



City of Elk Grove

NOTICE OF DETERMINATION

To: ☒ Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 22
Sacramento, CA 95812-3044

☒ Sacramento County Clerk-Recorder
Sacramento County
PO Box 839, 600 8th Street
Sacramento, CA 95812-0839

From: City of Elk Grove
Development Services-Planning
8401 Laguna Palms Way
Elk Grove, CA 95758

County Recorder Filing	State Clearinghouse Received
(stamp here)	(stamp here)

SUBJECT: *Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code*

STATE CLEARINGHOUSE NUMBER: SCH# 2013042054

PROJECT TITLE: Souza Dairy Development Agreement (PLNG20-056)

PROJECT APPLICANT: Elk Grove Land Investments, LLC Big Horn RBVP, L.P.
Les Hock (Representative) Mark Sanchez (Representative)
10630 Mather Blvd. 940 Emmett Ave Ste. 200
Sacramento, CA 95655 Belmont, CA 94002

PROJECT LOCATION: A portion of the area bounded by Poppy Ridge Road to the north, Big Horn Boulevard to the West, Proposed Shed C Drainage Channel to the south, and Lotz Parkway extension to the east.

ASSESSOR'S PARCEL NUMBER(S) 132-0290-014, -015, -016, -017, -018, -019, -020 AND 132-0320-006

PROJECT DESCRIPTION: The Souza Dairy Development Agreement Amendment consists of:

- An **Amended and Restated Development Agreement (DA)** to modify the terms and conditions of the previously-approved Souza Dairy Development Agreement and to expand the DA to include the previously-approved Poppy Keys Southwest Subdivision (EG-17-049) and the proposed Esplanade West Subdivision (EG-17-044) covered in this report.
- A **Community Plan and Special Planning Area Amendment** to reconfigure the boundaries and acreages of land uses for ±30.6 acres that are subject to the DA.
- **Substantial Conformance** to modify the configuration of the ±375.5-acre Souza Dairy Tentative Subdivision Map.

This is to advise that on August 4, 2021, the City of Elk Grove City Council approved the above described project finding that no further environmental review necessary.

CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

No further environmental review is required under CEQA pursuant to State CEQA Guidelines 15162 (Subsequent EIRs and Negative Declarations). State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

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

On July 9, 2014, the City Council certified an EIR for and adopted a Mitigation Monitoring and Reporting Program (MMRP) for the SEPA Strategic Plan (SCH# 2013042054). The SEPA EIR analyzed full buildout of SEPA based upon the land plan, development standards, and policies contained in the Community Plan and Special Planning Area (SPA), as well as the improvements identified in the accompanying infrastructure master plans. The Project remains subject to the SEPA MMRP which includes mitigation related to farmland protection, air quality, biological resources including Swainson's hawk foraging habitat, cultural resources, hazardous/toxic materials, drainage, noise, and traffic.

The requested amendments to the Community Plan and SPA will modify the acreages of residential land uses within the Project Area. The Community Plan and SPA Amendments will not expand the development footprint or add any land uses that were not originally anticipated within SEPA. Although the acreages of the residential land uses are being amended, the reconfiguration results in a shift of residential units from northern portions of the SEPA plan area to the central area of SEPA where they will be proximate to parcels designated for office, mixed-use, and employment-oriented land uses. The proposed land use amendments will allow for the construction of up to 3,656 residential units which is less

than a five-percent change from the total number of units allowed under current land use designations (3,422 units).

The Project, as proposed, will build out at a density/intensity consistent with the range of what was anticipated in the SEPA EIR. The City updated its General Plan in 2019; while the proposed Project, including the requested Community Plan amendments, have been found to be consistent with the General Plan goals, policies, and implementation programs, the updated General Plan implements new transportation analysis standards related to Vehicle Miles Traveled (VMT) and also includes a new Climate Action Plan (CAP). Analysis related to VMT and the CAP was completed to determine the Project's consistency with the General Plan and the SEPA Community Plan pursuant to CEQA section 15183. The Project was analyzed against the VMT standards and it was determined that the Project is exempt from additional VMT analysis. The subject site is in an area that has been determined to result in a 15% VMT reduction based on its General Plan/Community Plan land use designations. The proposed Project shifts the location of residential units within the SEPA plan area but still provides the capacity for these units to be constructed. The relocation of these units does not alter the determination that residential development on the Project site will result in a 15% VMT reduction, therefore, no further VMT analysis is necessary.

