draft SEIR, which are included in Section 3.0, Revisions to the Draft SEIR. This document and the Draft SEIR, as amended herein, constitute the Final SEIR.

## CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

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The City will review and consider the Final SEIR. If the City finds that the Final SEIR is "adequate and complete", the City Council may certify the Final SEIR in accordance with CEQA. Upon review

## 1.0 INTRODUCTION

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and consideration of the Final SEIR, the City Council may take action to approve, revise, or reject the Project. A decision to approve the Project, for which this SEIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and State CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

### 1.3 ORGANIZATION OF THE FINAL SEIR

This Revised Final EIR has been prepared consistently with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Revised Final SEIR is organized in the following manner:

#### CHAPTER 1.0 – INTRODUCTION

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Chapter 1 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final SEIR.

#### CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

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Chapter 2 provides a list of commentors, copies of written comments made on the Draft SEIR (coded for reference), and responses to those written comments.

#### CHAPTER 3.0 – REVISIONS TO THE DRAFT EIR

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Chapter 3.0 consists of minor revisions to the Draft SEIR. The revisions include the following:

- **Executive Summary:** This chapter has been revised to reflect the change in significance of Impact 3.2-2.
- **Chapter 1.0, Introduction:** This chapter has been revised primarily to provide a description of how the SEIR may be used as a streamlining document for the environmental review of future projects, as provided for by CEQA Guidelines Sections 15168, 15183, and 15183.5.
- **Chapter 2.0, Project Description:** This chapter has been revised to provide a detailed description of the revised CAP, provide more information regarding the project's consistency with the General Plan, and describe how the SEIR and CAP will be used to streamline the analysis of greenhouse gases for future projects, as provided for by CEQA Guidelines Section 15183.5.
- **Chapter 3.2, Greenhouse Gases:** This chapter has been revised to reflect changes to the CAP and provide updated information regarding regional planning efforts. The regulatory framework discussion was modified to describe the Metropolitan Transportation

Plan/Sustainable Communities Strategy, which was adopted after the original Final SEIR was published in December 2011.

The analysis for Impact 3.2-2 was revised to reflect the changes in the CAP related to the implementation measures and the associated greenhouse gas emissions reductions. Mitigation Measure 1 was added to ensure that the CAP would be updated to ensure that the CAP results in greenhouse gas emission reductions to meet the City's reduction target. The significance conclusion was changed to less than significant with implementation of Mitigation Measure 1.

- Chapter 4.0, Other CEQA-Required Topics: The discussion of regional growth was revised to reflect the MTP/SCS and the discussion of significant and unavoidable impacts was revised to reflect the conclusion that Impact 3.2-2 would be less than significant with mitigation.
- Chapter 7.0, References: The list of references has been updated.

As previously described, the revisions to the Draft SEIR do not provide any significant new information as defined under CEQA Guidelines Section 15088.5.

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## 2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft Subsequent Environmental Impact Report (Draft SEIR) for the Sustainability Element and Climate Action Plan, were raised during the comment period. The City of Elk Grove (City), as lead agency, directed that responses to the Draft SEIR comments be prepared. Responses to comments received during the comment period do not involve any new significant impacts or “significant new information” that would require recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5.

## 2.2 LIST OF COMMENTORS

Table 2-1 lists the comments on the Draft SEIR that were submitted to the City. The assigned comment letter number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. A comment letter was received by the Delta Stewardship Council (DSC); however, the DSC subsequently retracted their comment letter so it is not included and no response is provided.

<b>TABLE 2-1: LIST OF COMMENTORS</b>			
<b>RESPONSE LETTER/NUMBER</b>	<b>INDIVIDUAL OR SIGNATORY</b>	<b>AFFILIATION</b>	<b>DATE</b>
A	Jorge Rivas	California Department of Transportation District #3	November 15, 2011
B	Scott Morgan	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	November 15, 2011

## 2.3 COMMENTS AND RESPONSES

### REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT SEIR

CEQA Guidelines Section 15088 requires that City, as lead agency, evaluate and respond to all comments on the Draft SEIR that regard an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commentor, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204(a)).

CEQA Guidelines Section 15204 recommends that commentors provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commentors

## 2.0 COMMENTS ON DRAFT SEIR AND RESPONSES

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provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final SEIR identifies all revisions to the Draft SEIR for the Sustainability Element and Climate Action Plan.

### RESPONSES TO COMMENT LETTERS

Written comments on the Draft SEIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

**From:** Jorge Rivas [mailto:[jorge\\_rivas@dot.ca.gov](mailto:jorge_rivas@dot.ca.gov)]  
**Sent:** Tuesday, November 15, 2011 5:26 PM  
**To:** Christopher Jordan  
**Cc:** Eric Fredericks  
**Subject:** City of Elk Grove Sustainability Element and Climate Action Plan

03200SAC0051  
03-SAC-VAR  
City of Elk Grove Sustainability Element and Climate Action Plan  
Subsequent Environmental Impact Report (SEIR)  
SCH#2011062031

Dear Mr. Jordan:

Thank you for the opportunity to review and comment on the Subsequent Environmental Impact Report (SEIR) for the City of Elk Grove's Sustainability Element and Climate Action Plan. The Sustainability Element includes goals and policies to help the City achieve a wide range of desired results related to sustainability. In addition, to adopt the Climate Action Plan, this includes a range of measures to reduce greenhouse gas (GHG) emissions from many different sources within the city.

A-1

At this time we have no comments. We look forward to continue working with the City of Elk Grove on this and future projects. If you have any questions, please contact me at [\(916\) 274-0679](tel:9162740679) or via email.

Thank you,  
Jorge Rivas

.....  
Jorge Rivas Jr.  
California Department of Transportation District #3  
A: 2379 Gateway Oaks Drive Ste. 150  
Sacramento, CA 95833  
E: [jorge\\_rivas@dot.ca.gov](mailto:jorge_rivas@dot.ca.gov)  
P: [916.274.0679](tel:9162740679)



## 2.0 COMMENTS ON DRAFT SEIR AND RESPONSES

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### **Response to Letter A    Jorge Rivas, California Department of Transportation District #3**

**Response A-1:** The commentor thanks the City for the opportunity to comment on the Draft SEIR. The commentor notes that the Sustainability Element includes goals and policies to help the City achieve a wide range of desired results related to sustainability and that the Climate Action Plan includes a range of measures to reduce greenhouse gas emissions. The commentor indicates that their agency has no comments and provides their contact information. The comment does not raise any issues regarding the adequacy of the Draft SEIR. The comment is noted.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

November 15, 2011

RECEIVED

NOV 16 2011

CITY OF ELK GROVE  
PLANNING

Christopher Jordan  
City of Elk Grove  
8401 Laguna Palms Way  
Elk Grove, CA 95758

Subject: Sustainability Element and Climate Action Plan  
SCH#: 2011062031

Dear Christopher Jordan:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on November 14, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

B-1

## 2.0 COMMENTS ON DRAFT SEIR AND RESPONSES

### Document Details Report State Clearinghouse Data Base

**SCH#** 2011062031  
**Project Title** Sustainability Element and Climate Action Plan  
**Lead Agency** Elk Grove, City of

**Type** SIR Supplemental EIR

**Description** The project would:  
 1) Adopt the sustainability Element of the General Plan, as a General Plan amendment.  
 2) Adopt the Climate Action Plan.  
 3) Provide a mechanism for subsequent projects to streamline analysis of cumulative impacts associated with greenhouse gases, as allowed by Section 1518.5 of the CEQA Guidelines.

#### Lead Agency Contact

**Name** Christopher Jordan  
**Agency** City of Elk Grove  
**Phone** 916 478 2222 **Fax**  
**email**  
**Address** 8401 Laguna Palms Way  
**City** Elk Grove **State** CA **Zip** 95758

#### Project Location

**County** Sacramento  
**City** Elk Grove  
**Region**  
**Lat / Long** 38° 24' 31.6" N / 121° 22' 17.8" W  
**Cross Streets**  
**Parcel No.**  
**Township** **Range** **Section** **Base**

#### Proximity to:

**Highways** I-5, SR 99  
**Airports**  
**Railways**  
**Waterways** Sacramento River, Cosumnes River  
**Schools** Elk Grove USD  
**Land Use** All - Project applies to future long term planning projects, development applications, and policy decisions within the City.

**Project Issues** Air Quality; Noise; Population/Housing Balance; Traffic/Circulation; Other Issues

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission; Delta Stewardship Council

**Date Received** 09/29/2011 **Start of Review** 09/29/2011 **End of Review** 11/14/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Response to Letter B: Scott Morgan, State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit**

**Response B-1:** The commentor states that the State Clearinghouse submitted the Draft SEIR to selected state agencies for review. The commentor states that no state agencies submitted comments [to the State Clearinghouse] by the close of the review period. The commentor indicates that the City has complied with State Clearinghouse review requirements for draft environmental documents. The commentor makes closing remarks and provides their contact information. The comment does not identify any issues related to the adequacy of the Draft SEIR. This comment is noted.

## 2.0 COMMENTS ON DRAFT SEIR AND RESPONSES

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Revisions to the Draft SEIR include changes to the Executive Summary, Chapters 1.0, 2.0, 3.2, 4.0, and 7.0. The chapters are shown in their entirety on the following pages for ease of reading and review. As discussed in Chapter 1.0, none of the revisions identify new significant environmental impacts nor do any of the revisions result in substantive changes to the Draft SEIR that would deprive the public of a meaningful opportunity to comment on a new substantial adverse impact or on methods of mitigation or project alternatives that the project proponent has declined to implement. Changes to the Draft SEIR are shown in track changes: new text is shown in underline and deleted text is shown in ~~strike through~~.

## 3.0 REVISIONS TO THE DRAFT SEIR

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## **REVISIONS TO THE DRAFT SEIR**



## INTRODUCTION

The City of Elk Grove (City), as lead agency, determined that the Sustainability Element and Climate Action Plan (Project) is a "project" within the definition of the California Environmental Quality Act (CEQA), and requires the preparation of an Environmental Impact Report (EIR). This Draft Subsequent Environmental Impact Report (Draft SEIR) has been prepared to evaluate the environmental impacts associated with implementation of the Project.

## PROJECT DESCRIPTION

The Project would:

- 1) Adopt the Sustainability Element of the General Plan, as a General Plan amendment. The Sustainability Element includes goals and policies to help the City achieve a wide range of desired results related to sustainability;
- 2) Adopt the Climate Action Plan, which includes a range of measures to reduce greenhouse gas (GHG) emissions from a variety of sources throughout the City; and
- 3) Provide a mechanism for subsequent projects to streamline analysis of cumulative impacts associated with greenhouse gases, as allowed by Section 15183.5 of the CEQA Guidelines.

Please refer to Chapter 2.0, Project Description, for a detailed description of the Project, its objectives, and agency approvals associated with the Project.

## AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This Subsequent Draft EIR addresses environmental impacts associated with the Project that are known to the City or were raised during preparation of the Draft SEIR. This Draft SEIR is focused on the potentially significant impacts associated with air quality, greenhouse gases/climate change, noise, population/housing, and transportation/circulation impacts. During the NOP process, comments were received from California Department of Transportation.

California Department of Transportation stated that it had no comments at this time.

## ALTERNATIVES TO THE PROPOSED PROJECT

The CEQA Guidelines require an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed project. Since the proposed project affects the entire City, a discussion of alternative sites is not appropriate. The alternatives analyzed in this EIR include the following alternatives, plus the Project:

- No Project Alternative – Project is not adopted or implemented.
- Revised Project Alternative – Additional greenhouse gas reduction measures are included in the Climate Action Plan.

## ES EXECUTIVE SUMMARY

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As summarized in Table ES-1 below, Alternative 2 (Revised Project) is the environmentally superior alternative because it provides the greatest reduction of potential impacts in comparison to the other alternatives. Alternative 1 (No Project) is worse than the Project. Please see Chapter 5 for a full discussion of alternatives to the Project.

**TABLE ES-1: COMPARISON OF ALTERNATIVES TO THE PROJECT**

ENVIRONMENTAL ISSUE	PROPOSED PROJECT	ALTERNATIVE 1 NO PROJECT	ALTERNATIVE 2 REVISED PROJECT
Greenhouse Gases and Climate Change	Same	Worse	Superior
Air Quality, Noise, and Transportation	Same	Worse	Superior
<b>Overall</b>	<b>No Change</b>	<b>5 (Worst)</b>	<b>1 (Best)</b>

### SUMMARY OF IMPACTS AND MITIGATION MEASURES

In accordance with the CEQA Guidelines, this EIR focuses on the significant effects on the environment. The CEQA Guidelines defines a significant effect as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project. A less than significant effect is one in which there is no long or short-term significant adverse change in environmental conditions. Some impacts are reduced to a less than significant level with the implementation of mitigation measures and/or compliance with regulations. The definition of "beneficial" effect is not defined in the CEQA Guidelines, but for purposes of this EIR a beneficial effect is one in which an environmental condition is enhanced or improved.

The environmental impacts of the proposed project, the impact level of significance prior to mitigation, the proposed mitigation measures to mitigate an impact, and the impact level of significance after mitigation are summarized in Table ES-2.

TABLE ES-2: PROJECT IMPACTS AND PROPOSED MITIGATION MEASURES

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
<b>Air Quality</b>			
Impact 3.1-1: Air quality impacts from improvements.	LS	None	LS
Impact 3.1-2: Air quality impacts from increased development intensities.	LS	None	LS
Impact 3.1-3: Expose sensitive receptors to substantial pollutant concentrations.	LS	None	LS
Impact 3.1-4: Create objectionable odors affecting a substantial number of people.	LS	None	LS
<b>Greenhouse Gases and Climate Change</b>			
Impact 3.2-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	LS	None	LS
Impact 3.2-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	SUPS	<b>Mitigation Measure 1</b> Prior to adoption of the Sustainability Element and Climate Action Plan, Action 2.3 of Chapter 5 of the Climate Action Plan shall be amended to read as follows: "Action 2.3: Should the annual reporting and monitoring actions (Actions 1.1 through 1.6) identify that the reduction measures included herein are not collectively meeting the GHG reduction goal of 15% by 2020, Planning Department staff shall prepare and present to the City Council recommended revisions to the CAP that would modify or replace measures to the extent necessary to achieve the GHG reduction goal of 15%."None	SUPS

CC – cumulatively considerable  
PS – potentially significant

LCC – less than cumulatively considerable  
B – beneficial impact

LS – less than significant  
SU – significant and unavoidable

## ES EXECUTIVE SUMMARY

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
<b>Noise</b>			
Impact 3.3-1: Exposure of persons to noise or vibration from improvements.	LS	None	LS
Impact 3.3-2: Noise exposure associated with higher building densities and intensities.	LS	None	LS
<b>Population and Housing</b>			
Impact 3.4-1: Induce substantial population growth in an area, either directly or indirectly.	LS	None	LS
<b>Transportation</b>			
Impact 3.5-1: Impacts to the multi-modal transportation system.	LS	None	LS
Impact 3.5-2: Impacts to traffic from increased building densities and intensities.	LS	None	LS
<b>Cumulative</b>			
Impact 4-1: Cumulative impacts to air quality, noise, and transportation.	LCC	None	LCC

CC – cumulatively considerable

LCC – less than cumulatively considerable

LS – less than significant

PS – potentially significant

B – beneficial impact

SU – significant and unavoidable

ES-4

Draft SEIR – Sustainability Element and Climate Action Plan

The City of Elk Grove (City), as lead agency, has determined that the Sustainability Element and Climate Action Plan (CAP) project (Project) is a "project" within the definition of CEQA. CEQA requires the preparation of an Environmental Impact Report (EIR) prior to the approval of any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

This Draft Subsequent EIR (Draft SEIR) has been prepared to evaluate the environmental impacts associated with implementation of the Project. This section provides a summary of the Project, describes the purpose and intended uses of the EIR, describes the EIR process, provides an overview of the contents of this Draft SEIR, and identifies effects found to not be significant.

## 1.1 SUMMARY OF THE PROPOSED PROJECT

The Project would:

- 1) Adopt the Sustainability Element of the General Plan, as a General Plan amendment. The Sustainability Element includes goals and policies to help the City achieve a wide range of desired results related to sustainability;
- 2) Adopt the CAP, which includes a range of measures to reduce greenhouse gas (GHG) emissions from a variety of sources throughout the City; and
- 3) Provide a mechanism for subsequent projects to streamline analysis of cumulative impacts associated with greenhouse gases, as allowed by Section 15183.5 of the CEQA Guidelines.

## 1.2 PURPOSE AND INTENDED USES OF THE EIR

This Draft SEIR has been prepared in compliance with the requirements of CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). As described in the State CEQA Guidelines Section 15126, an EIR must disclose the expected significant environmental impacts of a project, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts.

The Sustainability Element is a component of the City's General Plan and the CAP is an implementation measure of the Sustainability Element. The Project and associated Subsequent Environmental Impact Report (SEIR) are intended to serve as programmatic tiering documents for the purposes of CEQA as allowed under ~~Section 15183.5 of the CEQA Guidelines~~. A tiering document front-loads the analysis needed for many projects in order to decrease the time and money that would be needed for individual analyses for each subsequent project.

