

**Capital SouthEast Connector
Joint Powers Authority**

**Capital SouthEast Connector Project Final
Program Environmental Impact Report**

*Findings of Fact
& Statement of
Overriding Considerations*

**Prepared by the
Capital SouthEast Connector Joint Powers Authority**

March 2012

**FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE PROGRAM ENVIRONMENTAL IMPACT REPORT
for the
Capital SouthEast Connector Project
Final Program Environmental Impact Report**

I. INTRODUCTION

A. Purpose of CEQA

The California Environmental Quality Act (“CEQA”), Public Resources Code § 21000, et seq., generally requires that no public agency shall approve or carry out a project which identifies one or more significant effects on the environment that would occur if the project is approved, unless the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. Public agencies must also take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project.

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

Once an EIR has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified area of impact:

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

B. Program Environmental Impact Report (“EIR”)

A Program EIR has been prepared by the Capital SouthEast Connector Joint Powers Authority (“JPA”) to evaluate the proposed Connector Project,¹ and to allow the Connector JPA’s Board of Directors to select a General Alignment and preserve right-of-way.

A Program EIR is an environmental document that allows an agency to consider broad topics such as general location, mode choice, area-wide air quality and land use, and other environmental issues that may be regionally significant at an early stage of project development. A Program EIR also provides a framework for future environmental analyses, such as a Project EIR, which would be prepared at a later stage to focus on a narrower geographical area (such as a specific roadway alignment) and additional details available at the project level. Specific analysis of site-specific impacts is not the intended use of a Program EIR, as many elements of the Project are not defined to a level that would allow for such analysis.

The EIR for the Capital SouthEast Connector Project (“Connector Project”) identifies significant effects on the environment that may occur as a result of the Project. In accordance with CEQA Guidelines, the Connector JPA is adopting the Mitigation Monitoring and Reporting Program (“MMRP”) to report on and/or monitor the mitigation measures incorporated to avoid or substantially lessen significant environmental effects.

This Program EIR will assist the Connector JPA’s member jurisdictions in future project-level environmental reviews. The MMRP includes mitigation measures that should be incorporated into the project-level environmental documentation.

C. Overview of the Project and Alternatives Reviewed

At this time, the Connector JPA is selecting and preserving a corridor (“General Alignment”) for the future construction of the Connector Project, a roadway improvement project linking Interstate 5 in Elk Grove, State Route 99 in Elk Grove, and US Highway 50 in El Dorado Hills. This action will allow local government agencies to take steps to preserve land within the selected corridor for the construction of the Connector Project in the future.

The planning for the Connector Project involves two phases: (1) the present action selecting a General Alignment; and (2) the future project design and selection of a precise alignment within the General Alignment. As stated, the action being taken at this time involves only the selection of a General Alignment to preserve. Physical impacts will occur later, with the construction and operation of the future Connector Project. Because future construction and operation of the Connector Project is a reasonably foreseeable effect of the preservation of the General Alignment, the EIR also addresses the potential effects of construction and operation of the future roadway. This discussion of the roadway is limited, however, because only the general concepts of the roadway design and location are known at this time. As a result, these findings reflect the level of analysis, impact identification, and mitigation appropriate to a Program EIR.

¹ The Connector Project is a regional transportation beltway/expressway to connect Interstate 9, State Route 99, and Highway 50, as described in more detail below.

Throughout this document, the terms “Proposed Project,” “Connector Project,” and “Project,” are used to refer to the selection and preservation of the General Alignment. Where appropriate, these terms also refer to the ultimate Connector Project that will be constructed.

1. Description of Proposed Project

Project Components and Locations

The Proposed Project includes improvements to the following segments along the 35-mile-long project corridor, consistent with the Connector JPA’s joint powers agreement, as follows:

- a new four-lane expressway segment from the I-5/Hood Franklin Road interchange, east along an extension of Kammerer Road to the existing Kammerer Road/Bruceville Road intersection, with at-grade signalized intersections (spaced at a minimum of one mile apart) at Franklin Boulevard, Willard Parkway and Bruceville Road. These intersections would be converted to grade-separated interchanges as required by traffic volumes and LOS conditions;
- a four- to six-lane thoroughfare segment east on Kammerer Road from its intersection with Bruceville Road to the SR 99 interchange, and then northeast on Grant Line Road to its intersection with Bond Road, with at-grade signalized intersections spaced 0.5 mile apart where feasible, and including two potential bypasses of Kammerer Road as described in Section S.5.5 of the Draft EIR;
- a Reduced Access Roadway segment on Grant Line Road from its intersection at Bond Road to its intersection at Calvine Road, as described in section 2.5.5.2 of the Draft Program EIR;
- a four- to six-lane expressway segment on Grant Line Road from its intersection with Calvine Road to White Rock Road, and on White Rock Road from Grant Line Road to the Sacramento County/El Dorado County line, with directional grade-separated interchanges at most major cross streets when warranted by LOS conditions;
- a four- lane thoroughfare segment on White Rock Road from the Sacramento County/El Dorado County line to Latrobe Road, and a six-lane thoroughfare segment from Latrobe Road to the US 50/Silva Valley Parkway interchange; and
- a full-length in-corridor multi-use path for non-motorized travel and multi-modal facilities, including Class I, II, and III Bike lanes throughout the Project corridor, depending on the design.

As stated above, the final design and location of any portion of the Connector Project is not being adopted at this time. However, the ultimate right-of-way for the Connector Project is anticipated to vary in width from approximately 100 to 200 feet along the roadway segments, with slight increases for certain larger intersections/interchanges, and it is anticipated that most of the improvements in the project corridor would occur on the centerline of existing and

planned roadways.² The adoption of the General Alignment will allow for project level design and placement of the Project within the selected corridor to avoid resources and structures to the maximum extent possible.

As this is a Program-level EIR, the design assumptions of the Proposed Project in the EIR, such as expressway or thoroughfare designations, design speeds, number of interchanges, interchange design, etc., were not intended to define the Project, but are assumptions used to establish the general scope of the Project and to estimate the potential impacts of the Project.

Transit Services and Facilities

The Connector JPA has adopted transit policies, as part of its Integrated Modes Policy, to provide capital funding for cost-effective transit facilities along the project alignment and to provide funding for strategic, cost-effective capital improvements on routes parallel to the project alignment that can demonstrate strong potential for high-use service. As such, the proposed project includes considerations for expanded transit service in the project area. In the future, the project design may accommodate intersection signal priority (“queue jumps”), park-and-ride lots, and other transit-related components, which would be defined and implemented in a phased manner, consistent with development and ridership growth trends.

Off-Corridor Multi-Use Path Alternative Studied

As an alternative to constructing an enhanced in-corridor multi-use path included in the proposed project, the Program EIR studied an off-corridor trail in coordination with local park jurisdictions. The Off-Corridor Multi-Use Path would link existing disconnected trail segments in the study area. Segments of a Class I multi-use path off the project corridor would be constructed along Laguna Creek, the Folsom South Canal, and Alder Creek to complete the off-corridor trail. The off-corridor multi-use path alternative is described further in Chapter 2 in the Draft PEIR.

Project Options Studied

Several Project “Options” were considered as alternatives to various segments along the proposed corridor. These “Options” would provide alternative alignments to the Proposed Project along Kammerer Road south of Elk Grove and along Grant Line Road through the community of Sheldon. The following Options were evaluated in the Draft PEIR:

- Kammerer Road Bypass Option,
- Deer Creek Causeway Options, and
- Sheldon High Access Roadway Option.

Bradshaw and Sunrise Alignment Alternatives Studied

In addition to the Project Option alternatives, a Bradshaw Road alignment and a Sunrise Boulevard alignment were studied as alternative alignments to portions of the Proposed Project along Grant Line Road.

² The adopted General Plans for the cities of Elk Grove, Folsom, and Rancho Cordova, and the counties of El Dorado and Sacramento currently include the expansion of existing roadways in the proposed project corridor as part of the transportation improvements expected during the planning horizon for each General Plan.

D. History of Project Environmental Review

Over the last 28 years, a number of transportation studies have been performed in Sacramento County relating to the Connector Project. In 1984, Sacramento County conducted an East Area Transportation Study, which identified a need for a circumferential “beltway” to accommodate increasing development, population, and transportation demands. This “beltway” became the focus of a feasibility study conducted by the Sacramento Area Council of Governments³ (SACOG) in 1985. SACOG also conducted the Metro Study, a study of transportation system improvements for 2010, which identified the need for a multi-modal corridor starting at I-80 near Roseville in Placer County, and connecting to US 50 in eastern Sacramento County and SR 99 and I-5 near Elk Grove in southern Sacramento County.

The Metropolitan Transportation Plan (MTP)⁴ 2025, adopted in 2002, included a project in the corridor area designated as the “Elk Grove-Rancho Cordova-El Dorado Connector.” A study of the Connector Project was initiated in 2004 to gather input from a wide range of stakeholders on the purpose and need for the project, and project alternatives to be considered in a future environmental review process. This study culminated in a final concept plan report which was approved by the SACOG Board of Directors in May 2005. The Blueprint Scenario for 2050⁵, adopted in 2004, also includes the Connector Project in the transportation system created with for purposes of identifying the basic connections between the land use pattern and transportation system performance. In 2008, the current MTP 2035 was adopted, which implemented the Blueprint principles, and included the Connector Project. The Connector Project is described in the current MTP 2035 as a four to six lane project, consistent with this Program EIR.

In 2004, the voters of Sacramento County also renewed Measure A,⁶ a countywide 0.5% sales tax, which included funding for the planning and construction of the Connector Project,

³ The Sacramento Area Council of Governments (SACOG) is an association of local governments in the six-county Sacramento Region. Its members include the counties of El Dorado, Placer, Sacramento, Sutter, Yolo and Yuba as well as 22 cities, including Elk Grove, Folsom, and Rancho Cordova. SACOG, as the designated Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) provides transportation planning and funding for the region, and serves as a forum for the study and resolution of regional issues. As the designated MPO for the six-county region, SACOG must develop the federally required MTP and the new state-required Sustainable Communities Strategy (SCS) in coordination with the 22 cities, six counties, and other partner agencies in the greater Sacramento region.