The Souza Dairy Development Agreement Amendment Project will comply with the City's CAP for new single-family development, including CAP measures related to energy efficiency (BE-4), electric appliances (BE-6), Vehicle Miles Traveled Reductions (TACM-6), off-road construction fleet (TACM-8), and electric vehicle charging (TACM-9). Therefore, the Project is consistent with the City's updated efforts to reduce greenhouse gas emissions through its compliance with the CAP.

There are no substantial changes in the Project from those analyzed in the 2014 EIR and no new significant environmental effects, or substantial increase in the severity of previously identified significant effects that necessitate the preparation of a Subsequent EIR pursuant to State CEQA Guidelines Section 15162. No new information of substantial importance has been identified. Further, the Project has been reviewed in consideration of the VMT standards and CAP compliance measures adopted as part of the City's General Plan to determine Consistency with the General Plan and the SEPA Community Plan pursuant to CEQA Section 15183. Since no changes to the SEPA or Elk Grove General Plan EIR are necessary to support the Project, the City is not required to prepare an Addendum to the EIR pursuant to State CEQA Guidelines Section 15164. Therefore, the prior EIRs are sufficient to support the proposed action and no further environmental review is required.

This is to certify that the Certified EIRs referenced above are/were available to the General Public for review at: City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE
Development Services - Planning



By: _____
Antonio Ablog
Planning Manager

Date: August 6, 2021



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FILE COPY

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County Recorder Filing	State Clearinghouse Received
<p>ENDORSED SACRAMENTO COUNTY</p> <p>JUN 29 2018</p> <p>DONNA ALLRED, CLERK/RECORDER BY <i>[Signature]</i> DEPUTY</p> <p>(stamp here)</p>	<p>(stamp here)</p>

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 or 21152 of the Public Resources Code

STATE CLEARINGHOUSE NUMBER: SCH# 2013042054

PROJECT TITLE:	SOUTHEAST POLICY AREA STRATEGIC PLAN EIR ADDENDUM (EG-18-017)
PROJECT APPLICANT:	Souza Elk Grove, LLC c/o Kamilos Holdings I 11249 Gold Country Boulevard, Ste. 190 Gold River, CA 95670
PROJECT LOCATION:	Elk Grove California, Sacramento County
ASSESSOR'S PARCEL NUMBER(S)	132-0320-006
PROJECT DESCRIPTION:	The Project consists of an Addendum to the certified Environmental Impact Report (EIR) for the Southeast Policy Area (SEPA) Strategic Plan involving text changes to the EIR and adopted Mitigation Monitoring and Reporting Program.

This is to advise that on June 27, 2018, the City of Elk Grove City Council has approved the above described project and has made the following determinations regarding the above described project.

The SEPA Special Plan Area was approved and an EIR certified by the City Council on July 9, 2014 (State Clearinghouse No. 2013042054). In conjunction with the certification of the EIR a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Specific Plan.

Section 15164 of the State CEQA Guidelines describes the conditions under which an Addendum to a previously certified EIR is appropriate. These conditions are as follows:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR.
- (d) The decision making body shall consider the addendum with the final EIR prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Pursuant to section 15164(a) above, the Addendum was reviewed against CEQA Section 15162 which describes the situations when a Subsequent EIR (SEIR) should be prepared. These conditions include:

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

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JUN 29 2018

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BY  DEPUTY

None of the aforementioned conditions calling for the preparation of an SEIR are met.

The Addendum to the SEPA EIR evaluates text changes to the EIR and its Mitigation Monitoring and Reporting Program. These text changes provide an additional option to mitigate for the loss of Swainson's hawk foraging habitat at the Van Vleck Ranch pursuant to EGMC Section 16.130.110 which reserves for the City Council the ability to consider and approve means of mitigating significant impacts on Swainson's hawk foraging habitat other than those prescribed mitigation standards contained in EGMC Section 16.130.040. Staff finds that the conditions A through E of State CEQA Guidelines section 15164 are met, therefore the Addendum prepared to the SEPA EIR is the appropriate environmental review document.