[The CEQA Guidelines specifically identify the process for using the analysis in an EIR to streamline the environmental analysis of subsequent projects. Paragraphs \(c\) and \(d\) of CEQA Guidelines](#)

## 1.0 INTRODUCTION

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Section 15168 describe how a Program EIR may be used with later activities and how the Program EIR may be used to simplify the analysis for subsequent EIRs. CEQA Guidelines Section 15168(d)(3), specifically allows subsequent EIRs to solely discuss new effects which had not been considered before in the Program EIR. As described under CEQA Guidelines Section 15183(a), CEQA mandates that projects that are consistent with the development density established by a general plan for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. CEQA Guidelines Section 15183(b) identifies that, in approving a project that meets the requirements of the section (that is, the project is consistent with development densities established in a community plan, general plan, or zoning for which an EIR was certified), the lead agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located.
- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent.
- (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action.
- (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

CEQA Guidelines Section 15183(c) states:

“(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.”

CEQA Guidelines Section 15183.5 provides further support for this approach to tiering and streamlining the analysis of greenhouse gases, indicating that project-specific environmental documents may rely, through tiering or incorporation by reference, on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in Sections 15152 (tiering), 15167 (staged EIRs), 15168 (program EIRs), 15175–15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning). The Draft SEIR prepared by the City is intended to provide the analysis necessary for the City to use the document as a tiering and streamlining document as provided by CEQA Guidelines Sections 15168 and 15183, which is supported by the language in CEQA Guidelines Section 15183.5(a).

In the case of the CAP, the City is creating a tiering document that addresses the elements identified in CEQA Guidelines Section 15183.5(b)(1) and establishes the City's consistency with state GHG legislation such as AB 32 and SB 97 through the year 2020.

The City, as the lead agency, has prepared this SEIR to provide decision-makers, the public, responsible agencies, and trustee agencies with an objective analysis of the potential environmental impacts resulting from adoption of the Project and subsequent implementation of projects consistent with the Project. The environmental review process enables interested parties to evaluate the Project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the Project. While CEQA requires public agencies to consider, and where feasible, minimize environmental impacts of a proposed project, CEQA also requires the lead agency to balance adverse environmental effects against other public objectives, including the economic, environmental, and social benefits of a project, in determining whether a project should be approved.

This EIR will be used by the City as a tool in evaluating the environmental impacts of the Project [and will be used, in conjunction with the CAP, to streamline CEQA review of subsequent projects.](#) Please see Chapter 2.0, Project Description, for a description of approvals and subsequent actions associated with the Project.

As the Lead Agency under the provisions of CEQA, the City has discretionary approval authority and the responsibility to consider the environmental effects of the Project. This EIR, in accordance with State CEQA Guidelines Section 15126, will serve as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the Project. The City will consider the Draft SEIR, comments received on the Draft SEIR, and responses to those comments before making a decision regarding the proposed project.

### 1.3 TYPE OF EIR AND RELATIONSHIP TO GENERAL PLAN EIR

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Subsequent EIR to the General Plan EIR pursuant to CEQA Guidelines Section 15162. The certified Elk Grove General Plan EIR (General Plan EIR) (SCH# 2002062082) was prepared as a Program EIR consistent with the requirements of CEQA Guidelines Section 15168.

CEQA Guidelines Section 15162 provides that a Subsequent EIR is warranted if the lead agency determines, among other things, that substantial changes have occurred to a project that will have one or more significant effects not discussed in the previous EIR. The Project would amend the General Plan to include an additional element, the Sustainability Element, and would also adopt the CAP, which will implement components of the Sustainability Element. This Draft SEIR is appropriate under Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

The environmental analysis contained in this document is focused on two separate aspects of the Project. The first aspect of the analysis will focus on potential adverse environmental impacts that

## 1.0 INTRODUCTION

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may occur as a result of implementation of the Sustainability Element and the CAP. For example, the CAP includes measures that will be carried out by the City or by development project applicants. Such actions may include, but are not limited to, roadway connectivity improvements, the installation of additional bus stops, energy retrofits of existing buildings, and changes in allowable densities on properties with a General Plan designation of Transit-Oriented Development (TOD). These types of improvements have the potential to result in environmental impacts, which will be addressed in this document. The exact location and timing of the potential improvements and actions that may result from adoption of the Sustainability Element and CAP are not known at this time. Therefore, the environmental analysis in this document will be conducted at the program-level, and will address the reasonably foreseeable consequences of implementing the Project. The second aspect of the analysis will focus on the effectiveness of the Sustainability Element and CAP at meeting the City's and the State of California's identified goals for GHG reductions through the year 2020.

The program-level analysis considers the broad environmental effects of the Project. This EIR will be used to evaluate subsequent projects and activities under the Project. This EIR is intended to provide the information and environmental analysis necessary to assist public agency decision-makers in considering approval of the proposed project, but not to the level of detail to consider approval of each transportation project identified in the proposed project.

Additional environmental review under CEQA may be required for subsequent projects and would be generally based on the subsequent project's consistency with the proposed project and the analysis in this EIR, as required under CEQA. It may be determined that some future projects or activities under the proposed project may be exempt from environmental review. When subsequent projects or activities under the proposed project are proposed, the City will examine the projects or activities to determine whether their effects were adequately analyzed in this Program EIR (CEQA Guidelines Section 15168). If the projects or activities would have no effects beyond those disclosed in this EIR, no further CEQA compliance would be required.

### 1.4 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the Project or an aspect of the Project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (CEQA Guidelines Section 15386). No Responsible Agencies or Trustee Agencies are responsible for approvals associated with adoption of the Project or other actions to support implementation of the Project.

### 1.5 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for this EIR has involved, or will involve, the following general procedural steps:



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#### NOTICE OF PREPARATION AND INITIAL STUDY

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The City circulated a Notice of Preparation (NOP) of an EIR for the Project and an Initial Study on January 22, 2011 to Trustee and Responsible Agencies, the State Clearinghouse, and the public. The NOP and Initial Study are presented in Appendix A. One comment was received in response to the NOP from the California Department of Transportation (CalTrans), which indicated that CalTrans had no comment.

During the review period of the NOP/Initial Study, City staff noted an error in the language regarding residential solid waste services. Residential solid waste services in the City are provided by Allied Waste Services, not Central Valley Waste Services as identified on p. 3.0-55 of the Initial Study (Appendix A). Residential solid waste generated in Elk Grove is taken to the Forward Landfill in San Joaquin County. This correction does not result in the need to changes the significance conclusions associated with solid waste issues because the Project would not result in a significant increase in demand for public services or impacts to public service facilities, as described in the Initial Study."

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#### DRAFT SEIR

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This document constitutes the Draft SEIR. The Draft SEIR contains a description of the Project, description of the environmental setting, identification of the project's direct and indirect impacts on the environment, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft SEIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this EIR. Upon completion of the Draft SEIR, the City will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the public review period.

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#### PUBLIC NOTICE/PUBLIC REVIEW

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Concurrent with the NOC, the City will provide a public notice of availability for the Draft SEIR, and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA requirements, the review period for this Draft SEIR is forty-five (45) days. Public comment on the Draft SEIR will be accepted both in written form and oral form. All comments or questions regarding the Draft SEIR should be addressed to:

City of Elk Grove  
Attn: Taro Echiburú, Planning Director  
8401 Laguna Palms Way  
Elk Grove, CA 95758

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#### RESPONSE TO COMMENTS/FINAL SEIR

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Following the public review period, a Final SEIR will be prepared. The Final SEIR will respond to written comments received during the public review period.

## 1.0 INTRODUCTION

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### CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

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The City will review and consider the Final SEIR. If the City finds that the Final SEIR is "adequate and complete", the City Council may certify the Final SEIR in accordance with CEQA. As set forth by CEQA Guidelines Section 15151, the standards of adequacy require an EIR to provide a sufficient degree of analysis to allow decisions to be made regarding the proposed project that intelligently take account of environmental consequences.

Upon review and consideration of the Final SEIR, the City Council may take action to approve, revise, or reject the project. A decision to approve the proposed project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the Final SEIR.

## 1.6 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft SEIR was established through review of environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the City and responses to the NOP.

This Draft SEIR is organized in the following manner:

### EXECUTIVE SUMMARY

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The Executive Summary summarizes the characteristics of the Project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts and possible mitigation measures. This chapter identifies alternatives that reduce or avoid at least one significant environmental effect of the Project.

### CHAPTER 1.0 – INTRODUCTION

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Chapter 1.0 briefly describes the Project, the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, identifies the scope and organization of the Draft SEIR, and summarizes comments received on the NOP.

### CHAPTER 2.0 – PROJECT DESCRIPTION

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Chapter 2.0 provides a detailed description of the Project, including the location, intended objectives, background information, the physical and technical characteristics, including the

decisions subject to CEQA, subsequent projects and activities, and a list of related agency action requirements.

### CHAPTER 3.0 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

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Chapter 3.0 contains an analysis of environmental topic areas as identified below. Each subchapter addressing a topical area is organized as follows:

**Environmental Setting.** A description of the existing environment as it pertains to the topical area.

**Regulatory Setting.** A description of the regulatory environment that may be applicable to the Project.

**Impacts and Mitigation Measures.** Identification of the thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact.

The following environmental topics are addressed in this section:

- Air Quality
- Greenhouse Gases and Climate Change
- Noise
- Population and Housing
- Transportation

### CHAPTER 4.0 – OTHER CEQA-REQUIRED TOPICS

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Chapter 4.0 evaluates and describes the following CEQA required topics: impacts considered less-than-significant, significant and irreversible impacts, growth-inducing effects, cumulative, and significant and unavoidable environmental effects.

### CHAPTER 5.0 - ALTERNATIVES TO THE PROJECT

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Chapter 5.0 provides a comparative analysis between the merits of the Project and the selected alternatives. State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the Project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the Project.

### CHAPTER 6 - REPORT PREPARERS

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Chapter 6.0 lists all authors and agencies that assisted in the preparation of the Draft SEIR, by name, title, and company or agency affiliation.

### APPENDICES

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This section includes all notices and other procedural documents pertinent to the Draft SEIR, as well as technical material prepared to support the analysis.

## 1.0 INTRODUCTION

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### 1.7 EFFECTS FOUND NOT TO BE SIGNIFICANT

Under the CEQA statutes and the State CEQA Guidelines, a lead agency may limit an EIR's discussion of environmental effects when they are not considered potentially significant (Public Resources Code Section 21002.1(e); State CEQA Guidelines Sections 15128 and 15143). Information used to determine which impacts would be potentially significant was derived from a review of applicable planning and CEQA documentation, field work, a review of the Project, feedback from ongoing public and agency consultation, and comments received on the Notice of Preparation (Appendix A). Following the issuance of the Notice of Preparation, comments were received and reviewed to determine the final scope of the Draft SEIR. As a result of the review of existing information and the scoping process, effects on the following resources were found not to be significant, and therefore, are not included in the detailed analysis of potential project impacts:

- Aesthetics
- Agricultural Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Mineral Resources
- Public Services
- Recreation
- Utilities

Approval of the Project would not result in any new development or grant any entitlements for development in areas other than those addressed in the Elk Grove General Plan and considered in the Elk Grove General Plan Final EIR. Approval of the Project would in no way entitle or otherwise approve development, and as such, would not result in any adverse impacts associated with the above topic areas, as described in the Initial Study (Appendix A).

### 1.8 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received one comment letter in response to the NOP. The correspondence was from CalTrans, which indicated that it had no comments at this time. A copy of the letter is provided in Appendix B of this Draft SEIR.

### 1.9 TERMINOLOGY USED IN THIS EIR

This Draft SEIR uses the following terminology, as described in Article 20 of the State CEQA Guidelines:

“Project” means the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment directly or ultimately.

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

“Environment” means the physical conditions that exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions.

“Effects” and “impacts” as used in this document are synonymous. Effects analyzed under CEQA must be related to a physical change. Effects include:

- direct or primary effects that are caused by the project and occur at the same time and place, and
- indirect or secondary effects that are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.

“Mitigation” includes:

- avoiding the impact altogether by not taking a certain action or parts of an action;
- minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or
- compensating for the impact by replacing or providing substitute resources or environments.

“Cumulative impacts” refers to two or more individual effects that, when considered together, are

- considerable or which compound or increase other environmental impacts;
- The individual effects may be changes resulting from a single project or a number of separate projects.

## 1.0 INTRODUCTION

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- The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

This Draft SEIR uses a variety of terms to describe the level of significance of adverse impacts identified during the course of the environmental analysis. These terms are defined below.

- A “less-than-significant impact” is an impact that is adverse but that does not exceed the defined standards of significance. Less-than-significant impacts do not require mitigation.
- A “potentially significant impact” is an impact for which there is not enough information to make a finding of less-than-significant impact; however, for the purpose of this Draft SEIR, the impact is considered significant. A potentially significant impact is equivalent to a significant impact and requires the identification of feasible mitigation measures or alternatives.
- A “significant impact” is an impact that exceeds the defined standards of significance and would or could cause a substantial adverse change in the environment. Mitigation measures are recommended to eliminate the impact or reduce it to a less-than-significant level.
- A “significant and unavoidable impact” is an impact that exceeds the defined standards of significance and that cannot be eliminated or reduced to a less-than-significant level through the implementation of mitigation measures.

In addition to the terminology described above, the following terms and acronyms are used in this EIR:

CAP	Climate Action Plan
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
City	City of Elk Grove
CO <sub>2</sub> e	carbon dioxide equivalents
County	Sacramento County
CWA	Clean Water Act
Draft SEIR	Draft Subsequent Environmental Impact Report

<b>DOE</b>	<b>United States Department of Energy</b>
<b>DOT</b>	<b>Department of Transportation</b>
<b>EIR</b>	<b>Environmental Impact Report</b>
<b>EPA</b>	<b>United States Environmental Protection Agency</b>
<b>F</b>	<b>Fahrenheit</b>
<b>FCAA</b>	<b>Federal Clean Air Act</b>
<b>Final SEIR</b>	<b>Final Subsequent Environmental Impact Report</b>
<b>GHG</b>	<b>Greenhouse Gas</b>
<b>MSL</b>	<b>mean sea level</b>
<b>NAAQS</b>	<b>National Ambient Air Quality Standards</b>
<b>NOC</b>	<b>Notice of Completion</b>
<b>NOP</b>	<b>Notice of Preparation</b>
<b>OHWM</b>	<b>Ordinary High water Mark</b>
<b>Project</b>	<b>Sustainability Element and Climate Action Plan project</b>
<b>SACOG</b>	<b>Sacramento Area Council of Governments</b>
<b>SOI</b>	<b>sphere of influence</b>
<b>SVAB</b>	<b>Sacramento Valley Air Basin</b>
<b>SWRCB</b>	<b>State Water Resources Control Board</b>
<b>TOD</b>	<b>Transit-oriented Development</b>
<b>USC</b>	<b>United States Code</b>

## 1.0 INTRODUCTION

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The proposed Sustainability Element and Climate Action Plan project (Project) would: 1) amend the City of Elk Grove General Plan (General Plan) to include a Sustainability Element as part of the adopted General Plan, and 2) adopt a stand-alone Climate Action Plan (CAP), as described in this chapter.

### 2.1 PROJECT LOCATION

#### REGIONAL SETTING

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The Project location is the General Plan Planning Area (Planning Area), the same location and setting that was analyzed in the General Plan Environmental Impact Report. The Planning Area (Planning Area consists of approximately 146 square miles (93,560 acres) in the southern portion of Sacramento County (County) as shown in Figure 1. The Planning Area includes the City, its existing (and proposed) Sphere of Influence, and land in the unincorporated area of the County. The Planning Area is generally bordered by the City of Sacramento, Gerber Road, and Jackson Highway to the north; Cosumnes River to the east and southeast; Twin Cities Road to the south; and Sacramento River to the west (see Figure 2 for Project area).

Consistent with the State General Plan Guidelines, the Planning Area represents the area that the City envisions may ultimately be included either in a Sphere of Influence or in the incorporated City limits or otherwise related to the City and its General Plan policies. For the area within the City limits, as shown in Figure 1, the General Plan provides a detailed Land Use Map and other specific policies and actions relating to land use and other issues. For the area outside the City limits but within the Planning Area, the General Plan provides land use designations at a more conceptual level. Since the City does not have land use authority in these unincorporated areas, detailed land use categories are not assigned, and the policies of the General Plan with regard to other issues (circulation, housing, noise, etc.) are advisory only and are intended to be considered by the County in its review and approval of development projects and other matters.

While the City has no jurisdiction over the determination of land use policy in the unincorporated portion of the Planning Area, it can comment on the County's land use policies and decisions. Therefore, the General Plan is purely advisory in regards to the Planning Area outside of the City limits, although it does provide a statement of the uses the City desires in this area.

The General Plan and Zoning, Title 23 of the Elk Grove Municipal Code, guide the land uses in the City and would also guide the use of any land in the Planning Area if annexed by the City.

Natural features in the area include the Stone Lakes National Wildlife Refuge, the Cosumnes River, the Sacramento River and associated tributaries (e.g., Deer Creek, Morrison Creek, and Laguna Creek), and vegetation communities consisting of valley oak woodland, annual grassland, valley foothill riparian, and agricultural lands.

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## 2.0 PROJECT DESCRIPTION

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### 2.2 PROJECT BACKGROUND AND HISTORY

Greenhouse gas emissions have become a topic of concern for lawmakers and elected officials across California. Recent laws such as Assembly Bill (AB) 32, Senate Bill (SB) 375, and SB 97 require local governments to address greenhouse gas (GHG) emissions in their development processes and to work to achieve state-recommended GHG reduction targets. The goal of this effort is to create more sustainable communities while promoting public health, improving air quality, and responding to the potential effects of climate change.