⁴ The MTP is a regional transportation plan with a minimum planning horizon of 20 years. Any transportation project in the six-county region using federal funding must be included in the MTP. The MTP must conform to air quality goals for the region, satisfy financial constraints such that all transportation projects can be reasonably funded, and undergo extensive public review.

⁵ The Blueprint Scenario for 2050, adopted by the SACOG in December 2004, serves as a framework to guide local government in growth and transportation planning through 2050. It is also part of the MTP 2035. The Blueprint is a plan for growth that promotes compact, mixed-use development and more transit choices as an alternative to low density development.

⁶ In passing Measure A, the voters imposed a countywide one-half percent sales tax to be levied over a 20-year period (1989-2009), and established the Sacramento Transportation Authority. A “New” Measure A was placed on the November 2004 ballot to renew the Measure for 30 more years after the original measure expires. Voters

identified in the Measure as the “I-5/SR99/US50 Connector.” Measure A was approved by more than 75% of the voters.

In December 2006, the cities of Rancho Cordova, Elk Grove, and Folsom, and the counties of Sacramento and El Dorado established the Elk Grove – Rancho Cordova – El Dorado Connector Authority, now known as the “Capital SouthEast Connector Joint Powers Authority (Connector JPA),” to provide for the coordinated acquisition, planning, designing, financing, construction, operation, and maintenance of the “Connector Project.”

Since its creation, the Connector JPA has been working toward the completion of Phase I work – the approval of a General Alignment for the Connector Project.⁷ These efforts have included monthly Project Development Team (PDT) meetings between staff from each of the member jurisdictions, Connector JPA staff, and the environmental review consultant team. At the Board’s direction, staff also undertook the Sheldon Visioning Process⁸ to evaluate Project options through the Sheldon community. Staff has also held meetings, with numerous stakeholder groups, including the Four Season group in El Dorado Hills. Staff has also held a number of public meetings and circulated environmental review documents, as described in section II.A., below.

E. Baseline for Analysis of Project Impacts – Existing Conditions

For the purposes of determining the impacts of the Proposed Project in this EIR, the “baseline” conditions are the physical conditions along the SouthEast Connector alignment as they existed in 2008, not predicted future conditions. The 2008 data was used to estimate existing conditions based on standard modeling techniques for each impact. The estimated existing conditions are compared to the existing conditions with the Project to determine the whether the Project would significantly impact the existing environment. (DEIR, pp. 4-18, 4-19, 7-1, 7-2, 12-8, 12-9, 16-1, 16-2; FEIR, p. 2-176 to 2-181.)

This approach is consistent with the recent appellate court decision in *Sunnyvale West Neighborhood Association v. City of Sunnyvale*, and provides a significance determination for

overwhelmingly approved the Measure in 2004. The “New” Measure A took effect April 2009, and included the Connector Project. The proceeds of the Measure A tax are used to fund a comprehensive program of roadway and transit improvements, including the Connector Project, which was a flagship project identified in the Measure as the “I-5/SR99/US50 Connector.” The “New” Measure A also includes \$15 million in funding for open space preservation or other mitigation related to the Connector Project.

⁷ The Joint Powers Agreement establishing the Connector JPA states that the JPA shall not proceed with any identifiable portion of the Connector Project within a member agency’s jurisdictional boundary, except for actions necessary to approve and adopt all necessary environmental documents and the General Alignment, until the General Alignment has been approved by the legislative body of the member agency. The “General Alignment” is defined as the proposed location of the Connector Project, intended to be within approximately 1,000 feet of the actual alignment constructed.

⁸ The Sheldon Visioning Process was an extensive outreach and planning process undertaken by the JPA to examine alignment options through the Sheldon community. The Visioning Process included a number of public workshops in the Sheldon community.

each impact based on the change from existing conditions. (*Sunnyvale West Neighborhood Association v. City of Sunnyvale* (2010) 190 Cal.App.4th 1351.) Since the *Sunnyvale West* decision, two additional appellate court decisions have also addressed questions regarding the appropriate CEQA baseline: *Madera Oversight Coalition, Inc., v. County of Madera* (2011) 199 Cal.App.4th 48, and *Pfeiffer v. City of Sunnyvale*, 2011 WL 5845009 (Cal.App. 6th Dist.) (Nov. 22, 2011).

Because the existing conditions analysis does not include other infrastructure and background growth unrelated to the Proposed Project that will impact the area by the time the Proposed Project is constructed and operational, the resulting significance determinations for certain impacts may be overstated.

The EIR does not ignore the potential impacts of the Project that would occur under the “future-with-project” conditions. The “future-with-project” conditions include foreseeable changes and expected future conditions as necessary to understand the Project’s impacts over time, including its cumulative impacts. The study of these conditions evaluates the Project’s contribution to cumulative environmental effects, in connection with other anticipated projects. These impacts are discussed as necessary in chapters 3 through 16 of the Draft EIR to understand the Project’s impacts over time (particularly with regard to Air Quality and Traffic Impacts), and in more detail in the cumulative impact discussion found in Chapter 18 (“Cumulative and Growth Inducing Impacts”). (FEIR, Volume II, pp. 4-19, 4-20, 7-1, 7-2, 12-7, 12-8, 16-1, 16-2.)

II. FINDINGS REQUIRED UNDER CEQA

A. Procedural Findings

The Connector JPA determined that the Project may have a significant effect on the environment and prepared a program environmental impact report (“PEIR”) on the Project. The PEIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.*, the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), as follows:

- a. A Notice of Preparation (NOP) of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and each federal agency involved in approving or funding the Project on February 1, 2010, and was circulated for public comments from February 1, 2010, to March 17, 2010. The NOP, Scoping Report, and Comments received have been included in the Draft EIR as Appendix A.
- b. Combined public information and agency scoping meetings were held on February 23, 2010, at the El Dorado Hills Library, El Dorado Hills, February 24, 2010, at Rancho Cordova City Hall, Rancho Cordova, March 1, 2010, at the Sacramento County Agricultural Extension Auditorium, Sacramento, March 3, 2010, at Elk Grove City Hal, Elk Grove, and March 8, 2010, at the Folsom Community Center, 52 Natoma Street, Folsom.

- c. A Notice of Completion (NOC) and copies of the Draft PEIR were distributed to the Office of Planning and Research on March 14, 2011, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- d. Although an official forty-five (45) day public comment period is required and established by the Office of Planning and Research, the Connector JPA opted for a sixty (60) day public comment period for the Draft EIR. The public comment period began on March 14, 2011, and ended on May 13, 2011.
- e. A Notice of Availability (NOA) of the Draft PEIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the Connector JPA had completed the Draft PEIR and that copies were available at the Connector JPA Office; City of Elk Grove Planning Counter; City of Rancho Cordova Planning Department; City of Folsom Planning Counter; El Dorado County Planning Department; Sacramento County Public Information Counter. The letter also indicated that the official sixty day (60) public review period for the Draft PEIR would end on May 13, 2011. The NOA was posted at Elk Grove City Hall, Rancho Cordova City Hall, Folsom City Hall, El Dorado Hills Library, and the Sacramento County Administration Building, and was posted on the JPA's website, as well as the websites of each member jurisdiction.
- f. Five public meetings were held by the Connector JPA to present information and answer questions on the Draft PEIR. The meetings were held April 12, 2011, at the William Brooks Elementary School in El Dorado Hills, April 13, 2011, at the Rancho Cordova City Hall, April 14 2011 at the Elk Grove City Hall, April 19, 2011, at the Sacramento County Agricultural Extension Auditorium in Sacramento, and April 20, 2011, at the Folsom Community Center in Folsom. Approximately 6,000 post cards were mailed out and distributed at locations in the vicinity of the Project to announce the availability of the Draft EIR, and to provide specific information on the public meetings. The public meetings were also publicized in the Sacramento Bee, Elk Grove Citizen, Grapevine-Independent, Folsom Telegraph, and Village Life.
- m. Following closure of the public comment period, all comments received on the Draft PEIR during the comment period, Connector JPA's written responses to the significant environmental points raised in those comments, and additional information added by JPA were added to the Draft PEIR to produce the Original Final PEIR.
- n. Original Final EIR: The Original Final EIR was released on July 19, 2011. The Final EIR consists of the following documents:

- Draft Program EIR for the Capital SouthEast Connector Project (including Appendices A through J), dated March 2011;
- Final EIR (including Comments and Responses to Comments on the Draft Program EIR, Changes and Errata to the Draft EIR, and the Additional Changes and Errata to the PEIR (dated August 12, 2011)).

As required by Section 15088(b) of the State CEQA Guidelines, public agencies that commented on the Draft PEIR were provided at least 10 days to review the proposed responses to their comments prior to the date for consideration of the Final PEIR for certification.

- o. A hearing was held on August 12, 2011, at which time the Conector JPA's Board of Directors certified the Final EIR.
- p. The Board of Directors of the Connector JPA adopted the necessary findings of fact, mitigation monitoring plan, and the General Alignment on October 14, 2011.
- q. On December 9, 2011, the Board of Directors rescinded its certification of the Original Final EIR and its approval of the general alignment, and directed staff to revise and recirculate the Draft EIR as necessary.
- r. Chapters 16 and 18 of the Draft EIR were revised to provide clarification on the project's traffic impacts when compared to existing conditions in light of recent appellate court decisions on the appropriate baseline for transportation projects, and to include a new significant and unavoidable indirect impact related to the conversion of agricultural lands.
- t. A Notice of Availability (NOA) of the Revised Chapters 16 and 18 of the Draft PEIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the Connector JPA had completed the Revised Chapters 16 and 18 of the Draft PEIR, and that copies were available at the Connector JPA Office; City of Elk Grove Planning Counter; City of Rancho Cordova Planning Department; City of Folsom Planning Counter; El Dorado County Planning Department; and Sacramento County Public Information Counter. The letter also indicated that the public review period for the Revised Chapters 16 and 18 of the Draft PEIR would end February 1, 2012. The NOA was posted at Elk Grove City Hall, Rancho Cordova City Hall, Folsom City Hall, El Dorado Hills Library, and the Sacramento County Administration Building, and was posted on the JPA's website.
- u. Public comments on the Revised Chapters 16 and 18 of the Draft EIR were received at a public hearing on January 13, 2012.
- v. JPA staff met with staff from its member jurisdictions on February 28, 2012, to discuss the Final EIR.