This is to certify that the Environmental Impact Report is available to the General Public at: City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE
Development Services - Planning

By: 

Antonio Ablog
916.627.3335

Date: June 29, 2018

Attachments:

Copy – EIR Notice of Determination Filing (SCH #2013042054) July 15, 2014

ENDORSED
SACRAMENTO COUNTY

JUN 29 2018

DONNA ALLRED, CLERK/RECORDER
BY  DEPUTY

Sacramento County
Donna Allred, Clerk/Recorder
(916) 874-6334

Receipt#: 000211265
6/29/2018 10:32:51 AM
Order#: 20180096687 BAM

Description	Amount
Professional Filings	\$40.00

EIR Processing Fee	\$40.00
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Total Amount Due	\$40.00
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Payments:	
Check# 4769	\$40.00

We Appreciate Your Business
Have a Nice Day!
Please keep for your reference

COPY



City of Elk Grove NOTICE OF DETERMINATION

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SACRAMENTO COUNTY

JUL 28 2014

DAVID VILLANUEVA, CLERK/RECORDER
BY [Signature] DEPUTY

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SUBJECT: **Filing of Notice of Determination in compliance with Section 21152 or 21152 of the Public Resources Code**

STATE CLEARINGHOUSE NUMBER: SCH#2013042054

PROJECT TITLE: Southeast Policy Area Special Planning Area

PROJECT APPLICANT: City of Elk Grove

PROJECT LOCATION: West of State Route 99, east of Big Horn Boulevard and Bruceville Road, south of Bilby Road and Poppy Ridge Road, and north of Kammerer Road Elk Grove California, Sacramento County

ASSESSOR'S PARCEL NUMBER(S): Various

PROJECT DESCRIPTION: The proposed Southeast Policy Area Strategic Plan Project includes a Community Plan and Special Planning Area for an approximately 1,200-acre area in the southern portion of the City of Elk Grove. The Project is an employment-oriented development with a goal to provide a community that supports and encourages the development of employment uses, but also includes residential land uses. The Project would allow for the development of approximately 7.8 million square feet of employment-generating uses; 4,790 residential units in various densities; and acreage for schools, parks, and infrastructure, such as road right-of-way and storm drainage facilities. The proposed Project would generate approximately 23,410 jobs and a population of approximately 17,000

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SACRAMENTO COUNTY

JUN 29 2018

DONNA AZLRED, CLERK/RECORDER
BY [Signature] DEPUTY

This is to advise that on July 9, 2014, the City of Elk Grove City Council has approved the above described project and has made the following determinations regarding the above described project.

- The project will not have a significant effect on the environment.
- A ~~Mitigated Negative Declaration~~ ^{Environmental Impact Report} has been prepared and adopted for this project pursuant to the provisions of CEQA.
- Mitigation measures were made a condition of approval of this project.
- A Mitigation Monitoring and Reporting Plan was adopted for this project.
- Findings were made pursuant to the provisions of the California Environmental Quality Act (CEQA).

This is to certify that the Environmental Impact Report is available to the General Public at: City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

ENDORSED
SACRAMENTO COUNTY

JUL 15 2014

DAVID VILLANUEVA, CLERK/RECORDER
BY [Signature] DEPUTY

CITY OF ELK GROVE
Development Services - Planning

By: [Signature]
Christopher Jordan (916) 478-2222

Date: 7/9/2014

ENDORSED
SACRAMENTO COUNTY

JUL 28 2014

DAVID VILLANUEVA, CLERK/RECORDER
BY [Signature] DEPUTY

REC'T # 0008278377
July 15, 2014 --- 11:28:10 AM

Sacramento County Recorder
David Villanueva, Clerk/Recorder

ENDORSED
SACRAMENTO COUNTY

JUN 29 2018

DONNA ALFRED, CLERK/RECORDER
BY [Signature] DEPUTY

Check Number 9468
REC'D BY
State Fees \$3,029.75
CLERKS \$26.00
Total fee \$3,055.75
Amount Tendered... \$3,055.75
Change \$0.00
DNB:SB/L/O