In June 2009, the County finalized a greenhouse gas inventory (Inventory) for each jurisdiction in the County. The Inventory calculates municipal and community-wide emissions caused by activities in 2005, including transportation, waste, water, and energy-related activities. The Inventory established a baseline against which future changes in emissions can be measured and provides an understanding of major sources of GHG emissions in the City and the region.

In December 2009, the City was awarded an Energy Efficiency and Conservation Block Grant (EECBG) from the United States Department of Energy (DOE). The City dedicated a portion of its EECBG funds to prepare a Climate Action Plan together with a General Plan Sustainability Element.

The City held an initial public workshop on the concepts of sustainability, seeking input from the community on prioritization of concepts and ideas, and providing education about the City's existing programs and policies related to sustainability. The City also created the Sustainability Element and Climate Action Plan (SECAP) Advisory Committee to guide sustainability initiatives within the community. The committee's role is to inform the creation of the Sustainability Element and Climate Action Plan while also working to implement local and regional sustainability goals.

### 2.3 PROJECT OBJECTIVES

The following objectives have been identified for the Project:

- Provide energy use, transportation, land use, water use, and solid waste strategies to reduce Elk Grove's greenhouse gas emissions levels to 15 percent below 2005 levels by 2020.
- Provide methods for reducing Elk Grove's greenhouse gas emissions consistent with the direction of the State of California through the Global Warming Solutions Act (AB 32), Governor's Order S-03-05, and Public Resources Code Section 21083.3.
- Create a programmatic tiering document that addresses the elements identified at CEQA Guidelines Section 15183.5(b)(1) and establishes the City's consistency with state GHG legislation such as AB 32 and Senate Bill (SB) 97 through the year 2020.

### 2.4 PROJECT CHARACTERISTICS

This Draft SEIR evaluates the potential environmental impacts associated with the adoption and implementation of the Sustainability Element of the General Plan and CAP. The characteristics of the Sustainability Element and the CAP are described below, as well as the inter-relationship

between these two documents and the relationship of each document with the City's adopted General Plan. The Project consists of two policy documents (the Sustainability Element of the General Plan and the CAP) and would not approve or entitle any development projects in the City.

## SUSTAINABILITY ELEMENT

The Sustainability Element is an optional element of the General Plan, and is not mandated by the State of California (State). The City worked closely with the community to define sustainability and identify the policy topics contained within the Sustainability Element.

The Sustainability Element includes the following components:

- A definition of sustainability, as defined by the community through public workshops;
- A description of relevant State laws;
- Identification and description of sustainability policy areas addressed in the General Plan;
- An explanation of the relationship of the Sustainability Element to other elements in the General Plan, including a matrix identifying the element in which policies relating to each sustainability policy area can be found;
- An explanation of the relationship of the Sustainability Element to the CAP; and
- A set of focused sustainability policies and actions not addressed in other elements of the General Plan.

### Sustainability Components

The Sustainability Element identified three primary components of sustainability:

- **Environment** - Environmental sustainability is achieved by being a steward of the natural environment and reducing the impact of human activities on natural resources and systems that support the community.
- **Economy** - A sustainable economy is one that is strong, resilient, and conscientious. It is achieved by supporting education, jobs, businesses, green industries, innovation and economic development.
- **Community** - A sustainable community is one that is accessible, healthy, safe, and diverse and promotes well-being. It is achieved by supporting public participation, healthy living, access to social services, cultural diversity, historic preservation and the arts.

### Sustainability Policy Areas

The Sustainability Element provides a planning framework to address sustainability while adhering to the Guiding Goals and Focus Goals of the adopted General Plan. The Sustainability Element establishes policies and actions in the following five issue areas:

1. Municipal Responsibility:

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- a. Sustainable decision-making and partnerships;
  - b. Sustainability and Climate Action Plan Monitoring;
  - c. Environmentally preferred purchasing; and
  - d. Financing strategies.
- 2. Innovative Low Carbon Transportation and Development:**
- a. Green building;
  - b. Transit-oriented development (TOD); and
  - c. Transportation and parking demand management.
- 3. Healthy Natural Environment and Resource Stewardship:**
- a. Air quality, greenhouse gasses and resource conservation;
  - b. Community forest;
  - c. Native and drought-tolerant landscaping;
  - d. Energy efficiency, conservation and renewable;
  - e. Sustainable stormwater management;
  - f. Waste management; and
  - g. Water conservation and efficiency.
- 4. Healthy Community and Cultural Diversity:**
- a. Child, youth and senior services;
  - b. Community character and placemaking;
  - c. Community involvement;
  - d. Environmental justice;
  - e. Public education and awareness; and
  - f. Public health and safety.
- 5. Robust Green Economy:**
- a. Community food systems; and

b. Green jobs and businesses.

## CLIMATE ACTION PLAN

The City's Climate Action Plan is a culmination of existing and proposed initiatives to reduce greenhouse gas emissions. The CAP ensures that the City's future activities and development patterns conform to California climate change legislation. The CAP will also make future development easier by acting as a tiering document for GHG emissions under the California Environmental Quality Act.

The purpose of the CAP is to identify how the City will achieve the state-recommended GHG emission reduction target of 15 percent by the year 2020 and to create a path to obtain 2050 State targets associated with Governor's Order S-03-05. The CAP provides goals and associated measures, also referred to as GHG reduction measures, in the sectors of energy use, transportation, land use, water, and solid waste. In addition, the CAP provides goals and measures for longer-term adaptation to the potential risks associated with climate change.

More specifically, the CAP:

- Identifies sources of greenhouse gas emissions from sources within the City's jurisdictional/political boundary and estimates how these emissions may change over time.
- Discusses the various outcomes of reduction efforts and how these reduction efforts can be implemented and advertised.
- Provides energy use, transportation, land use, water use, and solid waste strategies to reduce Elk Grove's greenhouse gas emissions levels to 15 percent below 2005 levels by 2020.
- Provides methods for reducing the City's greenhouse gas emissions consistent with the direction of the State of California through the Global Warming Solutions Act (AB 32), Governor's Order S-03-05, Public Resources Code Section 21083.3(b,d), and CEQA Guidelines Section 15064.4. [The California Environmental Quality Act (CEQA) Guidelines encourage the adoption of policies or programs as a means of addressing comprehensively the cumulative impacts of projects. See State CEQA Guidelines, §15064(h)(3), §15130(d).]
- Provides substantial evidence that the emissions reductions estimated in the Climate Action Plan are feasible.

### CAP Components

The CAP includes all of the elements identified under CEQA Guidelines Section 15183.5(b)(1), which identifies the elements that a plan for the reduction of GHGs should include. Specifically, the CAP complies with the provisions of CEQA Guidelines Section 15183(b)(1) by providing a quantified inventory of GHG emissions and by providing a level based on substantial evidence below which activities subject to the plan will not make a cumulatively considerable contribution to GHG impacts. That level is based on the State's AB 32 goals. The CAP also identifies and

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analyzes the emissions associated with specific actions, and sets forth performance standards to achieve the specified emissions goals. The analysis in the CAP and supporting appendices demonstrates that the specified emissions goals will be achieved by the measures identified in the CAP. Finally, the CAP includes monitoring measures, and the CAP will be adopted in a public process following environmental review.

Executive Summary: The Executive Summary describes the need for the CAP and provides an overview of the information presented in the CAP.

Chapter 1: - Introduction. In this chapter, the reader is introduced to the general purpose and mechanics of the CAP. Further, the chapter provides background on sustainability efforts and public outreach that informed the CAP.

Chapter 2: Background. Chapter 2 describes the context of overall GHG science and regulation as related to the CAP. The chapter concludes with an explanation of the relationship of the CAP to the Sustainability Element and General Plan.

Chapter 3: Greenhouse Gas Emissions Inventory & Forecast. This chapter provides the primary, big-picture results of the CAP, summarizing the foundation for the CAP, and success of the Plan at achieving its reduction targets. This chapter establishes the City's reduction target of 15 percent below 2005 GHG emissions levels by 2020.

Chapter 4: Reduction Strategy. This chapter details all actions that will be implemented in the city to reduce GHG emissions and describes the basis for the reductions summarized in Chapter 3. The total reductions by policy topic and sector are summarized at the beginning of the section. For each policy topic, a set of measures to reduce emissions from both municipal and community-wide sources is identified. The measures are grouped into four policy topics: an Innovative and Efficient Built Environment, Resource Conservation, Transportation Alternatives and Congestion Management, and Municipal Programs. Each measure includes a description of the measure and specific actions that the City will take to implement the measure. Chapter 3.2 of this EIR, Greenhouse Gases and Climate Change, identifies 2005 GHG emissions (Tables 3.2-1 and 3.2-2) projected 2020 and 2025 business-as-usual GHG emissions (Table 3.2-3), GHG reductions associated with CAP implementation by policy topic (Table 3.2-4), and GHG reductions associated with CAP implementation by sector (Table 3.2-6). The measures presented in the Chapter 4 are listed below.

### BUILT ENVIRONMENT

BE-1. Building Stock: Existing. Promote energy conservation by residents and businesses in existing structures in close coordination with other agencies and local energy providers, including the Sacramento Municipal Utility District (SMUD) and Pacific Gas and Electric (PG&E).

BE-2. Building Stock: Residential Appliances in Existing Development. Support residential upgrades to more energy-efficient, cost-saving appliances for existing homes, leveraging regional and state resources to target indoor and outdoor appliances and equipment in existing homes.

BE-3. Building Stock: Nonresidential Appliances in Existing Development. Equip businesses in Elk Grove to reduce operational expenses and maximize energy efficiency through the use of energy-efficient and cost-effective indoor and outdoor appliances and equipment.

BE-4. Building Stock: Retrofits to the Existing Housing Stock. Promote retrofits in the existing residential housing stock, leveraging existing local programs and regional resources to reduce household energy costs and increase home values.

BE-5. Building Stock: Nonresidential Retrofits. Facilitate retrofits and energy efficiency improvements within the existing nonresidential building stock that reduce maintenance and operation costs.

BE-6. Building Stock: New Construction. Adopt CALGreen Tier 1 standards to require all new construction to achieve a 15 percent improvement over minimum Title 24 CALGreen energy requirements. BE-7. Building Stock: Appliances and equipment in new development. Encourage use of energy-efficient appliances and equipment in new buildings.

BE-7. Building Stock: Appliances and Equipment in New Development. Encourage the use of energy-efficient appliances and equipment in new buildings that maximize efficiency.

BE-8. Community Forestry. Plant trees in appropriate densities and locations that will maximize energy conservation and air quality benefits.

BE-9. Cool Paving Materials. Require the use of high-albedo material for future outdoor surfaces to the greatest extent feasible, including but not limited to parking lots, median barriers, roadway improvements, and sidewalks.

BE-10. On-Site Renewable Energy Installations. Promote voluntary installations of on-site solar photovoltaics in new and existing development, and revise standards to facilitate the transition to solar water heaters and solar photovoltaics in new development.

BE-11. Off-Site Renewable Energy. Encourage participation in SMUD's off-site renewable energy programs, which allow building renters and owners to choose locally produced cleaner electricity sources.

#### RESOURCE CONSERVATION

RC-1. Waste Reduction. The City shall facilitate recycling, reduction in the amount of waste, and reuse of materials to reduce the amount of solid waste sent to the landfill from Elk Grove and achieve an 80% diversion by 2020.

RC-2. Water Conservation. Reduce the amount of water used by residential and nonresidential uses.

RC-3. Recycled Water. Promote and remove barriers to use of greywater and recycled water for irrigation.

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### TRANSPORTATION ALTERNATIVES AND CONGESTION MANAGEMENT

TACM-1. Local Goods. Promote policies, programs, and services that support the local movement of goods in order to reduce the need for travel.

TACM-2. Transit-Oriented Development (TOD). Support higher-density, compact development along transit by placing high-density, mixed-use sites near transit opportunities.

TACM-3. Intracity Transportation Demand Management. The City shall continue to implement strategies and policies that reduce the demand for personal motor vehicle travel for intracity (local) trips.

TACM-4. Intercity Transportation Demand Management. The City shall support and contribute to regional efforts to reduce demand for intercity (regional) personal vehicle travel.

TACM-5. Pedestrian and Bicycle Travel. Provide for safe and convenient pedestrian and bicycle travel through implementation of the Bicycle and Pedestrian Master Plan and increased bicycle parking standards.

TACM-6. Public Transit. Continue to improve and expand transit services for commuters and non-commuters traveling within Elk Grove and regionally, providing the opportunity for workers living in other areas of Sacramento County to use all forms of public transit—including bus rapid transit and light rail—to travel to jobs in Elk Grove, as well as for Elk Grove residents to use public transit to commute to jobs outside the City.

TACM-7. Jobs/Housing Balance. Continue to improve Elk Grove's jobs/ housing ratio and seek to achieve sufficient employment opportunities in Elk Grove for all persons living in the City.

TACM-8. Affordable and Senior Housing. Continue to promote and require the development of affordable and senior housing in Elk Grove.

TACM-9. Efficient and Alternative Vehicles. Promote alternative fuels and efficient vehicles throughout the community.

TACM-10. Car Sharing. Promote the use of vehicles and transportation options other than single-occupant vehicles.

TACM-11. Safe Routes to School. Implement SACOG's Safe Routes to School policy.

TACM-12. Traffic Calming and Anti-Idling. Improve traffic flow and reduce unnecessary idling through use of traffic calming devices and enforcement of idling restrictions.

### MUNICIPAL PROGRAMS

MP-1. Employee Commute. Establish an employee incentive program to encourage the use of transportation alternatives



MP-2. Municipal Facilities: New. All City facilities shall incorporate energy-conserving design and construction techniques.

MP-3. Fleet Vehicles. Adopt a policy to incrementally upgrade the vehicle fleet.

MP-4. Environmentally Preferable Purchasing. Implement a consolidated and comprehensive environmentally preferable purchasing effort.

MP-5. Municipal Facilities: Existing. Implement the recommendations of the City's energy audits.

MP-6. Fleet Operations. Efficiently use and maintain existing vehicles.

MP-7. Municipal Water Use. Improve the efficiency of municipal water use through retrofits and employee education.

MP-8. Municipal Waste. Reduce municipal waste through employee education and environmentally preferable purchasing.

Chapter 5: Conclusion and Next Steps. Chapter 5 provides a set of strategies to ensure that CAP policies will be continuously implemented, integrated, and updated.

Chapter 6: Glossary. This is a list of terms used throughout the document, exclusive to Elk Grove and this Plan.

Chapter 7: Works Cited. This section includes all citations from the body of the report and excludes citations that are included in either of the appendices.

Appendix A. This appendix presents a simplified version of the GHG inventory peer review and update, in addition to a description of the methodology used to account for state actions in the forecast.

Appendix B. This section presents the assumptions and reductions in GHG emissions for each reduction measure that was accounted for in Chapter 4.

### **Relationship of the CAP to the Sustainability Element**

The Sustainability Element provides a vision and strategy to guide sustainability in the City over the next 20 years. The CAP is a tool that is linked to the General Plan through the Sustainability Element, but focuses specifically on greenhouse gas emissions reductions. The CAP is a shorter-term plan that will be updated on a more frequent basis. Future updates to the CAP may warrant subsequent General Plan amendments to ensure that relevant measures are incorporated as appropriate into the City's primary planning document.

The CAP identifies and quantifies the impact of the City's sustainability vision, policies, and programs on GHG emissions. The General Plan Sustainability Element and Climate Action Plan function together as part of the City's comprehensive toolkit to achieve a vibrant and sustainable community.

## 2.0 PROJECT DESCRIPTION

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GHG reduction measures identified in the CAP are integrated into the policies and actions in the Sustainability Element. Each policy or action in the Sustainability Element that has related CAP reduction measures is identified with a cross-reference to the CAP.

### 2.5 CONSISTENCY WITH THE ELK GROVE GENERAL PLAN

State Law requires that "...the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies...". The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement and development of housing within the City. All elements of the General Plan have been reviewed for consistency in coordination with the preparation of the Sustainability Element and CAP. The following paragraphs outline the relationship of the Sustainability Element and its policies to other elements of the adopted General Plan. Future development, infrastructure, policy documents, and other projects would continue to be required to be consistent with all relevant policies and programs of the elements of the General Plan.

The Elk Grove General Plan establishes the City's goals and policies related to a broad range of planning issues, including, but not limited to, land use, development, conservation of natural resources, circulation, and provision of public services and utilities. The General Plan establishes guiding goals, which are broad statements of purpose and direction. The General Plan policies that serve as a framework for future decision-making. The General Plan also identifies specific actions that the City will take to implement the General Plan. The Guiding Goals of the General Plan are:

Guiding Goal 1: A High Quality of Life for All Residents

Guiding Goal 2: Diversified Economic Base

Guiding Goal 3: Protection of the Natural Environment

Guiding Goal 4: Preservation and Enhancement of Elk Grove's Unique Historic and Natural Features

Guiding Goal 5: Preservation of the Rural Character of Elk Grove

The Sustainability Element builds upon the guiding goals as well as the sustainability principles established in the goal, policy, and action item language in the elements of the adopted General Plan. All elements of the General Plan contribute policies and actions that address sustainability. For example, the Land Use Element includes policies to promote compact and mixed-use development, and the Circulation Element promotes enhanced connectivity between developments. The Housing Element supports equity through affordable housing opportunities, and the Economic Development Element includes policies to grow a strong local economy and promotes employment opportunities for all segments of the community. The Sustainability Element provides a matrix that summarizes which sustainability issues are addressed in each element of the General Plan. The Sustainability Element provides additional sustainability policies and actions to address components of sustainability that are not addressed in the other General Plan elements. The CAP is linked to the General Plan through the proposed General Plan

Sustainability Element. The Sustainability Element and Climate Action Plan are two separate but related components of the City's sustainability strategy. The Sustainability Element organizes and highlights the City's goals related to sustainability and provides new direction and vision to maintain a healthy, balanced community.