- w. Following closure of the public comment period, all comments received on the Revised Chapters 16 and 18 of the Draft PEIR during the comment period, the Connector JPA's written responses to the significant environmental points raised in those comments, and additional information added by JPA, was added to the Draft PEIR to produce a Final PEIR.
- x. The Final EIR, dated February 2012, consists of the following documents:
 - Volume I – Comments received in response to the Draft EIR during the initial comment period from March 14, 2011, and May 13, 2011, and all responses to comments, as well as all additional revisions made in response to comments received during the comment period on the Revised Chapters 16 and 18 of the Draft EIR. Chapter 3 of this volume also reflects revisions to the Draft EIR based on the adoption of Sacramento County General Plan Update in November 2011, and the Folsom SOI Area Specific Plan, adopted November 8, 2011
 - Volume II – Revised Draft PEIR reflecting all changes shown in Volume I
 - Volume III - Appendices A through J;
- y. A hearing to certify the Final EIR was held on March 7, 2012, to certify the Final EIR, adopt the necessary findings of fact and statement of overriding considerations, adopt a mitigation monitoring and reporting program, and to approve a General Alignment for the Connector Project.

B. Record of Proceedings

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e). The record of proceedings for Connector JPA's decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- All environmental documents prepared in compliance with CEQA, public notices, public review comments, and supporting reports that were received or were prepared for the proposed Capital SouthEast Connector Project, together with all documents that the CEQA documents relied upon or incorporated by reference.
- All relevant, non-privileged, staff reports, memoranda, maps, letters, meeting minutes, or other documents that were prepared for, or received by, the Connector JPA which are available to the public in accordance with the California Public Records Act, and all documents cited or referred to therein.
- Matters of common knowledge to the Connector JPA, including all references cited in the Draft and Final EIR, but not limited to:

- 1) MTP 2035 (Sacramento Area Council of Governments 2008) and the accompanying EIR;
 - 2) Folsom General Plan (City of Folsom 1993) and the accompanying EIR;
 - 3) Rancho Cordova General Plan (City of Rancho Cordova 2006a) and the accompanying EIR;
 - 4) Elk Grove General Plan (City of Elk Grove 2009) and the accompanying EIR;
 - 5) El Dorado County General Plan (El Dorado County 2004) and the accompanying EIR;
 - 6) Sacramento County General Plan (Sacramento County 2011) and the accompanying EIR;
 - 7) Folsom General Plan Update, Folsom South of U.S. Highway 50 Specific Plan (City of Folsom 2011) and the accompanying EIR, and SACOG's draft planning scenarios for the MTP 2035 Update, and the accompanying EIR.
 - 8) All other land use policies, ordinances, and regulations of the Connector JPA's member jurisdictions, and the accompanying EIRs;
 - 9) Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004;
 - 10) Sacramento County Ballot Measure A, November 2, 2004, including Impartial Analysis and Ballot Arguments in Favor and Against Measure A, and Rebuttal Arguments;
- Other formally adopted laws, ordinances, and policies, including, but not limited to § 65000 of the California Government Code, known unofficially as the Planning and Zoning laws.
 - Sources of information relied upon in the Draft and Final EIRs for the Project, as listed in such documents, and as maintained in the files of JPA.
 - Any documents expressly cited in these findings, in addition to those cited above.
 - Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to Guidelines section 15091(e), the administrative record of these proceedings is located, and may be obtained from the Capital SouthEast Connector JPA, 10640 Mather Boulevard, Suite 120, Mather, CA 95655.

C. Findings on Environmental Impacts

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

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (bb); see also Pub. Resources Code, § 21081, subd. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* ("Laurel Heights I") (1988) 47 Cal.3d 376, 400-403.)

In these Findings, Connector JPA first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable, does Connector JPA address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); *see also*, CEQA Guidelines, Sections 15093, 15043, subd.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the Connector JPA identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound

discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

These findings constitute the Connector JPA’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the Final PEIR are feasible and have not been modified, superseded or withdrawn, the Connector JPA 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 Connector JPA adopts a resolution approving the Project. These findings also contain references to the mitigation measures outlined in the Final PEIR and in the Mitigation Monitoring and Reporting Program (“MMRP”). Certain mitigation measures have been summarized in these findings, due to their length. These are identified as a “Summary of Mitigation Measure,” along with an abbreviation such as POP-1 or AQ-1. The full text of each mitigation measure can be found in the Final PEIR and the MMRP, and the full text of a mitigation measure is incorporated in full herein by the reference to the mitigation measure in these findings.

The Draft EIR identified a number of beneficial, significant, and potentially significant environmental effects (or “impacts”) that the Capital SouthEast Connector Project will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. Some of these unavoidable significant effects can be substantially lessened by the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section VI *infra*, however, Connector JPA has determined that the significant, unavoidable effects of the Project are outweighed by overriding economic, social, and other considerations.

1. Aesthetics

Additional Information on the Aesthetics Impacts of the proposed Capital SouthEast Connector is set forth in the Final PEIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Joint Powers Authority are as follows:

Impact AES-1: Adverse Effect on a Scenic Vista

Although there are no designated scenic highways that would be affected by the project, Sacramento County identifies Scott Road and SR 99 as local scenic corridors. The project would change the visual character of some of Scott Road through temporary construction activities and increasing the dominance of Grant Line Road. This however, would not substantially change the scenic character of most of Scott Road. Regarding scenic vistas, the project improvements would consist of at-grade facilities and the long-range views

currently experienced by motorists, residents, and workers would not be affected by the project. Construction of interchanges and elevated roadway segments could result in view blockage of distant natural features; however, because of the rural character of most of the project corridor, the number of affected viewers would be minimal. The overall impact of the project on scenic vistas would be minimal and is considered less than significant (FEIR, Volume II, pp. 3-13, 3-20)

Finding on Significance of Impact: Based on the analysis contained within the Final PEIR, other considerations in the record, and the impact evaluation criteria, the Connector JPA finds that the Project has no significant impact on a scenic vista. Because the impact within the Project area is expected to be less than significant, no mitigation measures are required (FEIR, Volume II, pp. 3-13, 3-20)

Impact AES-2: Damage to Scenic Resources or Degradation of Existing Visual Character or Quality of Project Area and Surroundings

The project would alter the visual character of the aesthetics study area by introducing major roadway segments and increasing the visual dominance of paved surfaces. However, the continuity of the new roadways would result in a more unified visual quality. The improvements would increase the visual dominance of Grant Line Road through Sheldon, slightly detracting from the unique rural character and unity of Sheldon, but the unique commercial buildings and well-tended residential areas are expected to remain. Construction activities would also be highly visible and could temporarily affect grassland, agricultural lands, stream crossings, and similar features that could contribute to visual quality in the aesthetics study area. The overall impact of the project on scenic resources and visual character and quality would be temporary and/or minimal and is considered less than significant. (FEIR, Volume II, p. 3-15, 3-20)

Finding on Significance of Impact: Based on the analysis contained within the Final PEIR, other considerations in the record, and the impact evaluation criteria, the Connector JPA finds that the Project has no significant impact on scenic resources and visual character, and no mitigation measures are required. (FEIR, Volume II, pp 3-15, 3-20)

Impact AES-3: New Source of Substantial Light or Glare That Adversely Affects Daytime or Nighttime Views

The project could introduce new or enhanced street lighting into rural areas, which would alter the existing nighttime aesthetic and create new sources of light and glare. The impact would be substantial and is considered significant. (FEIR, Volume II, p. 3-15)

Finding on Significance of Impact: Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Connector

JPA finds that the impact of glare on the nighttime aesthetic is expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Proposed Mitigation Measure AES-1: Prepare and Implement a Construction Lighting Plan

During the design of the project improvements, the Connector JPA or individual jurisdictions will prepare and implement a plan for construction lighting that minimizes the release of light and glare either upward or toward properties and residences adjoining the construction site. (FEIR, Volume II., p. 3-15)

Summary of Proposed Mitigation Measure AES-2: Conform to Lighting Design Standards

Operational lighting of the project will be designed for safety and will include features that minimize the release of light and glare either upward or toward properties and residences adjoining the project corridor. (FEIR, Volume II., p. 3-16)

Findings on Proposed Mitigation:

The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effects associated with the Project. The use full cutoff luminaires and external shields will minimize light trespass onto neighboring properties during nighttime construction activities. Also, lighting design that will conform to all applicable County, State, Federal, and public safety standards, as appropriate will reduce impacts related to nighttime sources of light and glare. Therefore, these aesthetic impacts would be reduced to less than significant. (FEIR, Volume II., pp. 3-15,3-16, 3-21)

Impact AES-4: Temporary Alteration of Visual Character of the Project Area and Surroundings.

During construction, large equipment and construction activities would be highly visible and would detract from the rural and agricultural setting of much of the project area. However, this condition would be temporary in nature and is considered less than significant. In addition, construction activities during nighttime hours could result in temporary increases in light and glare. The impact would be substantial and is considered significant. Implementation of Mitigation Measures AES-1 and AES-2 (see Impact AES-3 above) would reduce the impact of light and glare to a less-than-significant level. (FEIR, Volume II., p. 3-16, 3-21)

Findings on Proposed Mitigation: The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effects associated with the Project. Lighting design that will conform to all applicable County, State, Federal, and public safety standards, as appropriate will also reduce impacts related to nighttime sources of light and glare. Therefore, these aesthetic impacts would be reduced to less than significant. (FEIR, Volume II., p. 3-15 and 3-16; 3-21)

2. Air Quality and Climate Change Impacts

Additional Information on Air Quality and Climate Change Impacts of the proposed Capital SouthEast Connector is set forth in the Final PEIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, letters and testimony from SMAQMD, and the potential impacts identified in the Final EIR, the findings of the Joint Powers Authority are as follows:

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan

The proposed project would not conflict with the planning assumptions in the Sacramento County, El Dorado County, Elk Grove, Rancho Cordova, and Folsom General Plans and is generally consistent with MTP 2035. Therefore, the proposed project is not considered to conflict with the growth projections or emissions analyses assumed by MTP 2035 and would not conflict with or obstruct implementation of the applicable air quality plan. This impact is considered less than significant. (FEIR, Volume II., pp. 4-23, 4-38.)

Finding on Significance of Impacts: Based on the analysis contained within the Final PEIR, other considerations in the record, and the impact evaluation criteria, the Connector JPA finds that the Project has no significant impact on applicable air quality plan(s), and no mitigation measures are required.

Impact AQ-2: Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation

Construction activities could temporarily increase emissions. This would be a significant impact. (FEIR, Volume II., p. 4-24.) In addition, long-term air quality impacts associated with motor vehicles operating on the roadway would result in a net increase in all criteria pollutants with the SMAQMD and exceed its significance threshold. Criteria pollutants are not expected to exceed EDAPCD's significance threshold. These increases are attributable to increased VMT induced by construction of the new roadway. This would be a significant and unavoidable impact. (FEIR, Volume II., pp. 4-31, 4-32, 4-39.)

Finding on Significance of Impact: The Connector JPA finds that the impact of violations of air quality standards is expected to be significant. The mitigation proposed to avoid the Project's impact to air quality would, in the case of construction emissions, reduce the impact to a less-than-significant level. However, no mitigation is available to render the effects less than significant in the case of operational emissions. Therefore, this impact is significant and unavoidable. (FEIR, Volume II., p. 4-32)

Summary of Mitigation Measure AQ-1: Implement SMAQMD Basic and Enhanced Construction Emission Control Practices to Reduce Fugitive Dust

The Connector JPA or local agency will require, as a standard or specification of their contract, the construction contractor(s) to implement basic and enhanced control

measures to reduce construction-related fugitive dust. Although the following measures are outlined in the SMAQMD's CEQA guidelines, they are required for the entirety of the construction area, including the segment within the EDCAPCD. The JPA or local agency will ensure through contract provisions and specifications that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures. (FEIR, Volume II,, p. 4-25.)

Mitigation Measure AQ-2: Limit Maximum Daily Disturbed Area to 15 Acres

The Connector JPA or local agency will require, as a standard or specification of their contract, that the construction contractor(s) limit the maximum daily disturbed area to 15 acres or 1,800 centerline feet (based on an assumed width of 360 feet) per day. Although this measure is outlined in the SMAQMD's CEQA guidelines, it is required for the entirety of the construction area, including the segment within the EDCAPCD. The JPA or local agency will ensure through contract provisions and specifications that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures. (FEIR, Volume II,, p. 4-26.)

Summary of Mitigation Measure AQ-3: Implement SMAQMD Basic Construction Emission Control Practices to Reduce NO_x Emissions

The Connector JPA or local agency will require, as a standard or specification of their contract, that the construction contractor(s) implement basic control measures to reduce NO_x emissions from diesel-powered construction equipment. Although the following measures are outlined in SMAQMD's CEQA guidelines, they will be required by the SMAQMD and EDCAPCD for the entirety of the construction area. The JPA or local agency will ensure through contract provisions and specifications that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures. (FEIR, Volume II,, p. 4-27.)

Summary of Mitigation Measure AQ-4: Implement SMAQMD Enhanced Construction Emission Control Practices to Reduce NO_x Emissions

The Connector JPA or local agency will require, as a standard or specification of their contract, that the construction contractor(s) implement enhanced control measures to reduce NO_x emissions from diesel-powered construction equipment. The following measures are outlined in SMAQMD's CEQA guidelines and are required for the entirety of the construction area, including the segment within the EDCAPCD. The JPA or local agency will ensure through contract provisions and specifications that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures. (FEIR, Volume II,, p. 4-27.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts during project construction, they may not reduce impacts to a less than significant level during project operation. Although the impacts of the Project to air quality remain significant and unavoidable, the Connector JPA has determined that the benefits of the

Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations set forth in Section VI herein.

Impact AQ-3: Expose Sensitive Receptors to Substantial Pollutant Concentrations

Diesel Particulate Matter (DPM) is the pollutant of primary concern with regard to cancer risks to sensitive receptors. DPM is emitted from diesel-powered construction equipment, as well as vehicles operating on roadways. Since specific project designs are not yet finalized, a full health risk assessment pinpointing the location of sensitive receptors has not been prepared. While there is the potential for health risks resulting from exposure to vehicle exhaust both during construction and operation of the Project, this impact is considered less than significant. (FEIR, Volume II., p. 4-32; 4-39)

Naturally Occurring Asbestos (NOA) is also identified as a possible particulate of concern for roadways constructed east of Folsom. Given current development practices and the age of the roadway network, it is unlikely that construction activities would result in airborne impacts of asbestos. However, this impact is considered potentially significant.

Finding on Significance of Impact: Mitigation Measures AQ-2 through AQ-4, as described above, will help to minimize concentrations of diesel particulate matter (DPM) at nearby sensitive receptors during construction. Regarding operational impacts, the proposed project would result in no impact, or a slightly decreased cancer risk to receptors adjacent to Sunrise Boulevard, US 50, and SR 99. Therefore, this impact is considered less than significant. Nevertheless, implementation of the exposure reduction strategies outlined in Mitigation Measure AQ-5 will help reduce any potential increases in cancer risk along the project corridor.

Finally, due to the potential of areas east of Folsom to contain NOA, Implementation of Mitigation Measure AQ-6 is required to assess the potential for NOA in the project area and ensure that appropriate actions are taken if NOA is found.

Based on the analysis contained within the Final PEIR, other considerations in the record, and the impact evaluation criteria, The Connector JPA finds that the impact of sensitive receptor exposure to DPM and/or NOA may be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II., pp. 4-34, 4-39)

Summary of Mitigation Measure AQ-5: Implement Additional Exposure Reduction Strategies to Further Minimize Potential Health Risks

The Connector JPA or local agency will implement the enumerated strategies (e.g. buffer zones, additional vegetation) to reduce the potential for sensitive receptors along the project corridor to be exposed to DPM. (FEIR, Volume II., p. 4-34)

Summary of Mitigation Measure AQ-6: Conduct a Geological Investigation for Naturally Occurring Asbestos and Implement an Asbestos Dust Mitigation Plan if Naturally Occurring Asbestos Is Found in the Project Area

The Connector JPA or local agency will conduct a site-specific geological investigation for all construction areas with known potential to contain NOA and shall be prepared prior to ground breaking by the Connector JPA, local agency, or appointed consultant. (FEIR, Volume II., p. 4-35)

Findings on Proposed Mitigation: The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effects associated with the Project. Additional exposure strategies relating to vehicle emissions and completion of a NOA study in areas that might contain NOA will reduce impacts related to air quality. Therefore, these air quality impacts would be reduced to less than significant. (FEIR, Volume II., pp. 4-33, 4-39)

Impact AQ-4: Create Objectionable Odors Affecting a Substantial Number of People

Diesel emissions from construction equipment and volatile organic compounds (VOCs) from paving activities may create odors during construction. These odors would be temporary and localized, and they would cease once construction activities have been completed. Therefore, it is not anticipated that construction or operation of the proposed project options would create objectionable odors. This impact is considered less than significant. (FEIR, Volume II., pp. 4-35, 4-39)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to objectionable odors and no mitigation measures are required.

3. Biological Resources:

Additional Information on the Impacts to Biological Resources for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact BIO-1: Potential Loss of Special-Status Plant Species

Construction and staging activities could directly or indirectly affect populations of special-status plants. Improvements and modifications within existing rights-of way would have less potential to affect special-status plants relative to project activities in undisturbed areas. Impacts on special-status plants could result in a reduction in local population size, lowered reproductive success, or habitat fragmentation. This impact would be considered significant.

If the SSHCP has been implemented and the Capital SouthEast Connector Project is a covered project, the Connector JPA or agencies would comply with the requirements of the plan to address this impact. If the SSHCP has not been adopted, Mitigation Measures BIO-1, BIO-2a, and BIO-2b would be required to reduce the impact to less than significant. (FEIR, Volume II., p. 5-20; 5-39)

Finding on Significance of Impact: The Connector JPA finds that the impact on special-status plants is expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Summary of Mitigation Measure BIO-1: Conduct an Environmental Awareness Training Program for Construction Crews

Before any work occurs in the project area, a qualified biologist will conduct a mandatory environmental awareness training program for all construction personnel working on the project. A biological monitor approved by the resource agencies will ensure that construction personnel adhere to the guidelines and restrictions of all approved environmental documents, permits, and other agreements. (FEIR, Volume II., p. 5-21)

Summary of Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Plant Populations

As part of the environmental review process for individual projects, the Connector JPA or implementing agency will retain a qualified botanist to document the presence or absence of special-status plants before project implementation. In addition, steps such as including reviewing existing information, coordinating with agencies, and conducting field studies will be implemented on a project-by-project basis to document special-status plants.

Summary of Mitigation Measure BIO-2b: Compensate for Impacts on Special-Status Plant Species

If impacts on pincushion navarretia, dwarf downingia, Boggs Lake hedge hyssop, legenere, and Sanford's arrowhead cannot be avoided (Ahart's dwarf rush, Sacramento Orcutt grass, and slender Orcutt grass must be avoided), the Connector JPA or implementing agency will compensate for the loss of plants and their habitat by contributing to the conservation and recovery of the affected species. (FEIR, Volume II., pp. 5-21, 5-22.)