The CAP implements the sustainability principles of the General Plan. The CAP focuses specifically on strategies to reduce GHG emissions and provides direction to reduce emissions consistent with State law and the CEQA Guidelines. The CAP is a tool that allows the City to look at its impact on GHG emissions, establish goals for GHG emissions reductions, and create steps to achieve these reduction targets. The CAP builds on the goals and vision of the Sustainability Element and implements specific policies and actions from the Conservation and Air Quality, Circulation, Economic Development, Housing, Sustainability Elements as described in Chapter 4 of the CAP. The CAP then translates the implementation of the General Plan goals, policies, and actions, but translates these goals into numeric thresholds and targets for GHG emissions. The measures identified in the CAP implements The CAP will be linked to the General Plan as a stand-alone policy and implementation item of ~~with~~ the Sustainability Element, which, upon adoption, will be a binding element of the General Plan.

## 2.6 USES OF THE EIR AND REQUIRED AGENCY APPROVALS

This SEIR may be used for the following direct and indirect approvals and permits associated with adoption and implementation of the proposed project.

### CITY OF ELK GROVE

#### Project Approval

The City is the lead agency for the proposed Project. The Project will be presented to the City Council for comment, review, and action after a review and recommendation by the Planning Commission. The City Council has the sole discretionary authority to approve the proposed Project. In order to approve the proposed Project, the City Council would consider the following actions:

- Certification of the Sustainability Element and Climate Action Plan Environmental Impact Report;
- Adoption of a General Plan Amendment to include the Sustainability Element in the General Plan; and
- Adoption of the Climate Action Plan.

#### Subsequent Use

This SEIR discloses environmental effects associated with implementation of the proposed Project. When considering approval of subsequent activities under the proposed Project, the City would utilize this SEIR as the basis in determining potential environmental effects and the appropriate level of environmental review, if any, of a subsequent activity. The City may perform or consider the following subsequent activities to implement the proposed Project:

## 2.0 PROJECT DESCRIPTION

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- Amendment of the General Plan Land Use Map and/or Zoning Map to implement various measures of the CAP and actions of the Sustainability Element;
- Approval, construction, and operation of subsequent public facility and infrastructure improvement projects;
- Approval, construction, and operation of subsequent development proposals;
- Implementation of various improvements identified in measures within the CAP; and
- Ongoing monitoring of implementation efforts aimed at reducing GHGs, including but not limited to, updates and revisions to the Sustainability Element and CAP.

### APPLICATION OF THIS SEIR AND THE CAP TO FUTURE CEQA REVIEWS AND SPECIFIC PROJECTS

CEQA Guidelines Section 15183.5 provides support for streamlined analysis of greenhouse gases impacts associated with later project-specific environmental documents. As described in Section 1.0, Introduction, this SEIR and CAP provide a programmatic analysis of greenhouse gas emissions and mitigation. The City intends to use this SEIR as a tiering and streamlining document as allowed under Section 15183.5 of the CEQA Guidelines.

Section 15183.5(b) further allows for the City to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions; the CAP analyzes and mitigates greenhouse gas emissions and is consistent with the requirements of Section 15183(b)(1). As set forth in Section 15183.5(b) and pursuant to Sections 15064(h)(3) and 15130(d), the City may use the CAP to determine that a subsequent project's incremental contribution to greenhouse gas and climate change impacts is not cumulatively considerable if the project complies with the CAP.

Any project that is not consistent with the CAP would be required to analyze greenhouse gas emissions in a project-level environmental document and would not be able to tier from this SEIR.

### **OTHER GOVERNMENTAL AGENCY APPROVALS**

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Adoption and implementation of the Sustainability Element and CAP, including implementation of subsequent reasonably foreseeable actions, are not anticipated to require any approvals or permits from other local, regional, state or federal agencies.

This section addresses the Project's potential to result in adverse impacts related to the generation of GHGs and contributions to global climate change. This section includes a discussion of existing GHG emissions levels and sources within the City, as well as the potential adverse effects associated with climate change. This section addresses GHGs and climate change from two perspectives: The first perspective is the Project's direct contribution to climate change and GHG as a result of Project implementation. The second perspective is the Project's effectiveness at meeting local, regional, and statewide GHG reduction goals. There were no comments received during the NOP comment period related to this environmental topic.

### 3.2.1 GREENHOUSE GASES AND CLIMATE CHANGE ENVIRONMENTAL SETTING

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#### **Greenhouse Gases and Climate Change Linkages**

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), ozone (O<sub>3</sub>), water vapor, nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons (CFCs).

Human-caused emissions of these GHGs, in excess of natural ambient concentrations, are responsible for enhancing the greenhouse effect (Ahrens 2003). Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission 2006a). In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (California Energy Commission 2006a).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California is the 12th to 16th largest emitter of CO<sub>2</sub> in the world and produced 492 million gross metric tons of carbon dioxide equivalents in 2004 (California Energy Commission 2006a).

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

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emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 40.7% of total GHG emissions in the state (California Energy Commission 2006a). This category was followed by the electric power sector (including both in-state and out of-state sources) (22.2%) and the industrial sector (20.5%) (California Energy Commission 2006a).

### **Effects of Global Climate Change**

The effects of increasing global temperature are far reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change and has found that increases in the ambient global temperature as a result of increased GHGs is anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion. This also threatens levees and inland water systems and disruption to coastal wetlands and habitat.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the State. According to a California Energy Commission report, the snowpack portion of the supply could potentially decline by 70% to 90% by the end of the 21<sup>st</sup> century (CEC 2006c). This phenomenon could lead to significant challenges securing an adequate water supply for a growing state population. Further, the increased ocean temperature could result in increased moisture flux into the State; however, since this could increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California's levee/flood control system.

Sea level has risen approximately seven inches during the last century and, according to the CEC report, it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels (CEC 2006c). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion and disruption of wetlands (CEC 2006c). As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. Under the emissions scenarios of the Climate Scenarios report (California Climate Change Center 2006), the impacts of global warming in California are anticipated to include, but are not limited to, the following.

### ***Public Health***

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25 to 35 percent under the lower warming range, to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine

particulate matter that can travel long distances depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55 percent more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

### ***Water Resources***

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snow pack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snow pack, increasing the risk of summer water shortages.

The state's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major state fresh water supply. Global warming is also projected to seriously affect agricultural areas, with California farmers projected to lose as much as 25 percent of the water supply they need; and decrease the potential for hydropower production within the state (although the effects on hydropower are uncertain).

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snow pack by as much as 70 to 90 percent. Under the lower warming scenario, snow pack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snow pack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snow pack would pose challenges to water managers, and hamper hydropower generation.

### ***Agriculture***

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development will change, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures could worsen ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than optimal development for many crops, so

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

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rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products that could be most affected include wine grapes, fruits and nuts, and milk.

In addition, continued global warming could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued global warming could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

### ***Forests and Landscapes***

Global warming is expected to intensify this threat by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state. For example, if precipitation increases as temperatures rise, wildfires in southern California are expected to increase by approximately 30 percent toward the end of the century. In contrast, precipitation decreases could increase wildfires in northern California by up to 90 percent.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the state. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the state's forests is also expected to decrease as a result of global warming.

### ***Rising Sea Levels***

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the state's coastal regions. Under the higher warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

## GREENHOUSE GAS EMISSIONS INVENTORY

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The CAP includes an inventory of GHG emissions in the City in the year 2005. The inventory is broken into two categories: municipal operations emissions and community-wide emissions.

### **Background**

In June 2009, the Sacramento County Department of Environmental Review and Assessment completed a greenhouse gas (GHG) emissions inventory (Inventory) of each jurisdiction in the County. The Inventory calculated GHG emissions produced from government operations and community-wide activities in 2005.



The Inventory used the baseline year of 2005 because of the availability of reliable data and also to maintain consistency with California’s Assembly Bill (AB) 32 and other agencies throughout the State. The Inventory is an important first step for the City to create a baseline against which it can measure future progress. The largest GHG emitters and opportunities for reduction are revealed through the Inventory, making it an integral component of the City’s sustainability efforts.

It should be noted that GHG emissions inventorying is not an exact science. There is no standard protocol for community-wide inventories, and the protocol for calculating the GHG impact of City government operations is continually being improved by the State. There are sources of GHG emissions (e.g. refrigerants and water reservoirs) that scientists know contribute to GHGs, but are difficult or impossible to calculate at the local level. Furthermore, it is likely that new sources of GHGs will be able to be assessed in the future, and that the way of calculating present emissions will change drastically as technology and science develop. The City’s Inventory should therefore be viewed as a study to inform policy decisions rather than a scientific measurement of GHGs.

In 2010, City staff completed an update to the data provided for the City in Chapter 3 of the GHG Emissions Inventory for Incorporated and Unincorporated Sacramento County (Inventory) published by Sacramento County in June 2009. The update ensured that the City’s Inventory utilizes accurate and up-to-date information and methodology. Modifications to the Inventory were completed in order to streamline CAP analysis. The review and update is not intended to be a formal revision or addendum to the Inventory; rather, the review and update presents a new approach to the City Inventory for the purposes of the CAP.

The City updated the government operations inventory to adhere to the Local Government Operations Protocol v1.1 released in May 2010 by CARB. Unlike municipal GHG inventories, community-wide inventories do not have a State protocol to follow. Inventories instead rely on best practices and a draft international protocol named the International Local Government GHG Emissions Analysis Protocol (IEAP) version 1.0 developed by ICLEI – Local Governments for Sustainability.

### 2005 Municipal GHG Emissions Inventory

For the baseline year of 2005, municipal operations in the City resulted in approximately 8,662 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). As shown in Table 3.2-1, the City vehicle fleet was the largest emitter, producing 86 percent of all municipal emissions.

**TABLE 3.2-1: 2005 GREENHOUSE GAS EMISSIONS FROM CITY OPERATIONS**

<i>Sector</i>	<i>Metric Tons CO<sub>2</sub>e</i>	<i>Percentage</i>
Buildings	514	5.93%
Vehicle Fleet	7,418	85.64%
Employee Commute	461	5.32%
Streetlights and Traffic Signals	73	0.84%
Waste	139	1.60%
Other Fuel Use	57	0.66%
<b>Total</b>	<b>8,662</b>	<b>100.00%</b>

*SOURCE: CITY OF ELK GROVE, DECEMBER 2010, DRAFT CLIMATE ACTION PLAN, TABLE 3-1.*

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

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### 2005 Community-Wide GHG Emissions Inventory

Table 3.2-2 shows GHG emissions associated with community-wide activities, inclusive of municipal operations. As shown in Table 3.2-2, community-wide activities resulted in the generation of approximately 737,838 metric tons of CO<sub>2</sub>e in 2005. The transportation sector generated the most emissions, creating approximately 357,309 metric tons of CO<sub>2</sub>e, or 48.43 percent of total emissions. Transportation sector emissions are the result of diesel and gasoline combustion in vehicles traveling on local roads and state highways (e.g., State Route 99) that pass through the jurisdictional boundaries of the City.

**TABLE 3.2-2: 2005 COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS BY SECTOR**

<b>Sector</b>	<b>Metric Tons CO<sub>2</sub>e</b>	<b>Percentage</b>
Residential	229,841	31.15%
Commercial/Industrial	101,607	13.77%
Transportation	357,309	48.43%
Waste	39,791	5.39%
Water-Related	4,371	0.59%
Agriculture <sup>1</sup>	4,919	0.67%
<b>Total</b>	<b>737,838</b>	<b>100.00%</b>

SOURCE: CITY OF ELK GROVE, DECEMBER 2010, DRAFT CLIMATE ACTION PLAN, TABLE 3-2.

1: AGRICULTURE INCLUDES EMISSIONS FROM OFF-ROAD VEHICLES AND OTHER AGRICULTURAL ACTIVITIES.

### 3.2.2 REGULATORY SETTING

#### FEDERAL

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The EPA is the federal agency responsible for implementing the Federal Clean Air Act (FCAA). The Supreme Court of the United States ruled on April 2, 2007 that CO<sub>2</sub> is an air pollutant as defined under the FCAA, and that EPA has the authority to regulate emissions of GHGs. In response to the mounting issue of climate change, EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions.

#### Greenhouse Gas Permitting Requirements on Large Industrial Facilities

On May 13, 2010, EPA issued the Prevention of Significant Deterioration and Title V Greenhouse Gas Tailor Rule. This final rule sets thresholds for greenhouse gas (GHG) emissions that define when permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

The rule establishes a schedule that will initially focus permitting programs on the largest sources and then expands beyond certain permitting programs to cover the largest sources of GHG that may not have been previously covered by the FCAA for other pollutants. During Step 1, from January 2, 2011 to June 30, 2011, only sources currently subject to the PSD permitting program (i.e., those that are newly-constructed or modified in a way that significantly increases emissions of a pollutant other than GHGs) would be subject to permitting requirements for their GHG emissions under PSD; and, for these projects, only GHG increases of 75,000 tons (68,039 MT) per year or more, on a CO<sub>2</sub>e basis, would need to determine the Best Available Control Technology

(BACT) for their GHG emissions. Similarly for the operating permit program, only sources currently subject to the program (i.e., newly constructed or existing major sources for a pollutant other than GHGs) would be subject to Title V requirements for GHG. During this time, no sources would be subject to Clean Air Act permitting requirements due solely to GHG emissions.

Step 2 will build on Step 1. During Step 2, from July 1, 2011 to June 30, 2013, PSD permitting requirements will cover for the first time new construction projects that emit GHG emissions of at least 100,000 tons (90,718 MT) per year even if they do not exceed the permitting thresholds for any other pollutant. Modifications at existing facilities that increase GHG emissions by at least 75,000 tons (68,039 MT) per year will be subject to permitting requirements, even if they do not significantly increase emissions of any other pollutant. In Step 2, operating permit requirements will, for the first time, apply to sources based on their GHG emissions even if they would not apply based on emissions of any other pollutant. Facilities that emit at least 100,000 tons (90,718 MT) per year of CO<sub>2</sub>e will be subject to Title V permitting requirements.

As part of this rule, EPA also commits to undertake another rulemaking, to begin in 2011 and conclude no later than July 1, 2012. That action will consist of an additional Step 3 for phasing in GHG permitting. Step three, if established, will not require permitting for sources with greenhouse gas emissions below 50,000 tons (45,359 MT) per year.

### **Mandatory Greenhouse Gas Reporting Rule**

On September 22, 2009, EPA issued a final rule for mandatory reporting of GHGs from large GHG emissions sources in the United States. In general, this national reporting requirement will provide EPA with accurate and timely GHG emissions data from facilities that emit 25,000 metric tons or more of CO<sub>2</sub> per year. This publically available data will allow the reporters to track their own emissions, compare them to similar facilities, and aid in identifying cost effective opportunities to reduce emissions in the future. Reporting is at the facility level, except that certain suppliers of fossil fuels and industrial greenhouse gases along with vehicle and engine manufacturers will report at the corporate level. An estimated 85% of the total U.S. GHG emissions, from approximately 10,000 facilities, are covered by this final rule.

### **Energy Policy and Conservation Act**

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the United States (U.S.). Pursuant to the Act, the National Highway Traffic and Safety Administration, which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards.

Since 1990, the fuel economy standard for new passenger cars has been 27.5 mpg. Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is determined on the basis of each manufacturer's average fuel economy for the portion

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

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of its vehicles produced for sale in the U.S. The Corporate Average Fuel Economy (CAFE) program, which is administered by the U.S. Environmental Protection Agency (EPA), was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

### **Energy Policy Act of 1992 (EPAct)**

The Energy Policy Act of 1992 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

### **Energy Policy Act of 2005**

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for a clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

## STATE

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### **California Strategy to Reduce Petroleum Dependence (AB 2076)**

AB 2076 (Chapter 936, Statutes of 2000) requires the CEC and the ARB to develop and submit to the Legislature a strategy to reduce petroleum dependence in California. The statute requires the strategy to include goals for reducing the rate of growth in the demand for petroleum fuels. In addition, the strategy is required to include recommendations to increase transportation energy efficiency as well as the use of non-petroleum fuels and advanced transportation technologies including alternative fuel vehicles, hybrid vehicles, and high-fuel efficiency vehicles.

The strategy, *Reducing California's Petroleum Dependence*, was adopted by the CEC and CARB in 2003. The strategy recommends that California reduce inroad gasoline and diesel fuel demand to 15 percent below 2003 demand levels by 2020 and maintain that level for the foreseeable future; the Governor and Legislature work to establish national fuel economy standards that double the fuel efficiency of new cars, light trucks, and sport utility vehicles (SUVs); and increase the use of non-petroleum fuels to 20 percent of on-road fuel consumption by 2020 and 30 percent by 2030.