Findings on Proposed Mitigation: As described in Mitigation Measures BIO-1, 2a, and 2b, implementation of mitigation requiring awareness training for construction crews, environmental review by a qualified botanist for individual projects, and special-status species compensation would substantially lessen significant impacts associated with impacts to special-status plants. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts to special-status plants. Therefore, these impacts on biological resources would be reduced to less than significant. (FEIR, Volume II., pp. 5-20 to 5-22; 5-39)

Impact BIO-2: Potential Introduction or Spread of Invasive Plant Species

Construction of the project could introduce or spread invasive plant species into currently uninfested areas, possibly resulting in the displacement of special-status plant species and degradation of habitat for special-status wildlife. If the SSHCP has been implemented and the Capital SouthEast Connector Project is a covered project, the Connector JPA or agencies would comply with the requirements of the plan to address this impact. If the SSHCP has not been adopted, Mitigation Measure BIO-3 would be required to reduce the impact to less than significant. (FEIR, Volume II, p. 5-23)

Finding on Significance of Impact: The Connector JPA finds that the impact resulting from the introduction or spread of invasive plant species is expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Mitigation Measure BIO-3: Avoid and Minimize the Introduction and Spread of Invasive Plant Species

As part of project-level environmental review, the implementing agency will retain a qualified botanist to address invasive plant species impacts who will determine whether invasive plant introduction or spread are a potential impact of the project. If the botanist determines that invasive plants are a potential impact, the project proponent will review the County Agricultural Commission's noxious weed list, California Department of Food and Agriculture's A, B, and C lists of noxious weeds, and California Invasive Plant Council's list of pest plants of ecological concern including the most current "watch list." These lists will be used to identify invasive plants that will be targeted during field surveys by the botanist. One or more field surveys will be undertaken by qualified botanists to examine the project area. Surveys will focus on target weed species that are considered locally important for documentation and control purposes.

If invasive plant infestations are located during the field surveys, they will be mapped and documented in the CEQA and NEPA documentation, as applicable, and the implementing agency will implement the following measures into their project plans and specifications:

- Use certified, weed-free, imported erosion-control materials (or rice straw in upland areas).
- Coordinate with the applicable County Agricultural Commissioner and land management agencies to ensure that the appropriate best management practices (BMPs) are implemented.
- Educate construction supervisors and managers on weed identification and the importance of controlling and preventing the spread of noxious weeds.
- Clean equipment at designated wash stations after leaving noxious weed infestation areas. (FEIR, Volume II, pp. 5-23, 5-24)

Findings on Proposed Mitigation: Implementation of mitigation measure BIO-3 would substantially lessen the impact resulting from the introduction or spread of invasive plant species. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact to biological resources would be reduced to less than significant. (FEIR, Volume II., pp. 5-23, 5-39)

Impact BIO-3: Potential Loss and Disturbance of Riparian Woodlands

Construction of the project could result in the direct and indirect disturbance of riparian woodlands. Any impacts to riparian woodlands could result in long-term degradation of a sensitive plant community, fragmentation or isolation of an important wildlife habitat, and disruption of natural wildlife movement corridors. If the SSHCP has been implemented and the Capital SouthEast Connector Project is a covered project, the Connector JPA or agencies would comply with the requirements of the plan to address this impact. If the SSHCP has not been adopted, Mitigation Measures BIO-1 (described above), BIO-4a, and BIO-4b (described below) would be required to reduce the impact to less than significant. (FEIR, Volume II., p. 5-24, 5-40)

Finding on Significance of Impact: The Connector JPA finds that the impact to riparian communities is expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Summary of Mitigation Measure BIO-4a: Avoid and Minimize Potential Impacts on Riparian Woodlands

The implementing agency will retain a qualified biologist to document the location and type of riparian communities that occur in the site-specific project area and could be affected by their project. This information will be mapped and documented as part of CEQA and NEPA documentation, as applicable. The implementing agency will avoid or minimize impacts on riparian communities by redesign or modification, installation of environmentally sensitive fencing, trimming, rather than removing vegetation in order to keep root systems intact. Where the Connector runs through Sacramento County, the implementation agency will insure that projects are consistent with County General Plan Policies C0-87 through C0-92 and associated implementation measures, which address the need to protect, enhance, and restore riparian habitat in the County.

Mitigation Measure BIO-4b: Compensate for the Loss of Riparian Community

If riparian vegetation is removed as part of a specific project, the responsible implementing agency will compensate for the loss of riparian vegetation. Compensation will be provided at a minimum 1:1 ratio for restoration and 2:1 preservation, and may be a combination of onsite restoration/creation, offsite restoration, or mitigation credits. If mitigation is completed on or off site by the JPA or implementing agency, they will develop a restoration and monitoring plan that describes how riparian habitat will be enhanced or recreated and monitored. At a minimum, the restoration and monitoring plan

will include clear goals and objectives, success criteria, specifics on restoration/creation (plant palette, soils, irrigation, etc.), specific monitoring periods and reporting guidelines, and a maintenance plan. In general, any riparian restoration or creation will be monitored for a minimum of 5 years and will be considered successful when at least 75% of all plantings have become successfully established. For areas of the Connector that run through Sacramento County, restoration and preservation actions will be consistent with General Plan Policy CO-58, which states that there will be not net loss of riparian woodland in the County, and Policy CO-60, which states that mitigation will be directed to lands identified on the Open Space Vision Diagram and associated component maps identified in the Open Space Element of the Plan. (FEIR, Volume II, p. 5-25.)

Findings on Proposed Mitigation: Implementation of mitigation measures BIO-1, 4a, and 4b would substantially lessen the impact to riparian woodlands. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact to biological resources would be reduced to less than significant. (FEIR, Volume II, pp. 5-24, 5-40)

Impact BIO-4: Potential Loss or Alteration of Waters of the United States and Waters of the State

Construction of the project could result in impacts on waters of the United States and waters of the state (streams and isolated wetlands). Although specific wetland delineations and mapping of waters the state have not yet been conducted for the project, typical habitats that would generally be considered under the jurisdiction of the USACE or the RWQCB would include streams, swales, seasonal wetlands, vernal pools, freshwater marshes, seasonal ponds, open waters, and irrigated pastures and aqueducts . These features could be affected directly or indirectly through fill, hydrological alteration (including dewatering), alteration of streambed and stream banks, and other construction-related activities, resulting in long-term degradation of a sensitive plant community, fragmentation or isolation of an important wildlife habitat, and disruption of natural wildlife movement corridors. If the SSHCP has been implemented and the Connector Project remains a covered project, the Connector JPA or agencies would comply with the requirements of the plan to address this impact. If the SSHCP has not been adopted, Mitigation Measures BIO-1 (described above), BIO-5a, and BIO-5b (described below) would be required to reduce the level of impact. Because of the current limitations on available wetland mitigation credits (considering the SSHCP has not yet been adopted) in the watersheds within the project area, permanent impacts to wetlands would be considered a significant and unavoidable impact.

The Connector segments are not expected to be designed and proposed for permitting within the next few years. Future development projects affecting waters of the U.S. within the Mather Core Recovery Area may precede the segments in the permitting process. Those projects will consume a portion of the currently available mitigation land. For that reason, specific potential mitigation sites that will be available to the segments cannot be identified. Therefore, because detailed information about the availability of

compensation lands and the evolving requirements of the USACE cannot be known at this time, the following mitigation measure commits the implementing agencies to mitigation and sets out performance standards, but cannot reasonably provide detailed mitigation. The details will be developed at the time the segments begin the permitting process. (FEIR, Volume II., pp. 5-25, 5-40)

Finding on Significance of Impact: The Connector JPA finds that the impact to Waters of the United States or Waters of the State is expected to be significant. The mitigation measures proposed to avoid the project's impact would reduce the impacts but not to a less than significant level. The effects therefore remain significant and unavoidable.

Summary of Mitigation Measure BIO-5a: Avoid and Minimize Disturbance of Waters of the United States and Waters of the State

The implementing agency for a specific project in the project area will retain a qualified wetlands biologist to identify areas that could qualify as waters of the United States and waters of the state, including jurisdictional and isolated wetlands. USACE jurisdictional wetlands will be delineated using the methods outlined in the USACE 1987 Wetlands Delineation Manual and the Arid West Manual or succeeding guidance. This information will be mapped and documented as part of the future CEQA documentation, as applicable, and in wetland delineation reports and permitting.

Implementing agencies will avoid and minimize impacts on wetlands and other waters by implementing additional measures such as using environmentally sensitive fencing redesigning or modifying the project, and avoiding installations activities during the wet seasons. (FEIR, Volume II., p. 5-26.)

Mitigation Measure BIO-5b: Compensate for the Loss of Wetlands and Waters

If wetlands and waters are filled or disturbed as part a specific project, the implementing agency will compensate for the loss of wetland and waters to ensure there is no net loss of habitat functions and values. The compensation will be at a minimum 1:1 restoration ratio and a 1:1 preservation ratio with the mitigation being met by purchasing credits at a USACE-approved mitigation bank or other USACE-approved mitigation site. For those segments of the project within the Mather Core Recovery Area, the conservation/preservation ration for direct impacts to waters of the U.S. will be a minimum of 2:1, with additional compensation for indirect impacts at a minimum ratio of 1:1. The implementing agency will prepare a comprehensive mitigation plan containing the following components: specifications for the conservation/preservation lands; the locations of the compensation lands, provisions for the management and maintenance of those lands in perpetuity by either the implementing agency or other entity, and the instruments by which long-term management and maintenance will be assured. As directed by Policy CO-60 in the Sacramento County General Plan (2011), for segments of the Connector in Sacramento County, mitigation will be directed to lands identified on the Open

Space Vision Diagram and associated component maps identified in the Open Space Element of the Plan. (FEIR, Volume II., p. 5-27.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, they may not reduce impacts to a less than significant level. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts on biological resources. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. Although the impacts of the Project to biological resources remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations, set forth in Section VI herein. (FEIR, Volume II., pp. 5-25; 5-40)

Impact BIO-5: Potential Loss or Disturbance of Special-Status Wildlife Species and Their Habitat

Construction of the project could result in the direct loss or indirect disturbance of special-status wildlife or their habitats, which are known to occur or could occur in the study area. Impacts on special-status wildlife or their habitat could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation.

If the SSHCP has been implemented and the Connector Project remains a covered project, the Connector JPA or agencies would comply with the requirements of the plan to address this impact. If the SSHCP has not been adopted, Mitigation Measures BIO-1 (described above), BIO-6a, and BIO-6b (described below) would be required to reduce the impact to less than significant for all wildlife species addressed, except vernal pool fairy shrimp and vernal pool tadpole shrimp. Because of limited vernal pool fairy shrimp and vernal pool tadpole shrimp mitigation/compensation credits (considering the SSHCP has not yet been adopted) in the project region, especially for impacts occurring within the Mather Core Recovery Area, permanent impacts to vernal pool fairy shrimp and vernal pool tadpole shrimp habitat would be considered a significant and unavoidable impact.

It is clear that vernal pools fairy shrimp and vernal pool tadpole shrimp mitigation/compensation credits are very limited in the region and that for impacts occurring within the Mather Core Recovery Area (mostly along Grant Line Road from Sunrise to White Rock Road) there may not be credits available within the Mather Core Recovery Area at the time of project implementation to mitigate for these impacts. The USACE's Sunridge Properties Record of Decision states that future losses to vernal pool wetlands in the Mather Core Recovery Area must be compensated within the Core Recovery Area. If insufficient credits are available, the project will be re-designed to avoid vernal pools fairy shrimp and vernal pool tadpole shrimp habitat. (FEIR, Volume

II., pp. 5-27, 5-40.)

Finding on Significance of Impact: The Connector JPA finds that the impact to special-status wildlife is expected to be significant. The mitigation measures proposed below to avoid the project's impact would reduce the impacts, but not to a less than significant level.

Summary of Mitigation Measure BIO-6a: Avoid and Minimize Impacts on Special-Status Wildlife Species

As part of project-level environmental review, implementing agencies will retain a qualified wildlife biologist to document the presence or absence of suitable habitat for special-status wildlife in the specific project area and vicinity. In addition, the following steps will be implemented to document special-status wildlife and their habitats for each project including reviewing existing information, coordination with state and federal agencies, and field studies.

Special-status wildlife or suitable habitat identified during the field surveys will be mapped and documented as part of the CEQA and NEPA documentation, as applicable. The implementing agencies will implement a combination of mitigation measures to avoid and minimize significant impacts on special-status wildlife and their habitats that include redesigning or modifying the project, installing environmentally sensitive area fencing around habitat features, restrict construction-related activities near sensitive resources to the nonbreeding season or other periods of activity for special-status wildlife species that could occur in the project area, and biological construction monitoring of project areas where work occurs in proximity to sensitive wildlife or their habitat. (FEIR, Volume II., p. 5-28.)

Summary of Mitigation Measure BIO-6b: Compensate for Impacts on Special-Status Wildlife Species

If all or portions of Mitigation Measure BIO-6a are not feasible and site-specific construction activities would result in significant impacts on special-status wildlife species, compensation for the loss of habitat will be implemented to reduce the impact to a less-than-significant level. Impacted habitat will be mitigated off site at an agency approved mitigation bank. As directed by Policy CO-60 in the Sacramento County General Plan (2011), for segments of the Connector in Sacramento County, mitigation will be directed to lands identified on the Open Space Vision Diagram and associated component maps identified in the Open Space Element of the Plan. If the SSHCP has been implemented and the Capital SouthEast Connector Project is a covered project, the JPA or member jurisdictions would comply with the requirements of the plan to address this impact. (FEIR, Volume II., pp. 5-30)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, they

may not reduce impacts to a less than significant level. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts on biological resources. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. Although the impacts of the Project to biological resources remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein. (FEIR, Volume II,, pp. 5-28, 5-40)

Impact BIO-6: Conflict with Local Policies or Ordinances Protecting Biological Resources

Construction of the Project could result in conflicts with local policies or ordinances that protect locally significant biological resources. The Proposed Project is currently in line with the proposed draft SSHCP, and is a covered project in that plan. Implementation of Mitigation Measure BIO-7 would reduce this impact to a less-than-significant level. (FEIR, Volume II,, pp. 5-31, 5-40)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to conflicts with local policies or ordinances are expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Mitigation Measure BIO-7: Review Local City and County Policies, Ordinances, and Conservation Plans and Comply with Requirements

As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, ordinances, and conservation plans (including any HCPs, NCCPs, and other local, regional, and state plans). Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation. Implementing agencies will ensure that projects comply with all policies, ordinances, and plans that exist at the time of project-level review, regardless of whether they existed during the program-level analysis. (FEIR, Volume II,, p. 5-31)

Findings on Proposed Mitigation: Implementation of mitigation measures BIO-7 would substantially lessen the impacts relating to conflicts with local policies or ordinances. The Connector JPA finds that the above measure is appropriate and feasible, and the impact to biological resources would be reduced to less than significant. (FEIR, Volume II,, pp. 5-31, 5-40)

Impact BIO-7: Removal or Disturbance of Protected Trees

Construction activities for the project could result in removal of protected trees. Potential

impacts could result from direct removal of trees and indirect activities associated with trenching, parking construction equipment under the trees, or stockpiling construction materials in the tree root zone (defined by the tree canopy). Some woodland communities and species, especially oaks, have declined from their historic extent and the disturbance or potential removal of woodlands and individual trees would be considered a significant impact. Implementation of Mitigation Measures BIO-1 (described above), BIO-8a, and BIO-8b (described below) would reduce this impact to a less-than-significant level. Within Sacramento County, the project will also be consistent with the objectives and policies for the protection of landmark and heritage trees (CO-138 to CO-141) identified in the Sacramento County General Plan (2011). (FEIR, Volume II., pp. 5-31, 5-40)

Finding on Significance of Impact: The Connector JPA finds that impacts to protected trees are expected to be significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Summary of Mitigation Measure BIO 8a: Avoid and Minimize Impacts on Protected Trees

As part of project-level environmental review, proponents of specific projects that may result in removal of protected woodland communities and individual trees will review local plans, policies, and ordinances related to their protection and comply with local agency requirements. If avoidance is required and determined to be feasible, implementing agencies will install barrier fencing. A qualified biologist will determine the location of the fencing. If avoidance is not feasible, Mitigation Measure BIO-8b will be implemented. (FEIR, Volume II., p. 5-32)

Summary of Mitigation Measure BIO-8b Compensate for Impacts on Protected Trees

If impacts on protected trees cannot be avoided, then the implementing agency will compensate for impacts on protected trees. For areas located outside the Sacramento County jurisdiction, at a minimum, for every tree impacted one existing tree will be preserved and one new tree will be planted. Compensation for impacted trees will consist of, at a minimum, planting of replacement trees at a 1:1 ratio or preserving (1:1) and planting replacement trees at agency-approved off-site locations. For portions of the project in Sacramento County, policies from the Sacramento County General Plan (2011) regarding landmark and heritage tree protections will be implemented (FEIR, Volume II., pp. 5-32, 5-33)

Findings on Proposed Mitigation: Implementation of mitigation measures Bio-8a and 8b would substantially lessen the impacts to protected trees. The Connector JPA finds that the above measures are appropriate and feasible, and the impact to biological resources would be reduced to less than significant. (FEIR, Volume II., p. 5-31, 5-40)

4. Cultural Resources Impacts

Additional Information on the Impacts to Cultural Resources for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact CUL-1: Potential for Damage to or Destruction of Cultural Resources during Project Construction

Ground disturbance and excavation associated with construction of project components could result in the physical demolition, destruction, relocation, or alteration of an archaeological resource. Because only 58% of the project area has been surveyed and the precise location of the project construction within the study area has not been designed, it is possible that archaeological resources could be present within the project corridor and affected by project-level construction activities. The impact could be significant where cultural resources exist in areas affected by project implementation. (FEIR, Volume II,, p. 6-13, 6-18.)

Finding on Significance of Impact: The Connector JPA finds that the impact on undocumented cultural resources is potentially significant. The mitigation proposed to avoid the project's impact to cultural resources would, in most cases, reduce the impact to a less than significant level. However, no mitigation is available to render the effects less than significant in every case. Therefore, the impact remains significant and unavoidable. (FEIR, Volume II,, p. 6-13; 6-18)

Summary of Mitigation Measure CUL-1: Conduct Site-Specific Cultural Resource Investigations and Implement the Recommendations

Prior to construction, the Connector JPA or local jurisdictions will update the consultation with the NAHC, as well as update the list of Native American groups/individuals to contact. Also, a qualified archaeologist will update the records search at the NCIC to determine whether additional surveys of the specific project area have been conducted or any new sites have been identified. If recommended by the NCIC, the JPA or local jurisdiction will retain a qualified archaeologist to conduct a site-specific cultural resource survey before any construction activities.

If archeological materials are uncovered during construction, they should be avoided. As described above, if avoidance is not feasible, other measures will be implemented to reduce the impact, including data recovery excavation, and public interpretation of the resource. For some resources, these measures will not reduce the impact to a less than significant level. (FEIR, Volume II,, p. 6-14)

Mitigation Measure CUL-2: Stop Work If Archaeological Materials Are Discovered during Construction

If archaeological materials (e.g., chipped or ground stone, historic debris, or building foundations) are inadvertently discovered during ground-disturbing activities, the JPA or local jurisdiction will ensure that the contractor notify the agencies responsible for project implementation and will stop work in that area and within 100 feet of the find until a qualified archaeologist retained by the JPA or local jurisdiction can assess the significance of the find and implement Mitigation Measure CUL-1. (FEIR, Volume II., p. 6-14)

Summary of Mitigation Measure CUL-4: Conduct Historic Inventory and Evaluation for Architectural Resources

Prior to construction, the Connector JPA or local jurisdiction will ensure that a qualified architectural historian conducts a project-level inventory and evaluation for architectural resources, including an intensive field survey, background research on the history of the site-specific project area, and property-specific research.