### **Bioenergy Action Plan – Executive Order #S-06-06**

Executive Order #S-06-06 establishes targets for the use and production of biofuels and biopower and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The executive order establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels within California by 2010, 40 percent by 2020, and 75 percent by 2050. The executive order also calls for the State to meet a target for use of biomass electricity, including biomass cogeneration facilities.

### **Governor’s Low Carbon Fuel Standard (Executive Order #S-01-07)**

Executive Order #S-01-07 establishes a statewide goal to reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020 through establishment of a Low Carbon Fuel Standard. The Low Carbon Fuel Standard shall be incorporated into the State Alternative Fuels Plan required by AB 1007 and is one of the proposed discrete early action GHG reduction measures identified by CARB pursuant to AB 32.

### **Senate Bill 97 (SB 97)**

Senate Bill 97 was signed by the Governor on August 24, 2007. The bill required the Office of Planning and Research (OPR), by July 1, 2009, to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. The Resources Agency was required to certify and adopt those guidelines by January 1, 2010. The OPR is required to periodically update the guidelines to incorporate new information or criteria established by the CARB pursuant to the California Global Warming Solutions Act of 2006.

### **Climate Action Program at Caltrans**

In December 2006, the California Department of Transportation, Business, Transportation, and Housing Agency, issued a Climate Action Program. The goal of the Climate Action Program is to promote clean and energy efficient transportation, and provide guidance for mainstreaming energy and climate change issues into business operations. The overall approach to lower fuel consumption and CO<sub>2</sub> from transportation is twofold: (1) reduce congestion and improve efficiency of transportation systems through smart land use, operational improvements, and Intelligent Transportation Systems; and (2) institutionalize energy efficiency and GHG emission reduction measures and technology into planning, project development, operations, and maintenance of transportation facilities, fleets, buildings, and equipment.

The reasoning underlying the Climate Action Program is the conclusion that “the most effective approach to addressing GHG reduction, in the short-to-medium term, is strong technology policy and market mechanisms to encourage innovations. Rapid development and availability of alternative fuels and vehicles, increased efficiency in new cars and trucks (light and heavy duty), and super clean fuels are the most direct approach to reducing GHG emissions from motor vehicles (emission performance standards and fuel or carbon performance standards).”

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

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### **Senate Bill 375**

SB 375, signed in September 2008, aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS), which will prescribe land use allocation in that MPO's Regional Transportation Plan (RTP). ARB, in consultation with MPOs, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every 8 years, but can be updated every 4 years if advancements in emissions technologies affect the reduction strategies to achieve the targets. ARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG emission reduction targets, transportation projects would not be eligible for funding programmed after January 1, 2012.

### **Assembly Bill 1493**

In 2002, then Governor Gray Davis signed AB 1493. AB 1493 required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the ARB to be vehicles whose primary use is noncommercial personal transportation in the state." To meet the requirements of AB 1493, CARB approved amendments to the California Code of Regulations (CCR) adding GHG emission standards to California's existing motor vehicle emission standards in 2004.

Amendments to CCR Title 13 Sections 1900 (CCR 13 1900) and 1961 (CCR 13 1961), and adoption of Section 1961.1 (CCR 13 1961.1) require automobile manufacturers to meet fleet average GHG emission limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes beginning with the 2009 model year. Emission limits are further reduced each model year through 2016. For passenger cars and light-duty trucks 3,750 pounds or less loaded vehicle weight (LVW), the 2016 GHG emission limits are approximately 37 percent lower than the during the first year of the regulations in 2009. For medium-duty passenger vehicles and light-duty trucks 3,751 LVW to 8,500 pounds gross vehicle weight (GVW), GHG emissions are reduced approximately 24 percent between 2009 and 2016.

In December 2004, a group of car dealerships, automobile manufacturers, and trade groups representing automobile manufactures filed suit against the CARB to prevent enforcement of CCR 13 1900 and CCR 13 1961 as amended by AB 1493 and CCR 13 1961.1 (Central Valley Chrysler-Jeep et al., v. Catherine E. Witherspoon, in her official capacity as Executive Director of the California Air Resources Board et al.). Implementation of AB 1493 lapsed due to delays in receiving proper approvals from EPA to implement this law under the CAA. California received the necessary approvals on June 30, 2009; however, the State has agreed to allow the federal government to implement similar legislation (see above discussion of National Program to Cut Greenhouse Gas Emissions and Improve Fuel Economy for Cars and Trucks).

### **California Executive Orders S-3-05 and S-20-06, and Assembly Bill 32**

On June 1, 2005, then Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order was to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by 2020 and 3) 80% below the 1990 levels by the year 2050.

In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team.

CARB, which is part of Cal-EPA, develops air quality regulations at the state level. The state regulations mirror federal regulations by establishing industry-specific pollution controls for criteria, toxic, and nuisance pollutants. California also requires areas to develop plans and strategies for attaining state ambient air quality standards as set forth in the California Clean Air Act of 1988. In addition to developing regulations, CARB develops motor vehicle emission standards for California vehicles.

### **Assembly Bill 32- Climate Change Scoping Plan**

On December 11, 2008 ARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap of ARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. The Scoping Plan contains the main strategies California will implement to reduce CO<sub>2</sub>e emissions by 169 million metric tons (MMT), or approximately 30%, from the State's projected 2020 emissions level of 596 MMT of CO<sub>2</sub>e under a business-as-usual scenario. (This is a reduction of 42 MMT CO<sub>2</sub>e, or almost 10%, from 2002–2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.) The Scoping Plan also breaks down the amount of GHG emissions reductions ARB recommends for each emissions sector of the State's GHG inventory. The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and standards:

- improved emissions standards for light-duty vehicles (estimated reductions of 31.7 MMT CO<sub>2</sub>e),
- the Low-Carbon Fuel Standard (15.0 MMT CO<sub>2</sub>e),
- energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems (26.3 MMT CO<sub>2</sub>e), and
- a renewable portfolio standard for electricity production (21.3 MMT CO<sub>2</sub>e).

### Senate Bill 1368

SB 1368 requires the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC) to set a global warming emissions standard for electricity used in California — regardless of whether it's generated in-state or purchased from plants in other states. The new standard applies to any new long-term financial contracts for base load electricity, and applies both to investor-owned utilities and municipal utilities. The standard for baseload generation owned by, or under long-term contract to publicly owned utilities, is an emissions performance standard (EPS) of 1,100 lbs CO<sub>2</sub> per megawatt-hour (MWh). However, the CPUC has determined that biomass generation of electricity is EPS compliant because alternative means of disposing biomass such as open air burning and landfill deposition have the potential to generate greater concentrations of greenhouse gas in the atmosphere, including methane. This concept is described in greater detail under the impact analysis below.

### Senate Bills 1078 and 107 and Executive Order S-14-08

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20% of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, Governor Schwarzenegger signed Executive Order S-14-08, which expands the state's Renewable Energy Standard to 33% renewable power by 2020.

## LOCAL

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### Metropolitan Transportation Plan/Sustainable Communities Strategy

On April 19, 2012, the Sacramento Area Council of Governments (SACOG) adopted its Sustainable Communities Strategy (SCS), as required by Senate Bill (SB) 375 as part of the concurrent update of the Metropolitan Transportation Plan (MTP). As required by SB 375, the adopted SCS promotes and encourages development in areas defined by SACOG as Transit Priority Areas (TPAs). TPAs are areas of the region within one-half mile of a major transit stop (existing or planned light rail, street car, or train station) or an existing or planned high-quality transit corridor included in the MTP/SCS.

The MTP/SCS, as provided for in SB 375, is designed to provide an incentive-based approach, which provides for CEQA incentives whereby, among other things, the CEQA analysis of greenhouse gas emissions for passenger vehicles can be avoided if a project is consistent with the MTP/SCS map. The SCS recognizes and protects local land use authority and does not preclude a local jurisdiction from planning and approving growth that is different in terms of total units or geographic extent. Moreover, the SCS does not establish a threshold of significance under CEQA Guidelines Section 15064.7 or a legal presumption that a project inconsistent with the SCS does not meet greenhouse gas emissions reduction targets or AB 32 goals. In short, the SCS is a tool to address greenhouse gas compliance and it provides incentives for development projects that are consistent with the SCS.



The MTP/SCS identifies the general location of land uses, residential densities, and building intensities within the region; identifies areas within the region sufficient to house all the population of the region; identifies areas within the region sufficient to house an eight-year projection of the regional housing need; identifies a transportation network to serve the regional transportation needs; considers the best practically available scientific information regarding resource areas and farmland in the region; considers the state housing goals; sets forth a forecasted development pattern for the region; and provides for the MTP compliance with the federal Clean Air Act.

The MTP/SCS addresses the needs of the region's population by increasing maintenance of existing roads; adding more sidewalks and bike lanes; restoring, maintaining and expanding transit; making it possible for more people to live and work in the same community; and helping people live independently as they age. It also plans for roads and transit projects where new houses and jobs are added to serve the existing population as well as new residents anticipated to move to the region over the next few decades. The MTP/SCS provides a framework to improve on past efforts to invest regional funding wisely, reduce traveler time spent in congestion and support goods movement, reduce greenhouse gas emissions, and increase the number of residents with access to transit. The MTP/SCS includes 31 policies and supportive strategies as the framework for implementing the plan. The policies are higher-level actions and the strategies are more specific actions that implement the policies. The policies and strategies are separated into four interrelated categories: Land Use and Environmental Sustainability; Finance; System Maintenance and Operations; and System Expansion.

### **City of Elk Grove General Plan**

The Elk Grove General Plan guides development within the City limits as well as the annexation and any subsequent development of areas outside the City limits. The Conservation and Air Quality Element includes a number of measures aimed toward air quality improvement and sustainability. However, the General Plan does not include goals, policies, or actions that directly address greenhouse gas emissions. Policy H-9 supports energy conserving programs related to the production and rehabilitation of affordable housing in order to improve air quality and mitigate potential impacts of climate change.

## **3.2.3 IMPACTS AND MITIGATION MEASURES**

### **THRESHOLDS OF SIGNIFICANCE**

Consistent with Appendix G of the State CEQA Guidelines, the Project will have a significant impact related to greenhouse gases and climate change if it will:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

### IMPACTS AND MITIGATION

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#### **Impact 3.2-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. (less than significant)**

The Project consists of goals, policies, and measures that would reduce GHG emissions from a wide range of sources and promote and increase sustainability within the City. Overall, the Project is would have a significantly positive impact on GHGs and climate change since the Project would result in a reduction in GHG emissions by 2020, as described under Impact 3.2-2 below. While approval of the Project would not directly result in any new development or grant any entitlements for development beyond what has been identified in the General Plan and analyzed in the General Plan EIR, the Project includes measures that may result in future improvements to municipal buildings, the City's circulation network, and private buildings throughout the City. The improvements would primarily consist of energy efficiency upgrades, sidewalk connectivity, tree planting, the use of on-site solar energy generation, and other measures to reduce GHGs within areas of the City that have been previously developed. These types of improvements would generally be allowed under the adopted General Plan.

Implementation of the improvements identified above would temporarily result in construction emissions, which would generate small amounts of GHGs over the short-term. Construction-related GHGs are generated primarily from diesel exhaust and employee commute trips. Given the global and cumulative nature of GHGs, and the relatively short-term and small levels of GHGs that may be generated during the construction of energy efficiency improvements identified by the Project and the Project's long-term reduction in GHG emissions, the Project would not result in a significant direct or indirect generation of GHGs. This is a **less than significant** impact and no mitigation is required.

#### **Impact 3.2-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. (significant and unavoidable less than significant with mitigation)**

As described above, the Project represents a comprehensive and long-term commitment by the City to reduce GHGs and the effects of climate change from community-wide and municipal operations over the life of the City's General Plan. For consistency with State direction from the [AB-32 ARB Climate Change Scoping Plan](#), the City has set an emissions reduction target of 15 percent below 2005 levels by 2020. [Substantial evidence for establishing the emission reduction target is provided by the ARB Climate Change Scoping Plan.](#) The Sustainability Element and the CAP include goals, policies and measures that will be implemented by the City and by future development projects within the City over the life of the General Plan.

In order to determine whether or not the emissions reduction strategies set forth by the Project would meet the target reduction goal of 15 percent below 2005 levels by 2020, the City completed emissions forecasts for the years 2020 and 2025. Emissions forecasts depict what will happen if existing trends continue unchecked by the actions established by the Project.

The City modeled future emissions growth based on projected trends in energy use, driving habits, job growth, and population growth in 2020 and 2025. Forecasts allow the City to assess the effectiveness of various reduction strategies. Forecasts also provide a snapshot of how annual emissions levels will likely change under various scenarios. The basis for all growth scenarios is a business-as-usual (BAU) projection. A BAU projection predicts how greenhouse gas emissions will increase if consumption behavior and efficiencies do not change from baseline levels, yet population, households, and vehicle miles traveled continue to increase. Under a BAU scenario, the City's emissions will grow by approximately 37.9 percent by the year 2020, from 737,838 to 1,017,499 metric tons CO<sub>2</sub>e. By 2025, the City's BAU emissions are modeled to increase 52.6 percent to 1,125,691 metric tons CO<sub>2</sub>e. Table 3.2-3 shows the results of the forecast.

**TABLE 3.2-3: BUSINESS-AS-USUAL (BAU) GHG EMISSIONS FORECAST- 2020 AND 2025**

<i>Sector</i>	<i>Metric Tons CO<sub>2</sub>e</i>		
	<i>2005</i>	<i>2020</i>	<i>2025</i>
Residential	229,841	311,554	345,748
Commercial/Industrial	101,607	181,758	203,498
Transportation	357,309	462,210	508,997
Agriculture <sup>1</sup>	4,919	1,230	0
Waste	39,791	53,937	59,857
Water-Related	4,371	6,811	7,591
<b>Total</b>	<b>737,838</b>	<b>1,017,499</b>	<b>1,125,691</b>
<b>Percentage Increase from 2005</b>	<b>--</b>	<b>37.90%</b>	<b>52.57%</b>

SOURCE: CITY OF ELK GROVE, DECEMBER 2010, DRAFT CLIMATE ACTION PLAN, TABLE 3-3.

<sup>1</sup> AGRICULTURE INCLUDES EMISSIONS FROM OFF-ROAD VEHICLES AND OTHER AGRICULTURAL ACTIVITIES.

The City's actions to reduce GHG emissions contained within the CAP are referred to as *measures*. All measures are grouped and presented in four policy topics: an Innovative and Efficient Built Environment, Resource Conservation, Transportation Alternatives and Congestion Management, and Municipal Programs. Detailed greenhouse gas reduction calculations are presented in Appendix B of the CAP. Reductions for all measures, aggregated by policy topic and sector, are described below and ~~presented below~~ in summary form in Tables 3.2-4 and 3.2-5. The Sustainability Element includes policies and actions that would reduce GHG emissions; most of these are also represented in the CAP.

~~transportation planning rom,of~~ As described above, the CAP includes a range of measures designed to reduce GHG emissions in the City of Elk Grove. The measures included in the CAP have the potential to reduce greenhouse gas emissions by ~~191,699~~178,987 metric tons (MT) of CO<sub>2</sub>e by 2020. These reductions are equivalent to a ~~16.18~~15.43 percent change from 2005 baseline levels. By 2025, the City of Elk Grove may achieve a reduction of ~~248,317~~215,682 MTCO<sub>2</sub>e, or a ~~16.42~~14.62 percent reduction from 2005 levels.

Local implementation of all proposed measures in the CAP and implementation of applicable CAP measures by subsequent development projects, coupled with state-mandated efforts, would allow the City to achieve its reduction target of 15 percent below baseline levels by 2020. The City's 2020 target is consistent with AB 32; therefore, implementation of the goals and measures in the

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

Climate Action Plan will place the City on a trajectory to be consistent with the State's recommended goal for local governments.

The City's 2025 reduction achievement of 16.42 percent does not follow a trajectory towards the State's 2050 reduction target of 80 percent below 1990 levels by 2050. However, it is possible that the City's actual 2050 reduction achievements will surpass that which can be calculated at this time due to technical innovations and developments to state policy. For example, the State is expected to increase the Renewable Portfolio Standard and have more stringent carbon fuels standards after 2020; however, until the State does so, the CAP assumes a constant reduction from these policies after 2020.

Tables 3.2-4 and 3.2-5 present the potential GHG emissions reductions (MT CO<sub>2</sub>e) for 2020 and 2025 by policy topic and then by sector.

**TABLE 3.2-4: GHG REDUCTIONS BY POLICY TOPIC**

<i>Policy Topic</i>	<i>Metric Tons CO<sub>2</sub>e/year</i>	
	<i>2020 GHG Reductions</i>	<i>2025 GHG Reductions</i>
An Innovative and Efficient Built Environment	-66,26340,395	-93,00351,609
Resource Conservation	-15,06528,221	-22,54531,304
Transportation Alternatives and Congestion Management	-108,221	-129,166
Municipal Programs	-2,149	-3,604
<b>Total Reductions</b>	<b>-191,699178,987</b>	<b>-248,317215,682</b>
Emissions Forecast	810,135802,959	864,985845,612
<b>Net Emissions with Cap Reductions</b>	<b>618,436623,972</b>	<b>616,668629,931</b>
<b>Percentage Change from 2005 Levels (737,838 MTCO<sub>2</sub>e)</b>	<b>-16.1815.43%</b>	<b>-16.4214.62%</b>

SOURCE: CITY OF ELK GROVE, ~~DECEMBER 2010~~AUGUST 2012, ~~REVISED~~ DRAFT CLIMATE ACTION PLAN, TABLE 4-1.