Should any historic architectural resources be identified in the area affected by the specific project activity, the architectural historian will evaluate the significance of architectural resources located using criteria for listing in the NRHP and CRHR. (FEIR, Volume II., p. 6-15.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, they may not reduce impacts to a less than significant level in all cases. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts on these archeological resources. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. (FEIR, Volume II., pp. 6-15, 6-18.) Although the impacts of the Project to cultural resources remain significant and unavoidable, the JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Impact CUL-2: Potential for Damage to or Destruction of Previously Undiscovered Human Remains

Subsurface disturbances associated with construction activities at the project site could potentially uncover unmarked historic-era and prehistoric Native American burials, resulting in their alteration or damage. This would be a potentially significant impact. (FEIR, Volume II., p. 6-15; 6-18)

Finding on Significance of Impact: The Connector JPA finds that the impact on previously undiscovered human remains is potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts as identified in the Final EIR.

Mitigation Measure CUL-3: Stop Work If Human Remains Are Discovered during Construction

If human remains are uncovered, the JPA or local jurisdiction will ensure that the contractor contacts the county coroner and NAHC immediately. If human remains are discovered in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- the county coroner has been informed and has determined that no investigation of the cause of death is required; and
- if the remains are of Native American origin,
 - the descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work regarding the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98, or
 - the NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC.

According to the HSC, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). (FEIR, Volume II., p. 6-15)

Findings on Proposed Mitigation: The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential impacts to the project. Therefore, implementation of Mitigation Measure CUL-4 would reduce this impact to a less-than-significant level by ensuring that any remains that may be encountered are handled with respect and in compliance with State law. (FEIR, Volume II., p. 6-15; 6-18)

Impact CUL-3: Damage to Historical Architectural (Built Environment) Resources

There are numerous buildings/structures near the project corridor that are 50 years old or older, the majority of which have not yet been formally evaluated for significance under CEQA guidelines. Physical demolition, destruction, relocation, or alteration of potential historical resources is considered a significant impact. As described above, Mitigation Measure CUL-4 would reduce this impact, in most cases, to a less-than-significant level. Where avoidance of significant historic resources is not found to be feasible, impacts would remain significant and unavoidable. (FEIR, Volume II., p. 6-16, 6-18)

Finding on Significance of Impact: Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Connector JPA finds that the impact on architectural resources is potentially significant. The mitigation proposed to avoid impacts would, in most cases, reduce the impact to a less than significant level. However, no mitigation is available to render the effects less than

significant in every case. Therefore, the impact is significant and unavoidable. (FEIR, Volume II., p. 6-16, 6-18)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, they may not reduce impacts to a less than significant level in all cases. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts on unique archeological resources. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. The Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

5. Energy

Additional Information on the Impacts to Energy for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact EN-1: Increased Consumption of Direct Energy

The proposed project is expected to result in an overall increase in air pollutant emissions. Consequently, it can be inferred that energy consumption will increase as well. However, it is not anticipated that this energy consumption would result in wasteful, inefficient, or excessive use of direct energy because operation of the proposed project would lead to improvements in congestion and roadway network efficiency. Because congestion and network inefficiency can be associated with the wasteful and inefficient use of energy, (i.e., increased congestion and network inefficiency would “waste” energy as a result of more cars idling and traffic taking longer to travel through the roadway network), improvements to congestion and roadway network efficiency associated with the proposed project are anticipated to result in more efficient use of energy resources. The impact would be less than significant. No mitigation is required. (FEIR, Volume II., p. 7-11)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to direct energy usage and no mitigation measures are required. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Impact EN-2: Increased Consumption of Indirect Energy

Indirect energy consumption would result from project construction as well as the operation of traffic lights and signals. Construction of the proposed project would result in the consumption of energy to prepare the project site, manufacture and deliver construction materials to the project site, and to construct the roadway interchange and associated structures. This increased fossil fuel consumption from project construction is not expected to have an appreciable impact on energy resources.

Construction of the Project would be a one-time expenditure of energy. This one-time expenditure of energy would provide energy benefits in the long run because reduced congestion and improved traffic flow through the interchange might result in more efficient direct energy consumption. Therefore, the associated energy use is not expected to result in an inefficient, wasteful, or unnecessary consumption of energy. The impact would be less than significant. No mitigation is required. (FEIR, Volume II, p. 7-12)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to indirect energy usage and no mitigation measures are required.

6. Geology, Soils, and Paleontological Resources

Additional information on the geology, soils, and paleontological resources impacts for the Capital SouthEast Connector project is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact GEO-1: Potential Structural Damage and Injury Caused by Fault Rupture

Ground rupture is caused when an earthquake event along a fault creates rupture at the surface. No known active faults exist in the project vicinity. The proposed project will need to be designed and constructed to withstand moderate to strong earthquake-shaking. Therefore, the risk of fault rupture is low. This impact is less than significant. (FEIR, Volume II, p. 8-9, 8-14)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to fault rupture and no mitigation measures are required.

Impact GEO-2: Potential Structural Damage and Injury from Ground Shaking

The project area is located in a region with low potential for ground shaking. The proposed project will need to be designed and constructed to withstand moderate to

strong earthquake-shaking as specified in Caltrans Standards or 2007 CBC for Seismic Zone 3. Therefore, the risk of fault rupture is low. This impact is less than significant. (FEIR, Volume II, p. 8-9, 8-14)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to ground shaking and no mitigation measures are required.

Impact GEO-3: Potential Structural Damage and Injury from Development on Materials Subject to Liquefaction

The liquefaction hazard to construction workers and users of project facilities is expected to be moderate. However, the geotechnical investigation determined that soil types in the study area may be conducive to liquefaction. The impact is considered significant. (FEIR, Volume II, p. 8-9, 8-14)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to potential liquefaction are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, p. 8-9, 8-14)

Mitigation Measure GEO-1: Implement Seismic Design Standards into Site-Specific Project Design

Prior to construction, the JPA or local jurisdictions will ensure that the project is designed and constructed in compliance with the latest CBSC standards, Caltrans seismic design criteria, and county and city general plan seismic standards to ensure that all project components can withstand moderate to strong earthquake-shaking. (FEIR, Volume II, p. 8-9)

Summary of Mitigation Measure GEO-2: Conduct Site-Specific Geotechnical Investigations and Implement the Recommendations

Prior to construction, the JPA or local jurisdictions will prepare project-specific geotechnical investigations to guide the design of earthworks and foundations for proposed structures. Based on the subsurface conditions expressed through geotechnical investigation, the JPA and local jurisdictions, in conjunction with soil scientists or engineers, will ensure that specific project elements are designed to accommodate the effects of liquefaction of expansive soils. For roadways and bridges, subsurface borings at regular intervals along proposed roadways and in the vicinity of proposed bridges are recommended as part of the geotechnical evaluations. (FEIR, Volume II, p. 8-9)

Findings on Proposed Mitigation: The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid Project impacts. Implementation of Mitigation Measures GEO-1 and GEO-2, which include implementing the recommendations of the geotechnical investigation to conduct site-specific geotechnical investigations, would reduce this impact to a less-than-significant level. The

JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 8-9, 8-14)

Impact GEO-4: Potential Structural Damage as a Result of Development on Expansive Soils

The shrink-swell capacity of expansive soils can result in differential movement beneath foundations/pavements. Although the likelihood of expansive soils in the study area is low, if present beneath planned project components, they could compromise the structural integrity of proposed new facilities. This is considered a significant impact. (FEIR, Volume II, pp. 8-10, 8-15)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to expansive soils are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, pp. 8-10, 8-15)

Findings on Proposed Mitigation: As described above, Mitigation Measures GEO-1 and GEO-2, which include implementing the recommendation of the geotechnical investigation to conduct site-specific geotechnical investigations, would reduce this impact to a less than significant level. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, pp. 8-10, 8-15)

Impact GEO-5: Potential Accelerated Runoff, Erosion, and Sedimentation from Construction Activities

Grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the re-vegetation potential at construction sites and staging areas. This is considered a significant impact. (FEIR, Volume II, p. 8-10, 8-15)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to runoff, erosion, and sedimentation are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR, including requiring grading and construction contractors to comply with the applicable county or city grading ordinances as a contract specification, which would minimize any adverse effects associated with erosion and sedimentation, as well as Mitigation Measure HYD-1.

Summary of Mitigation Measure HYD-1: Obtain an NPDES Construction General Permit and Incorporate its Requirements as Well as Those of Other Water Quality Regulations in Site-Specific Project Designs

The Connector JPA or local jurisdiction will implement a series of actions, either directly or through contract specifications. These actions include the development of design and construction standards for stream crossings, field surveys of potential surface water resources, monitor compliance with water quality objectives, implement a procedure for spill prevention, habitat restoration, compliance with permitting conditions and other laws or requirements. (FEIR, Volume II, p. 10-20).

Findings on Proposed Mitigation: Requiring grading and construction contractors to comply with the applicable county or city grading ordinances as a contract specification would minimize any adverse effects associated with erosion and sedimentation. In addition, implementation of mitigation measure HYD-1 would substantially lessen the impacts relating to water quality. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 8-10, 8-15)

Impact GEO-6: Potential for Damage to or Destruction of Previously Undiscovered Buried Paleontological Sites

Project construction and staging activities could disturb buried, undiscovered paleontological sites. Improvements and modifications occurring within existing rights-of-way would have less potential to encounter previously unknown resources relative to those in undisturbed areas; however, any work entailing deep ground disturbance would have the potential to encounter paleontological resources. This is considered a significant impact. (FEIR, Volume II, p. 8-10, 8-15)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to paleontological resources are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Mitigation Measure GEO-3: Stop Work if Paleontological Resources are Discovered During Construction and Implement Recommendations of Paleontologist

If paleontological resources are discovered during ground-disturbing activities, contractors will notify the Connector JPA or local jurisdictions responsible for project implementation. and stop work in that area and within 100 feet of the find until a qualified paleontologist can assess the significance of the find and develop appropriate treatment measures. (FEIR, Volume II, p. 8-11).