**TABLE 3.2-5: GHG REDUCTIONS BY SECTOR**

<i>Policy TopicSector</i>	<i>Metric Tons CO<sub>2</sub>e</i>			
	<i>2020</i>	<i>%</i>	<i>2025</i>	<i>%</i>
Residential <del>Development</del>	-42,80026,426	14.7%	-59,87834,030	15.8%
Commercial/Industrial <del>Development</del>	-23,59714,103	7.8%	-33,30117,755	8.2%
Transportation	-110,137	61.2%	-132,446	61.4%
Waste	-14,57127,726	15.4%	-22,04630,805	14.3%
Water	-595	0.3%	-646	0.3%
Agriculture	0	0.0%	0	0.0%
<b>Total</b>	<b>-191,6991798,987</b>	<b>100.0%</b>	<b>-248,317215.682</b>	<b>100.0%</b>

SOURCE: CITY OF ELK GROVE, ~~DECEMBER 2010~~AUGUST 2012, ~~REVISED~~ DRAFT CLIMATE ACTION PLAN, TABLE 4-2.

As shown in the tables above, full implementation of the Project would result in the City achieving the target threshold of a 15 percent GHG reduction below 2005 levels by 2020. In comparing the 2005 emissions with the 2020 BAU and 2020 GHG reductions, the greatest reductions are achieved in transportation (61.2%) followed by waste (15.4%) and residential, commercial, and industrial development (22.5%).

As the sector with the greatest 2005 emissions (48.4% of 2005 emissions are from on-road vehicles as shown in Table 3.2-2), the transportation sector also provides the greatest potential for GHG reductions. There is a strong regional transportation planning framework, including the MTP/SCS, Sacramento Region 511, park-and-ride lots, a regional commuter club, and a regional vanpool incentive program, that will support implementation of the Transportation Alternatives and Congestion Management (TACM) measures related to regional transportation, including but not limited to TACM-2, TACM-4, TACM-6, and TACM-10. The City's existing transportation demand management program actively promotes public transit (e-trans), ridesharing, bicycling, and other alternatives to single-occupant vehicle trips and provides an effective transportation demand system for the CAP to build on, supporting TACM-3, TACM-4, TACM-5, TACM-6, TACM-9, TACM-10, TACM-11, and TACM-12. Existing participation in the City's public transit and TDMP evidences interest and participation in alternative transportation options by City residents, employees, and commuters.

Reductions from residential, commercial, and industrial development would result in a 14.7% reduction in GHG emissions by 2020 associated with existing and new residential uses and a 7.8% reduction associated with existing and new commercial uses through implementation of Built Environment (BE) measures BE 1 through BE-11. Measures for development include mandatory measures for new development and incentivized measures for existing development. New development would demonstrate consistency with the CAP through application of mandatory measures, including compliance with CALGreen Tier 1 standards to achieve a 15% improvement over minimum Title 24 CALGreen energy requirements (BE-6), installation of on-site renewable energy systems for large non-residential developments (BE-10), and provision of a solar option for homes in new residential subdivisions (BE-10), as part of the development review and approval process. Additional energy-efficient measures for residential and commercial/industrial uses, including BE-1, BE-2, BE-3, BE-4, BE-5, and BE-11, would leverage state, regional, and City incentives, including low interest financing, reduced or no charge permits, cash incentives, and recognition programs, for residential, commercial, and industrial development in order to encourage retrofits of existing development to increase energy-efficiency, the use of energy-efficient appliances, installation and use of on-site photovoltaic systems, and participation in off-site renewable energy programs.

The CAP's Resource Conservation (RC) measures would increase solid waste diversions from 59% in 2005 to 80% by 2020 to achieve a 15.4% reduction in GHG emissions associated with waste and would also yield reductions associated with water usage (RC-2 and RC-3). While RC-1 will require the City to work with residents and businesses to increase diversion, this measure is strongly supported by AB 341, which requires CalRecycle to implement a plan involving statewide

## 3.2 GREENHOUSE GASES AND CLIMATE CHANGE

improvements to recycling infrastructure, mandatory recycling requirements for commercial users, and other methods to achieve a 75% diversion of solid waste by 2020.

While a number of the measures are voluntary, particularly those regarding existing development, the majority of reductions would occur in association with non-voluntary measures related to transportation and solid waste. Many of the measures contained in the CAP would apply to future subsequent development projects. Future development projects must be reviewed for consistency with the General Plan, consistency with the CAP, and must implement all applicable CAP measures during project planning, design, construction, and implementation. By implementing applicable measures in the CAP, subsequent development projects would assist the City in meeting the target reduction threshold of 15 percent below BAU projections.

In the event that the implementation of various measures may not reach the full target reduction potential due to the voluntary nature of some measures and the need for cooperation from outside organizations and agencies associated with other measures, the CAP includes implementation and monitoring measures to assist in realizing the reduction targets. Chapter 5 of the CAP requires annual monitoring and reporting on the City's progress toward achieving the reduction targets. If specific measures are identified as not providing the estimated reduction level, Action 2.3 provides for consideration of amendments to the CAP; however, Action 2.3 does not require that the CAP be amended if reduction requirements are not met.

However, given the uncertainties of the development market, the recent lack of funding available to local governments, and the voluntary nature of some of the measures contained in the Project, the City cannot guarantee with certainty that all measures included in the CAP will be fully implemented by 2020.

For example, Measure TACM-9: Efficient And Alternative Vehicles, contained in the CAP, achieves reductions in vehicle miles traveled (VMT) by facilitating the use of electric vehicles by providing charging stations with new development. In order to achieve the reductions calculated for this measure, the City would need to ensure the provision of 200 charging stations by 2020 and 300 charging stations by 2025 (and additional 100 stations from 2020), at a rate of approximately 20 charging stations per year. Even if new charging stations are required to be included in new development projects, the City cannot guarantee that new development over the next 10-15 years will occur at a pace that would meet the CAP's target for new charging stations. Additionally, it is possible that the City will not have funding in place in the next 10-15 years to fund the installation of the projected charging stations that are not installed by private sector development.

**The City has taken extraordinary steps to develop a comprehensive and meaningful Climate Action Plan and Sustainability Element that will result in significant reductions in GHGs over the life of the General Plan. The Project represents a comprehensive effort to significantly reduce GHG emissions across a broad spectrum of community-wide and municipal emissions sectors. The City will have achieved compliance with AB 32 by adopting a CAP that meets the statewide reduction targets.**

The CAP provides specific and concrete direction to the City and development community and includes numerous specific and enforceable measures that would apply to new development in order to reduce individual subsequent projects' contributions to climate change. Compliance with the CAP and implementation of applicable CAP measures would ensure that subsequent projects, which are consistent with the General Plan, would have a less than cumulatively considerable contribution to climate change and greenhouse gases. The analysis presented above demonstrates that the implementation of the CAP for all subsequent development projects would assist the City in meeting the projected BAU reduction of more than 15.43 percent. Therefore, subsequent projects, including development projects, that are consistent with the General Plan and implement applicable CAP measures, would not result in a significant or considerable cumulative contribution to climate change and the generation of GHGs, beyond what has been analyzed and addressed in this EIR.

However, some of the CAP measures that would be implemented by the City are voluntary, require public funds, and/or require funding and implementation from outside agencies. If all of the measures included in the CAP and Sustainability Element were fully implemented, the proposed project would achieve the CAP reduction targets and would result in a less than cumulatively considerable impact. Given the uncertainties of the measures that require voluntary participation, coordination with outside agencies, and the funding availability for municipal reduction measures, the City cannot guarantee with certainty that all measures included in the CAP will be implemented and achieve the identified reduction targets by 2020.

For example, Measure TACM-9: Efficient And Alternative Vehicles, contained in the CAP, achieves reductions in vehicle miles traveled (VMT) by facilitating the use of electric vehicles by providing charging stations with new development. In order to achieve the reductions calculated for this measure, the City would need to ensure the provision of 200 charging stations by 2020 and 300 charging stations by 2025 (and additional 100 stations from 2020), at a rate of approximately 20 charging stations per year. Even if new charging stations are required to be included in new development projects, the City cannot guarantee that new development over the next 10-15 years will occur at a pace that would meet the CAP's target for new charging stations. Additionally, it is possible that the City will not have funding in place in the next 10-15 years to fund the installation of the projected charging stations that are not installed by private sector development.

Therefore, although annual review and monitoring of the effectiveness and implementation status of the reduction measures is required by the CAP, the CAP does not fully guarantee and require that adequate steps will be taken to revise the CAP in the event that some measures are found that they are not meeting the intended GHG reductions levels, which may result in the 15% reduction goal not being achieved. This impact is potentially significant. However, given the uncertainties associated with implementation of the measures contained in the CAP, and the fact that many of the measures will rely on private development in an uncertain building market, the City cannot guarantee that the CAP will be fully implemented by 2020. Therefore, this impact is considered significant and unavoidable.

#### Mitigation Measures

Mitigation Measure 1 *Prior to adoption of the Sustainability Element and Climate Action Plan, Action 2.3 of Chapter 5 of the Climate Action Plan shall be amended to read as follows:*

“Action 2.3: Should the annual reporting and monitoring actions (Actions 1.1 through 1.6) identify that the reduction measures included herein are not collectively meeting the GHG reduction goal of 15% by 2020, Planning Department staff shall prepare and present to the City Council recommended revisions to the CAP that would modify or replace measures to the extent necessary to achieve the GHG reduction goal of 15%.”

Implementation of Mitigation Measure 1 would ensure that the CAP and sustainability element meet the requirements of AB 32 and result in significant reductions in GHG levels in order to achieve the identified target. Should the timing, funding, and/or participation rates projected for the measures in the CAP be determined to be less than adequate to meet the GHG reduction goal, Mitigation Measure 1 would ensure that the CAP is modified appropriately. If the need for additional or revised reduction measures is identified, potential revisions could include measures to require development projects to purchase carbon credits/offsets, to encourage energy efficiency audits at the time of building permit application for significant remodels, and to coordinate with SACOG to extend light rail beyond the currently planned extensions and for an expedited timeframe on the extension of light rail. Therefore, with implementation of Mitigation Measure 1, this impact would be less than significant.

~~The adoption of the CAP and Sustainability Element represents a thorough and comprehensive effort on behalf of the City to meet the requirements of AB 32 and to implement a plan that will result in significant reductions in GHG levels over the next 10 to 15 years. The significance of this impact is not due to inadequate measures in the CAP, but rather is due to the uncertainties of funding and the timing/pace of implementation of the measures. While additional measures may be considered, these measures would also be subject to uncertainties regarding funding and the pace of development. Thus, there are no additional feasible mitigation measures available to the City. This impact remains significant and unavoidable.~~



CEQA requires an EIR to evaluate a project's effects in relationship to broader changes occurring, or that are foreseeable to occur, in the surrounding environment. Accordingly, this chapter presents a detailed discussion, consistent with the requirements of CEQA, of the cumulative impacts, growth-inducing impacts, and significant and irreversible effects of the Project, and growth inducement associated with the Project.

#### 4.1 CUMULATIVE IMPACTS

This Draft SEIR provides an analysis of overall cumulative impacts of the Project taken together with other past, present, and probable future projects producing related impacts, as required by Section 15130 of the California Environmental Quality Act Guidelines (State CEQA Guidelines). The goal of this analysis is twofold: first, to determine whether the overall long-term impacts of all such projects would be cumulatively significant; and second, to determine whether the Project itself would cause a "cumulatively considerable" incremental contribution to any such cumulatively significant impacts. (See State CEQA Guidelines Sections 15130[a]-[b], Section 15355[b], Section 15064[h], Section 15065[c]; *Communities for a Better Environment v. California Resources Agency* [2002] 103 Ca1.App.4th 98, 120.) In other words, the required analysis intends to first create a broad context in which to assess the project's incremental contribution to anticipated cumulative impacts, viewed on a geographic scale well beyond the project area itself, and then to determine whether the project's incremental contribution to any significant cumulative impacts from all projects is itself significant (i.e., "cumulatively considerable" in CEQA parlance).

Pursuant to Section 15130(b) of the State CEQA Guidelines, "(t)he discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impacts to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact."

The State CEQA Guidelines Section 15130(b)(1) provides two approaches to analyzing cumulative impacts. The first is the list approach, which requires a listing of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency. The second is the plan approach, wherein the relevant projections contained in an adopted general plan or related planning document that is designed to evaluate regional or area-wide conditions contributing to the cumulative effect. For this Draft SEIR, the plan approach has been used to analyze cumulative impacts.

#### CUMULATIVE DEVELOPMENT ASSUMPTIONS

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The cumulative scenario for the proposed project includes growth planned for the City in the City's General Plan. The analysis of cumulative effects considered the General Plan growth under cumulative conditions, as described below.

## 4.0 OTHER CEQA-REQUIRED TOPICS

### Population

Between 1990 and 2000, the population of what would become the City increased by 71 percent, an average annual increase of seven percent. Elk Grove began to rapidly develop as a result of an increase in jobs in the Sacramento County region and the availability of land outside the downtown Sacramento area. Previous population projections from the Sacramento Area Council of Governments (SACOG) estimated growth through 2015 and had anticipated a gradual increase of four to six percent per year. However, SACOG's current projections show an increase in population at an average rate of 1.4 percent per year from 2010 (based on Department of Finance 2011 demographic report benchmarked to the 2010 Census) through 2035. Growth in recent years can be attributed to new construction (people moving to Elk Grove) and the annexation of the Laguna West-Lakeside Census Designated Place (adding 25,000 residents to the City). The City's population is anticipated to increase to approximately 192,889 persons by 2035.

**TABLE 4-1 POPULATION TRENDS**

YEAR	POPULATION	CHANGE	AVERAGE ANNUAL % CHANGE
1990 <sup>1</sup>	42,626	N/A	N/A
2000 <sup>1</sup>	72,665	30,039	7.0
2005 <sup>2</sup>	121,803	49,138	13.5
2010 <sup>3</sup>	153,015	31,212	5.1
2025 <sup>4</sup>	197,460	44,445	1.9

**SOURCE:**

<sup>1</sup> City of Elk Grove, 2009. *Housing Element of the Elk Grove General Plan.*

<sup>2</sup> State of California, Department of Finance. 2010. *E-5 Population and Housing Estimates for Cities, Counties and the State, 2000-2010, with 2010 Benchmark. Sacramento, California.*

<sup>3</sup> State of California, Department of Finance. 2011. *E-5 Population and Housing Estimates for Cities, Counties and the State, 2010-2011, with 2010 Benchmark. Sacramento, California.*

<sup>4</sup> City of Elk Grove, 2011.

### Employment

The work force in the Sacramento metropolitan area encompasses professional, technical, production, transportation, and service occupations. The region's manufacturing sector has grown steadily since the late 1970s, spurred by the expansion of high-technology industries.

According to SACOG projections, the City had 11,147 jobs in 2000. The City anticipates job growth increase of 24,722 jobs between the years 2005 and 2025. As shown in Table 4-2, Elk Grove can expect a steady increase in job growth through 2025.

**TABLE 4-2 CITY OF ELK GROVE JOBS PROJECTIONS**

YEAR	JOBS	PERCENTAGE CHANGE
2000	11,147	--
2005	24,653	121.1%
2025	49,375	100.3%

SOURCE: SACOG, 2002; SACOG, 2008.; CITY OF ELK GROVE, 2011

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## CUMULATIVE EFFECTS OF THE PROJECT

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### Method of Analysis

Although the environmental effects of an individual project may not be significant when that project is considered separately, the combined effects of several projects may be significant when considered collectively. State CEQA Guidelines Section 15130 requires a reasonable analysis of a project's cumulative impacts, which are defined as "two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts." The cumulative impact that results from several closely related projects is: the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time (State CEQA Guidelines 15355[b]). Cumulative impact analysis may be less detailed than the analysis of the project's individual effects (State CEQA Guidelines 15130[b]).

There are two approaches to identifying cumulative projects and the associated impacts. The list approach identifies individual projects known to be occurring or proposed in the surrounding area in order to identify potential cumulative impacts. The projection approach uses a summary of projections in adopted General Plans or related planning documents to identify potential cumulative impacts. Because of the programmatic nature of the proposed project, this EIR uses the projection approach for the cumulative analysis and considers buildout of the General Plan.

### Cumulative Impacts

Under CEQA, the discussion of cumulative impacts should focus on the severity of the impacts and the likelihood of their occurrence. The cumulative scenario for the proposed project includes growth planned for the City; as described in Chapter 2.0, the Project would not approve or entitle any development projects in the City. The analysis of cumulative effects considered the cumulative projected General Plan buildout.

### *Previously Analyzed Cumulative Impacts*

With the exception of impacts to air quality, greenhouse gases, noise, population/housing, and transportation, the Project would be consistent with the cumulative impacts that were evaluated in the General Plan EIR. As described in Chapter 2.0, the Sustainability Element has been prepared to be consistent with the General Plan and integrates sustainability principles identified throughout the General Plan. The CAP is a tool used to implement the Sustainability Element. The CAP includes measures that implement many of the conservation and sustainability policies and actions identified in the General Plan. Neither the Sustainability Element nor CAP envision a growth pattern, development rate, circulation system, or other feature that conflicts with the goals, policies, and growth patterns envisioned in the General Plan. As the project builds upon the adopted General Plan's goals and policies and does not propose development or other activities that conflict with the development, infrastructure, growth, and conservation activities envisioned by the General Plan, the Project is generally consistent with the adopted General Plan.

## 4.0 OTHER CEQA-REQUIRED TOPICS

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~~Subsequent and future~~ development activities would be required to be consistent with the General Plan.

Section 15130(d) and (e) of the State CEQA Guidelines provides the following guidance regarding analysis of cumulative impacts that were addressed in a prior EIR:

*“(d) Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.”*

*“(e) If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impacts, as provided in Section 15183(j).”*

The City's General Plan was adopted by the City Council on November 19, 2003 and reflects amendments through February 2011. An Environmental Impact Report was prepared to analyze and disclose the environmental impacts associated with General Plan implementation. With the exception of issues associated with air quality, greenhouse gases, noise, population/housing, and transportation that are analyzed in this SEIR, the Project is consistent with the environmental analysis and conclusions of City's General Plan and the cumulative impacts associated with the General Plan were evaluated in the General Plan EIR. As previously described in this section and in Chapter 2.0, the Project is consistent with the General Plan and integrates and implements sustainability principles identified throughout the General plan. Therefore, further analysis of cumulative impacts is limited to those issues that were not identified in the General Plan EIR and would be considered peculiar to the Project. These issues are described below under the heading "Cumulative Impacts Specific to the Proposed Project."

The General Plan EIR (City of Elk Grove, 2003d; SCH#: 2002062082) is hereby incorporated by reference, consistent with State CEQA Guidelines Section 15150. The General Plan EIR is available for review at the City's Planning Department and on the City's website. The General Plan EIR evaluated the full range of environmental impacts anticipated with buildout of the General Plan land uses. The following is a summary of the cumulative impacts identified in the General Plan EIR that are relevant to subsequent development activities that may involve implementation of various measures associated with the Project. These subsequent development activities would be reviewed for compliance with the General Plan and would be required to comply with relevant mitigation measures adopted to mitigate cumulative impacts.

- Impact 4.1.3 - Cumulative Impacts to Agricultural Resources.** Implementation of the proposed General Plan along with potential development in the Urban Study Areas would contribute significantly to the conversion of important farmland and agriculture/urban interface conflicts. This would be a cumulative significant impact.
- Impact 4.2.3 - Consistency with Relevant Planning Documents in the Planning Area.** Implementation of the proposed General Plan could impact land use plans or study areas outside of the city limits, but within the Planning Area. This is a cumulative significant impact.
- Impact 4.2.4 - Land Use Conflicts in the Planning Area.** Implementation of the proposed General Plan would increase the potential for land use conflicts outside of the City and within the Planning Area. This is a less than significant cumulative impact.
- Impact 4.4.5 - Cumulative Hazard Impacts.** Implementation of the proposed General Plan and potential development in the Urban Study Areas could result in site-specific hazards being encountered. This is considered a cumulative significant impact.
- Impact 4.4.6 - Cumulative Exposure to Hazards Associated with Facilities Utilizing Hazardous Materials.** Implementation of the proposed General Plan and the potential development of the Urban Study Areas could result in the exposure of populated areas to accidental incidents and intentional acts at existing and future facilities utilizing hazardous materials. This is considered a less than significant cumulative impact.
- Impact 4.8.6 - Cumulative Water Quality Impacts.** Implementation of the proposed General Plan along with the potential development of the Urban Study Areas, could contribute to cumulative water quality impacts. This is considered a cumulative significant impact.
- Impact 4.8.7 - Cumulative Flood Hazards.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could contribute to cumulative flood conditions in the Sacramento River, Cosumnes River, and inland creeks. This is considered a cumulative significant impact.
- Impact 4.8.8 - Cumulative Water Supply Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas, would contribute to an increased demand for water supply requiring increased groundwater production and the use of surface water supplies that could result in significant environmental impacts. This is considered a cumulative significant impact.
- Impact 4.9.4 - Soil Erosion.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could contribute to cumulative soil erosion impacts. This is considered a less than significant cumulative impact.

## 4.0 OTHER CEQA-REQUIRED TOPICS

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**Impact 4.9.5 - Expansive Soils and Seismic Hazards.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in cumulative impacts to expansive soils and seismic hazards. This is considered a less than significant cumulative impact.

**Impact 4.10.4 - Cumulative Biological Resource Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to cumulative impacts associated with significant effects to special-status plant and wildlife species and habitat loss. This would be a cumulative significant impact.

**Impact 4.11.3 - Cumulative Impacts to Prehistoric and Historic Resources.** Implementation of the proposed General Plan along with potential development in the Urban Study Areas could contribute to the disturbance of known and undiscovered prehistoric and historic resources in the Elk Grove area. This is considered a less than significant cumulative impact.

**Impact 4.11.4 - Cumulative Impacts to Paleontological Resources.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could contribute to the loss of paleontological resources in the Elk Grove area. This is considered a less than significant cumulative impact.

**Impact 4.12.1.2 - Cumulative Fire Protection and Emergency Medical Services.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to the cumulative demand for fire protection and emergency medical services. This is considered a less than significant cumulative impact.

**Impact 4.12.2.2 - Cumulative Law Enforcement Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in the increase of the demand for cumulative law enforcement services. This is considered a less than significant impact.

**Impact 4.12.3.2 - Cumulative Public School Impacts.** Implementation of the proposed General Plan as well as potential development of the Urban Study Areas, would result in cumulative public school impacts. These cumulative public school impacts are considered less than significant.

**Impact 4.12.4.4 - Cumulative Wastewater Demands.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas and growth in the SRCS service area would result in cumulative wastewater impacts. This is considered a cumulative significant impact.

**Impact 4.12.5.2 - Cumulative Solid Waste Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in cumulative solid waste impacts. This is considered a less than significant cumulative impact.

**Impact 4.12.6.2 - Cumulative Park and Recreation Demands.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in cumulative park and recreation impacts. These cumulative impacts are considered less than significant.

**Impact 4.12.7.3 - Cumulative Electrical, Telephone and Natural Gas Impacts.** Implementation of the proposed General Plan along with potential development in the Urban Study Areas would result in cumulative electric, telephone and natural gas service impacts. These are considered less than significant cumulative impacts.

**Impact 4.13.4 - Cumulative Impacts to Visual Resources.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in the further conversion of the region's rural landscape to residential, commercial, and other land uses. This would contribute to the alteration of the visual resources in the region. This is considered a cumulative significant impact.

***Cumulative Impacts Specific to the Proposed Project***

**GREENHOUSE GASES AND CLIMATE CHANGE**

Environmental effects associated with greenhouse gases and climate change are cumulative in nature; see Chapter 3.2 for a description of environmental impacts associated with greenhouse gases and climate change.

**AIR QUALITY, NOISE, AND TRANSPORTATION**

***Impact 4-1: Cumulative Impacts to Air Quality, Noise, and Transportation  
(Not a Considerable Contribution and Less than Significant)***

Any conversion of land to an urban use in California must be consistent with the General Plan and General Plan EIR for the land use agency in which the land conversion is located. The cumulative setting for air quality, noise, and transportation impacts is Sacramento County. While air quality is a basin-wide issue, the contribution of the Project to cumulative impacts is not considerable, so this discussion has been limited to Sacramento County.

According to SACOG's estimates, approximately 60 percent of the region's population lives in incorporated cities. The largest populations lie in the Cities of Sacramento and Elk Grove, while there is also a considerable population in the City of Rancho Cordova and the adjacent unincorporated Sacramento County area. The Cities of Galt and Isleton are two of the smaller incorporated cities in the region.

Each of these agencies has an adopted General Plan that plans for urban development, open space, and conservation. [SACOG recently adopted the Metropolitan Transportation Plan/Sustainable Communities Strategy \(MTP/SCS\) as discussed in Chapter 3.2. The MTP/SCS was developed in compliance with SB 375 to assist the region in attaining greenhouse gas emissions reductions including the goals established by AB 32. SACOG estimates that from 2008 to 2035 the regional population will grow by approximately 54-39 percent. Growth in Sacramento County, which will be anticipated to](#) mostly occur in the Cities of Sacramento, Rancho Cordova, and Elk

## 4.0 OTHER CEQA-REQUIRED TOPICS

Grove, and areas of unincorporated Sacramento County. Table 4-4 presents the population, housing, and jobs growth estimates for the [SACOG](#) region.

**TABLE 4-3: REGIONAL GROWTH**

DEMOGRAPHIC	20085	2035	INCREASE 20085-2035	% INCREASE 20085-2035
Population	2,215,044 1,283,234	3,086,213 1,986,543	871,169 703,309	39% 54.4%
Housing	884,725 506,003	1,187,744 797,633	303,019 291,630	34% 55.5%
Jobs	966,316 678,503	1,327,424 967,986	361,108 289,483	37% 54.0%

SOURCE: SACOG, 201208.

Regional development, including residential, commercial, industrial, recreational, and other uses, is anticipated to occur regardless of adoption of the Project as development and other projects could continue to be approved and implemented by each local land use agency in accordance with their General Plan. The environmental effects of any new development would remain consistent with those impacts disclosed and analyzed in the General Plan and General Plan EIR for each land use agency.

The City's General Plan EIR identified the following cumulative impacts associated with air quality, noise, and transportation:

**Impact 4.5.6 Cumulative Traffic Impacts on Local Roadways and State Highways.**

Implementation of the proposed General Plan as well as potential development of the Urban Study Areas would contribute to significant impacts on local roadways and state highways under cumulative conditions. This is considered a cumulative significant impact.

**Impact 4.5.7 - Cumulative Transit System, Bicycle and Pedestrian Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would contribute to a cumulative increase in the demand for transit service as well as bicycle and pedestrian usage. This is considered a less than significant impact.

**Impact 4.6.6 - Cumulative Traffic Noise Conflicts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in increased traffic noise conflicts. This is considered a less than significant cumulative impact.

**Impact 4.6.7 - Cumulative Airport Noise Conflicts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas could result in noise conflicts with the Sunset Sky ranch Airport. This is considered a cumulative significant impact.

**Impact 4.6.8 - Regional Traffic Noise Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would result in impacts to regional noise attenuation levels. This is considered a cumulative significant impact.



**Impact 4.7.4 - Regional Air Plan Impacts.** Implementation of the proposed General Plan along with potential development of the Urban Study Areas would exacerbate existing regional problems with ozone and particulate matter. This is considered a cumulative significant impact.

The Project would not approve or entitle any development projects in the City. Project implementation would result in short-term noise, construction, and air quality impacts associated with implementation of various measures of the Sustainability Element and CAP as described in Chapters 3.1, 3.3, and 3.5. Under cumulative conditions, implementation of the Project is anticipated to have beneficial effects associated with air quality, noise, and transportation. The Project would encourage placement of high density housing near transit and employment centers, reducing vehicle trips and associated air quality, noise, and transportation impacts. The Project would encourage increased use of pedestrian, bicycle, carpool, and public transit travel modes, particularly local bus service, which would result in a reduction in vehicle trips and associated air quality, noise, and transportation impacts. The Project would require increased energy efficiency and conservation in development and would also encourage use of alternative fuel vehicles, resulting in a decrease in the air quality and noise impacts associated with energy production. The Project would encourage local stores, restaurants, and other vendors to carry local goods and agriculture and would also encourage residents to shop locally, reducing vehicle trips associated with the transport of goods and foods, as well as trips associated with out-of-town travel for goods and foods. The Project would also encourage an improved jobs/housing balance, to provide additional opportunities for residents to work locally, reducing commuter travel and associated air quality, noise, and transportation impacts. The Project would also require the City to incorporate energy conservation, water conservation, and solid waste reduction in its projects and business practices, reducing associated air quality, noise, and transportation impacts. The cumulative effect of the project would have a beneficial effect on air quality, noise, and transportation effects due to the reduction in vehicle trips, increased energy efficiency, increased water conservation, reduction in solid waste, and development techniques that encourage healthy, sustainable communities. Therefore, the Project would have a **less than cumulatively considerable contribution** to cumulative air quality, transportation, and noise impacts. This is considered **less than significant**.

#### POPULATION AND HOUSING

Cumulative impacts associated with population and housing are discussed in Section 4.2 below.

## 4.2 GROWTH-INDUCING EFFECTS

### INTRODUCTION

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Section 15126.2(d) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined by the CEQA Guidelines as:

*The way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove*

## 4.0 OTHER CEQA-REQUIRED TOPICS

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*obstacles to population growth...It is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.*

Based on the State CEQA Guidelines, growth inducement is any growth that exceeds planned growth of an area and results in new development that would not have taken place without implementation of the Project. A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve a construction effort with substantial short-term employment opportunities that would indirectly stimulate the need for additional housing and services to support the new employment demand (*Napa Citizens for Honest Government v. Napa County Board of Supervisors* (Cal. App. 1st Dist., 2001)). Similarly, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A project providing an increased water supply in an area where water service historically limited growth could be considered growth-inducing.

The State CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.

### **Components of Growth**

The timing, magnitude, and location of land development and population growth in a region are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and non-residential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Since the general plan of a community defines the location, type, and intensity of growth, it is the primary means of regulating development and growth in California.

## GROWTH EFFECTS OF THE PROJECT

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### **Population Growth**

The City's population in the year 2000 was 72,665 persons, compared to Sacramento's population of 1,223,499 (U.S. Census Bureau, 2000). Prior to the City's incorporation in 2000, the population of Elk Grove increased at an average rate of seven percent annually, or a 70.5 percent increase since 1990 (Elk Grove, 2003a). Sacramento County experienced a much slower rate of growth during that time period, with population increasing only 17.5 percent from 1,041,219 in 1990 to 1,223,499 in 2000 (U.S. Census Bureau 2000, 1990). The City experienced rapid population growth after its incorporation in 2000.

Population growth in the City is anticipated to account for approximately 12 percent of the County's total growth from 2005 to 2035. SACOG projects that the population of Sacramento County will increase to approximately 1,283,234 persons by 2035 (SACOG, 2008).

### **Growth Effects Associated with the Proposed Project**

The Project would not directly result in population growth. The Project does not propose nor entitle any development projects. While the Project encourages improved public transit and infrastructure to support alternative modes of travel, such as pedestrian and bicycle trips, these infrastructure improvements are not anticipated to result in increased population growth. Rather, these improvements will accommodate planned population growth and will result in beneficial environmental effects related to growth.

The Project encourages increased residential densities near transit locations and would revise the definition of Transit Oriented Development to encourage a mix of uses, including higher density residential development. The City has one location designated for Transit Oriented Development; this location is currently designated by the General Plan to accommodate a mix of uses, including high density residential, commercial, and office development. The Project is not anticipated to result in a change in the types of development that could occur on the existing TOD site. Additional sites would be designated TOD with implementation of the Project. These sites would be located near transit and would encourage a mixture of high-density residential and commercial development oriented to transit users. It is not known where these additional TOD sites would be located, but it is anticipated that the sites would be located along existing and proposed transit corridors, which are typically in areas designated for urban uses. The Project indicates that consideration should be given to the SACOG Blueprint in identifying future TOD sites. The application of the TOD designation on specific sites may increase the density of that site, but is not anticipated to result in a significant population increase in the City or region.

The population figures used to estimate emissions for the CAP anticipate a higher population in 2025 (197,460) than is anticipated in SACOG's 2008 estimates, which project that the population of the City will be 192,889 in 2035. However, the population figures used for the CAP were based on more recent population data than was used by SACOG for its 2008 estimates. The use of different population figures in the CAP compared to the figures used by SACOG for its 2008 estimates does not mean that the Project would exceed growth estimates, but rather that the Project used more up to date data in projecting potential growth. SACOG's population estimates for the City are based on a population in 2005 of 110,843. This figure is much less than

## 4.0 OTHER CEQA-REQUIRED TOPICS

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Department of Finance annual estimate of 121,803. Based on the 2010 Census numbers, the DOF estimate appears much closer to accurate than the SACOG number. The population growth rates used for the CAP were based on current growth trends and development that may be accommodated under the General Plan. The difference in population projections appears to be largely due to an error in SACOG's 2005 base data for the City rather than any significant population increase in Elk Grove that would result from the Project.

It is noted that growth is anticipated to occur regardless of adoption of the proposed project as development and other growth projects could continue to be approved and implemented by the City and its neighboring communities. Growth will primarily occur as a result of external market forces, such as the availability of financing, the employment rate, and construction costs. The City's General Plan will accommodate future housing growth and will help to ensure that the City can accommodate its fair share of housing for all income groups. While the proposed project would not result in a significant increase in the amount of growth, it would encourage growth to be developed in an orderly fashion, and encourage more compact, high density growth near transit and public services.

The General Plan EIR found that implementation of the General Plan may result in population and housing increases at buildout of the General Plan that exceed SACOG's population and housing projections for the Planning Area (Impact 4.3.3). This impact was determined to be a less than significant cumulative impact. The Project would not significantly change this impact or result in an increased contribution to a cumulatively considerable population or growth impact. The environmental effects of this growth would remain consistent with those impacts disclosed and analyzed in Sections 4.1 through 7.0 of the General Plan Draft EIR and in Chapters 3.1 through 3.5 and 4.0 of this Subsequent DEIR.

### 4.3 SIGNIFICANT IRREVERSIBLE EFFECTS

CEQA requires that EIRs prepared for the adoption of a plan, policy, or ordinance of a public agency must include a discussion of significant irreversible environmental changes as a result of project implementation. State CEQA Guidelines Section 15126.2(c) describes irreversible environmental changes as:

*"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Implementation of the proposed project would not result in the conversion of undeveloped natural areas, open space, or agricultural areas to a developed or urbanized condition. Implementation of the Project may encourage small infrastructure projects, such as pedestrian

walkways, bike paths, transit stops, and retrofitting of structures to increase energy conservation that would involve the irretrievable commitment of lumber, asphalt, and other building materials. These subsequent projects would be allowed under the adopted General Plan regardless of approval of the Project. The General Plan EIR disclosed this type of impact, identifying that future development allowed under the General Plan would have significant and irreversible effects, including conversion of open space to developed uses, permanent commitment of building materials and energy resources, and an increased demand on public services and utilities. However, the Project would reduce irretrievable commitment of nonrenewable resources by encouraging reduced solid waste associated with construction and operation of development and by encouraging energy conservation and alternative transportation measures to reduce the consumption of gas, natural gas, and other nonrenewable fuel sources. These requirements would apply to all future development under the General Plan. Therefore, the proposed project would have a beneficial long-term effect on the commitment of nonrenewable resources and would therefore have less than significant irreversible effects.

#### 4.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS

State CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. As discussed in Chapters 3.1 through 3.5, the potential environmental impacts associated with implementation of the proposed project would be less than significant or would be less than significant with mitigation. No significant and unavoidable impacts would occur with implementation of the proposed project. The following significant and unavoidable impacts of the Project are discussed in Chapters 3 and previously in this chapter (cumulative-level). Refer to those discussions for further details and analysis of the significant and unavoidable impact identified below:

~~\*Impact 3.2-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (significant and unavoidable). While the proposed Project would result in a reduction of greenhouse gases and associated climate change effects, the Project may not result in the attainment of the 15 percent emissions reductions identified in the AB 32 Scoping Plan, as described in Chapter 3.2 under Impact 3.2-2. The significance of this impact is not due to an inadequacy of the General Plan nor to inadequate measures in the CAP, but rather is due to the uncertainties of funding that may affect the implementation of the measures. This is a significant and unavoidable impact and the General Plan may result in a cumulatively considerable contribution to greenhouse gas emissions and climate change effects.~~

## 4.0 OTHER CEQA-REQUIRED TOPICS

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## **EXHIBIT B**

### **FINDINGS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Public Resources Code, Section 21000 et seq)**

#### **FOR THE CITY OF ELK GROVE SUSTAINABILITY ELEMENT AND CLIMATE ACTION PLAN State Clearinghouse No. 2011062031**

##### **I. Introduction**

The City of Elk Grove (City), as lead agency, determined that the Sustainability Element and Climate Action Plan (Project) is a "project" within the definition of the California Environmental Quality Act (CEQA), and requires the preparation of an Environmental Impact Report (EIR). A Subsequent Environmental Impact Report (SEIR) has been prepared to evaluate the environmental impacts associated with implementation of the Project.

The Project would:

1. Adopt the Sustainability Element of the General Plan, as a General Plan amendment. The Sustainability Element includes goals and policies to help the City achieve a wide range of desired results related to sustainability;
2. Adopt the Climate Action Plan, which includes a range of measures to reduce greenhouse gas (GHG) emissions from a variety of sources throughout the City; and
3. Provide a mechanism for subsequent projects to streamline analysis of cumulative impacts associated with greenhouse gases, as allowed by Section 15183.5 of the CEQA Guidelines.

The California Environmental Quality Act (CEQA) requires the City, as the CEQA lead agency, to make written findings when it approves a project for which an environmental impact report (EIR) was certified. No significant and unavoidable impacts were identified in the SEIR, so a statement of overriding considerations is not required for the project.

These Findings of Fact (Findings) explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the SEIR prepared for the Project. As required under CEQA, the Final SEIR (which includes the Draft SEIR, comments, responses to comments, and revisions to the Draft SEIR) describes the Project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the SEIR reflect the City's independent judgment regarding the potential adverse environmental impacts of the Project.

##### **II. General Findings and Overview**

The Findings set forth below are presented for adoption by the City Council, as the City's findings under (CEQA) (Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of the City Council regarding the Project's

environmental impacts, mitigation measure, and alternatives to the Project which in the City Council's view, justify approval of the Project, despite its environmental effects.

#### **A. Relationship to the City of Elk Grove General Plan**

The City adopted its General Plan (General Plan) in November 2003. The Elk Grove General Plan establishes the City's goals and policies related to a broad range of planning issues, including, but not limited to, land use, development, conservation of natural resources, circulation, and provision of public services and utilities. The General Plan establishes policies that serve as a framework for future decision-making. The General Plan also identifies specific actions that the City will take to implement the General Plan.

All elements of the General Plan contribute policies and actions that address sustainability. For example, the Land Use Element includes policies to promote compact and mixed-use development, and the Circulation Element promotes enhanced connectivity between developments. The Housing Element supports equity through affordable housing opportunities, and the Economic Development Element includes policies to grow a strong local economy and promotes employment opportunities for all segments of the community. The Sustainability Element provides a matrix that summarizes which sustainability issues are addressed in each element of the General Plan. The Sustainability Element provides additional sustainability policies and actions to address components of sustainability that are not addressed in the other General Plan elements. The Climate Action Plan (CAP) is linked to the General Plan through the proposed General Plan Sustainability Element. The Sustainability Element and CAP are two separate but related components of the City's sustainability strategy. The Sustainability Element organizes and highlights the City's goals related to sustainability and provides new direction and vision to maintain a healthy, balanced community.

The CAP focuses specifically on strategies to reduce GHG emissions and provides direction to reduce emissions consistent with State law and the CEQA Guidelines. The CAP is a tool that allows the City to look at its impact on GHG emissions, establish goals for GHG emissions reductions, and create steps to achieve these reduction targets. The CAP builds on the goals and vision of the Sustainability Element, but translates these goals into numeric thresholds and targets for GHG emissions. The CAP will be linked to the General Plan as a stand-alone policy and implementation item of the Sustainability Element, which, upon adoption, will be a binding element of the General Plan.

#### **B. Procedural Background**

In accordance with Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) of an EIR for the Project and an Initial Study on June 10, 2011 to trustee and responsible agencies, the State Clearinghouse, and the public. The NOP and Initial Study are included as Appendix A to the Draft SEIR. One comment was received in response to the NOP; the comment is included in Appendix B of the Draft SEIR and was considered during preparation of the Draft SEIR.

Pursuant to Section 15087 of the CEQA Guidelines, the City published a Notice of Availability (NOA) for the Draft SEIR on September 30, 2011, inviting comment from the general public, agencies, organizations, and other interested parties. The Draft SEIR was available for a 45-day public review period from September 30 through November 15, 2011. The Draft SEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft SEIR is focused on the potentially significant impacts associated with air quality, greenhouse gases/climate change, noise, population/housing, and transportation/circulation impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft SEIR.

No new significant environmental issues, beyond those already covered in the Draft SEIR, were raised during the comment period and the Final SEIR was prepared.

Following preparation of the Final SEIR, revisions were made to the CAP. The Final SEIR was revised to include revisions to the Draft SEIR which address the changes made to the CAP. The revised Final SEIR document and the Draft SEIR, as amended by the revised Final SEIR, constitute the Final SEIR. Comments received on the Draft SEIR and responses to those comments are presented in Chapter 3 of the Final SEIR.

As described on pages 1.0-2 and 1.0-5 of the revised Final SEIR, the revisions to the Final and Draft SEIRs, including revisions made in responses to comments received on the Draft SEIR, did not involve any changes to the Project that would create new significant impacts nor do the revisions provide significant new information that would require recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5. Responses to comments received on the Draft SEIR were provided in the Final SEIR, and responses were sent to public agencies that commented on the Draft SEIR 10 days prior to certification of the Final SEIR.

### **C. Project History**

On March 25, 2009, the City Council directed staff to begin the process of developing a Sustainability Element as part of the General Plan and a CAP. As directed, the Sustainability Element would "establish policies such as greenhouse gas reduction strategies or green building programs as well as other sustainability goals and policies that did not fit into other General Plan elements." The CAP would "identify ways in which the City can reduce greenhouse gas emissions in the community and within City facilities. [The] Climate Action Plan would also include measures to adapt to climate change impacts and remain resilient. The Climate Action Plan would analyze reduction and adaptation measures based on effectiveness, cost, and feasibility to create a comprehensive implementation plan."

On May 27, 2009, the City Council adopted a resolution to accept funds from the Federal Energy Efficiency and Conservation Block Grant (EECBG), part of the American Recovery and Reinvestment Act (ARRA). Funds for the Sustainability Element and CAP were programmed from the EECBG funds.

As part of the development of the Sustainability Element and CAP, the Council directed the creation of a Sustainability Element and Climate Action Plan Committee (the "SECAP Committee"). The SECAP Committee was tasked with providing strategic direction and input on the development of the Sustainability Element and CAP and overall outreach campaign. The SECAP Committee reviewed technical issues and policies, including consideration of potential carbon reduction measures, language for policies related to green building and green job creation, cost-benefit analyses, and the like. The Council-appointed members of the Committee were Thomas Campbell, Lyndon Hawkins, Jimmie Johnson, Bob Lilly, Bill Myers, and Susan Oto.

Drafts of the Sustainability Element and CAP were made available to the public in December 2010. The SECAP Committee held a public workshop with interested residents and stakeholders on January 19, 2011 to solicit feedback on the draft documents. The SECAP Committee concluded their work with a final meeting on March 30, 2011.

#### **D. Record of Proceedings and Custodian of Record**

For purposes of CEQA and the findings set forth herein, the record of proceedings for the Project consists of the following documents and testimony, at a minimum:

- Notice of Preparation, Notice of Availability, and all other public notices issued by the City in conjunction with the Project (June 10, 2011, and September 30, 2011);
- Final Subsequent Environmental Impact Report for the Elk Grove Sustainability Element and Climate Action Plan project, prepared by De Novo Planning Group (October 2012);
- All comments submitted by agencies or members of the public during the 30-day public comment period on the NOP, the 45-day public comment period on the Draft SEIR;
- All comments and correspondence submitted to the City with respect to the Project, in addition to comments on the NOP and Draft SEIR;
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by the City;
- Staff reports associated with Planning Commission and City Council meetings regarding the Project;
- All findings and resolutions adopted by City decision-makers in connection with the Project, and all documents cited or referred to therein;
- All non-draft and/or nonconfidential reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;

- City of Elk Grove General Plan, adopted November 2003 and as amended through November 2011;
- City of Elk Grove Zoning Code, as adopted July 2006 and amended through November 2011; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

The custodian of the documents and materials comprising the record of proceedings is the Environmental Planning Manager, City of Elk Grove, Development Services, Planning, whose office is located at 8401 Laguna Palms Way in Elk Grove, California, 95758. Office hours are from 8:00 a.m. through 5:00 p.m. Monday through Friday. The City of Elk Grove Planning Department may be reached by phone at (916) 478-2265.

#### **E. Consideration of the Environmental Impact Report**

In adopting these Findings, the City Council finds that the Final SEIR was presented to the City Council, which reviewed and considered the information in the Final SEIR prior to approving the Sustainability Element and Climate Action Plan project. By adopting these findings, the City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final SEIR. The City Council finds that the Final SEIR was completed in compliance with CEQA. The Final SEIR represents the independent judgment of the City.

#### **F. Severability**

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

### **III. CEQA Findings**

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

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

Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." CEQA Guidelines Section 15364 adds another factor: "legal" considerations (see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565). The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417). "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" (Ibid; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715).

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

For purposes of these Findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect but not to reduce that effect

to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these Findings will nevertheless fully account for all such effects identified in the Final SEIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur.

These Findings constitute the City's best efforts to set forth the evidentiary and policy basis for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent these Findings conclude that the proposed mitigation measures outlined in the Final SEIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These Findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City adopts a resolution approving the project.

#### **A. Findings and Recommendations Regarding Significant Impacts Which Are Mitigated to a Less than Significant Level**

##### **1. Greenhouse Gas and Climate Change: Impact 3.1-2 Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases**

(a) **Potential Impact.** The potential for the Project to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases is discussed at pages 3.2-14 through 3.2-20 of the Draft SEIR.

(b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented by amending the Project as described in the mitigation measure:

Mitigation Measure 1.

(c) **Findings.** Based upon the SEIR and the entire record before the City, the City Council finds that changes have been required to the project which avoid the potentially significant environmental effect as identified in the Final SEIR. The City Council finds that impacts associated with potential conflicts with an applicable plan, policy, or regulation adopted for the purpose of regulating greenhouse gases will be mitigated to a less than

significant level through implementation of Mitigation Measure 1. Mitigation Measure 1 would ensure that the Project would meet the requirements of AB 32 and result in significant reductions in greenhouse gases emission levels in order to achieve the City's reduction target. Should the timing, funding, and/or participation rates projected for the measures in the CAP be determined to be less than adequate to meet the GHG reduction goal, Mitigation Measure 1 would ensure that the CAP is modified appropriately. Therefore, any remaining impacts after implementation of Mitigation Measure 1 would not be significant.

## **B. Findings and Recommendations Regarding Those Impacts Which are Less Than Significant**

The SEIR determined that the following impacts are less than significant for the Project.

1. **Air Quality:** Impact 3.1-1: Air quality impacts from improvements (pages 3.1-9 through 3.1-10), Impact 3.1-2: Air quality impacts from increased development intensities (page 3.1-10), Impact 3.1-3: Expose sensitive receptors to substantial pollutant concentrations (pages 3.1-10 through 3.1-11), and Impact 3.1-4: Create objectionable odors affecting a substantial number of people (page 3.1-11).
2. **Greenhouse Gases and Climate Change:** Impact 3.2-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (page 3.2-14).
3. **Noise:** Impact 3.3-1: Exposure of persons to noise or vibration from improvements (pages 3.3-11 through 3.3-12) and Impact 3.3-2: Noise exposure associated with higher building densities and intensities (page 3.3-12).
4. **Population and Housing:** Impact 3.4-1: Induce substantial population growth in an area, either directly or indirectly (pages 3.4-4 through 3.4-5).
5. **Transportation:** Impact 3.5-1: Impacts to the multi-modal and transportation system (pages 3.5-7 through 3.5-8) and Impact 3.5-2: Impacts to traffic from increased building densities and intensities (page 3.5-8).

## **C. Findings and Recommendations Regarding Those Impacts Which are Less Than Significant or Less Than Cumulatively Considerable**

The SEIR determined that the Project would have a less than cumulatively considerable contribution to the following impact.



1. **Impact 4-1: Cumulative Impacts to air quality, noise, and transportation** (pages 4.0-7 through 4.0-9).

## VI. Project Alternatives

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

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors" (Public Resources Code Section 21061.1). The CEQA Guidelines add another factor: "legal" considerations (CEQA Guidelines Section 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (CEQA Guidelines Section 15126.6, subd. (f)(1)). The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project [*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417].

Where a significant impact can be substantially lessened or avoided solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the project (Public Resources Code Section 21002; *Laurel Hills Homeowners Association, supra*, 83 Cal.App.3d at p. 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 691, 730-731 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403). In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility of modifying the project lies with some other agency (CEQA Guidelines Section 15091, subs. (a), (b)).

Section III(A) of these Findings identify that the City will implement mitigation to avoid the only potentially significant impact associated with the Project. There are no other

significant or significant and unavoidable impacts associated with the Project nor are there adverse cumulative impacts to which the Project would have a considerable contribution.. Therefore, because the City has made a change in the Project through Mitigation Measure 1 that would reduce Impact 3.2-2 to a less than significant level, a discussion of Project Alternatives is not required.

## EXHIBIT C

# MITIGATION MONITORING AND REPORTING PROGRAM

**Mitigation Measure 1.** Prior to adoption of the Sustainability Element and Climate Action Plan, Action 2.3 of Chapter 5 of the Climate Action Plan shall be amended to read as follows: "Action 2.3: Should the annual reporting and monitoring actions (Actions 1.1 through 1.6) identify that the reduction measures included herein are not collectively meeting the GHG reduction goal of 15% by 2020, Planning Department staff shall prepare and present to the City Council recommended revisions to the CAP that would modify or replace measures to the extent necessary to achieve the GHG reduction goal of 15%."

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-56**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO    )**     **ss**  
**CITY OF ELK GROVE            )**

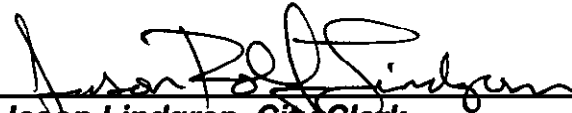
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 27, 2013 by the following vote:***

**AYES :            COUNCILMEMBERS:    *Davis, Detrick, Cooper, Hume, Trigg***

**NOES:            COUNCILMEMBERS:    *None***

**ABSTAIN :       COUNCILMEMBERS:    *None***

**ABSENT:         COUNCILMEMBERS:    *None***

  
**Jason Lindgren, City Clerk  
City of Elk Grove, California**