Findings on Proposed Mitigation: Implementation of Mitigation Measure GEO-3 will ensure that any inadvertent paleontological finds are treated appropriately by a qualified paleontologist. JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 8-10, 8-15)

7. Hazards and Hazardous Materials

Additional Information on the Hazards and Hazardous Materials Impacts for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact HAZ-1: Potential to Create a Significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials

Anticipated growth in the volume of goods movement means that the volume of hazardous materials being moved along these routes is likely to increase. However, the project will improve traffic safety and reduce potential congestion through its design. This will minimize the potential for hazardous materials spills as a result of transport accidents. This would be considered a less-than-significant impact. (FEIR, Volume II, p. 9-12; 9-21)

Finding on Significance of Impact: Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the JPA finds that the Project has no significant impacts relating to routine transport, use or disposal of hazardous materials and no mitigation measures are required. (FEIR, Volume II, pp. 9-12, 9-21)

Impact HAZ-2: Potential to Create a Significant Hazard to the Public or the Environment through Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials into the Environment

Based on the nature of hazardous materials that will be used, stored, or disposed of during construction (e.g., diesel-fueled equipment, contaminated soil) of the proposed project, there is a possibility that upset and accident conditions involving the release of hazardous materials into the environment could occur. However, the handling and disposal of these materials would be governed according to regulations enforced by local fire departments, CUPAs, the California Division of Occupational Safety and Health, and the DTSC. In addition, regulations under the federal CWA require contractors to avoid allowing the release of materials into surface waters as part of their SWPPP and NPDES permit requirements. Based on the regulatory scheme, this impact would be less than significant. (FEIR, Volume II, p. 9-13, 9-21; FEIR, p. 3-11.)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to the release of hazardous materials into the environment and no mitigation measures are required. (FEIR, Volume II, p. 9-13, 9-21)

Impact HAZ-3: Potential to Emit Hazardous Emissions or Involve Handling Hazardous or Acutely Hazardous Materials, Substances, or Waste within 0.25 Mile of an Existing or Proposed School

Hazardous materials used in construction of the proposed project in the vicinity of a school, or other sensitive receptors such as hospitals and residences, accidentally could be released. In the event of a hazardous materials spill or release, notification and cleanup operations would be performed in compliance with applicable local government hazardous materials risk management plans. Also, implementation of the SWPPP by contractors would also reduce the potential of a spill incident from occurring. The project will not use large quantities of hazardous materials, and any uses will be transitory. This impact would be less than significant. (FEIR, Volume II, p. 9-13, 9-21.)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to the release of hazardous materials within the vicinity of a school and no mitigation measures are required. (FEIR, Volume II, p. 9-13, 9-21)

Impact HAZ-4: Potential to Be Located on a Site Which is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 and, as a Result, Create a Significant Hazard to the Public or Environment

As identified above, the proposed project corridor is adjacent to three hazardous materials sites. These three sites may also be included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5, and will be further evaluated during the tiered or project-level environmental document phase of the capital Southeast Connector project. One area of potential or confirmed contamination within the boundaries of the study area defined for the ISA include potential soil and groundwater contamination from leaking underground storage tanks. If disturbance of soil and/or groundwater in these areas are required as part of construction activities, any contaminated soil or groundwater found could represent a significant risk to human health and the environment. This is a significant impact. (FEIR, Volume II, p. 9-13; 9-22)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to hazardous materials sites are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Mitigation Measure HAZ-1: Perform a Phase I Environmental Site Assessment prior to Demolition and Construction Activities and Remediate If Required

Prior to construction, the JPA or local jurisdictions will conduct appropriate environmental review during the tiered or project-level environmental documentation phase, including a Phase I environmental site assessment in conformance with the ASTM Standard Practice E1527-05 and subsequently, a Phase II environmental site assessment, if warranted. (FEIR, Volume II, p. 9-14.)

Findings on Proposed Mitigation: Implementation of Mitigation Measure HAZ-1, which includes conducting appropriate environmental reviews during the tiered or project-level environmental documentation, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 9-13; 9-22)

Impact HAZ-5: Potential Safety Hazard for People Residing or Working in the Project Area Due to Vicinity of Project Within a Airport Land Use Plan, Public Airport or Private Airstrip

The project could create a potential hazard because of the number of new or newly expanded transportation project facilities that would lie within 2 miles of an airport. This impact is considered to be significant. (FEIR, Volume II, p. 9-15; 9-22)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to airport hazards are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Mitigation Measure HAZ-2: Ensure Compliance with Emergency Response and Evacuation Plans

Prior to project-specific design approval, the JPA or local jurisdiction will confer with SACOG, as the designated ALUC, to ensure that the project is consistent with any CLUP or ALUCP in effect at the time of consideration of the project-specific design. (FEIR, Volume II, p. 9-15)

Findings on Proposed Mitigation: Implementation of Mitigation Measure HAZ-2, which comprises consultation with the designated CLUP, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 9-15; 9-22)

Impact HAZ-6: Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

During construction, emergency access to and in the vicinity of the proposed project potentially could be affected by lane closures, detours, and construction-related traffic. This is considered a significant impact. (FEIR, Volume II, p. 9-15; 9-22)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to impairment of emergency response/evacuation plans are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Mitigation Measure HAZ-3: Prepare a Traffic Management Plan and Construction Scheduling

The JPA or local jurisdictions, as applicable, will require that the contractor(s) prepare a traffic management plan (TMP) during the final stage of project design to ensure there is no interference with emergency vehicles/services or response/evacuation plans, consistent with standards found in Caltrans' TMP guidelines (2009). (FEIR, Volume II, p. 9-16; FEIR, p. 3-11.)

Findings on Proposed Mitigation: Implementation of Mitigation Measure HAZ-3, which includes preparation of a traffic management plan and construction scheduling, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 9-15, 9-21; FEIR, p. 3-11.)

Impact HAZ-7: Expose People or Structures to a Significant Risk of Loss, Injury, or Death Involving Wildland Fires

There are two aspects considered regarding wildfires in the project area. The first is the potential for a construction-related wildfire. This would be addressed through adherence of BMPs throughout construction of the project. The other aspect is a wildfire associated with road access (e.g., cigarette thrown from car window or vehicles in dry grass along shoulder). However, this potential impact is relatively low and routinely handled by fire protection agencies. Therefore, impacts associated with wildland fires would be less than significant. (FEIR, Volume II, p. 9-17; 9-22)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to wildland fires and no mitigation measures are required.

8. Hydrology and Water Quality:

Additional Information on the Impacts to Hydrology and Water Quality for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these

findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact HYD-1: Surface Water Quality Degradation Caused by Construction Activities

Construction-related earth-disturbing activities of highway, interchange, street, and other various improvement projects included in the proposed project would introduce the potential for increased erosion and sedimentation, with subsequent effects on water quality and storm drain capacity. In addition, construction equipment and activities would have the potential to leak hazardous materials, such as oil and gasoline, and potentially affect surface water or groundwater quality. This is considered a potentially significant impact on ground- and surface water quality. (FEIR, Volume II, p. 10-20; 10-32)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to potential water quality degradation are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, p. 10-20, 10-32)

Summary of Mitigation Measure HYD-1: Obtain an NPDES Construction General Permit and Incorporate its Requirements as Well as Those of Other Water Quality Regulations in Site-Specific Project Designs

The Connector JPA or local agency undertaking later projects will, either directly or through contract specifications, implement actions including BMPs designed to minimize sedimentation and erosion as well as obtaining and implementing an NPDES construction permit. (FEIR, Volume II, p. 10-20)

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-1, which includes obtaining an NPDES construction general permit, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-20; 10-32)

Impact HYD-2: Water Quality Degradation Caused by Construction Activities below the Water Table

Construction of the proposed project will require extensive foundational support. Projects that excavate or secure foundations deep in the ground may encounter groundwater. Depending on the location, trenching and excavation associated with these projects may reach depths that can expose the water table and create a direct path to the groundwater basin for contaminants to enter the groundwater system. Similarly, impacts on surface

waters include discharge of pollutants and groundwater may be removed for construction purposes. This impact would be significant. (FEIR, Volume II, p. 10-21)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to surface water impacts are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR, including Mitigation Measures HYD-1 (above), and HYD-2 (below).

Mitigation Measure HYD-2: Comply with Provisions for Dewatering

The JPA or local agency, as part of construction contract specifications, will require that the contractor will determine whether the volume of water from the dewatering operation is covered under the NPDES Construction General Permit before discharging any dewatered effluent to surface water. If it is deemed that the volume is greater than the Construction General Permit allows, the contractor will obtain coverage under an NPDES Low Threat Discharge and Dewatering Permit from the Central Valley RWQCB. The NPDES Low Threat Discharge and Dewatering Permit will require the water from the dewatering operation to be treated prior to discharge to any local water way. (FEIR, Volume II, p. 10-22)

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-1 and 2, which include obtaining an NPDES construction general permit, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-20; 10-32)

Impact HYD-3: Water Quality Degradation from Urban Runoff Caused by Increased Impervious Surfaces

Project activities such as road widenings, interchange construction would create new impervious surfaces that would result in an incremental reduction in the amount of natural soil surfaces available for infiltration of rainfall and runoff, potentially generating additional runoff during storm events. In addition, the increase in impervious surfaces, along with the increase in surface water runoff, could increase the nonpoint source discharge of pollutants. Contributions of these contaminants to stormwater and other runoff would degrade the quality of receiving waters. The impact would be significant. (FEIR, Volume II, p. 10-22; 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to contaminated stormwater runoff are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Mitigation Measure HYD-3: Implement Measures to Maintain Water Quality after Construction

The design of individual projects will include, and the Connector JPA or local agency will implement, either directly or through contract specifications, source and treatment control measures contained in County Stormwater Management Plans or EPA and other related guidance documents. (FEIR, Volume II, p. 10-23)

Summary of Mitigation Measure HYD-4: Conduct Project-Level Drainage Studies for Project Design

The Connector JPA or local agency will conduct drainage studies for later projects on a site-specific basis. Drainage systems for the individual project will be designed in accordance with the findings of the studies, the requirements of the applicable local flood control agencies, and flood control design criteria established under applicable local ordinances. (FEIR, Volume II, p. 10-23)

Summary of Mitigation Measure HYD-5: Design and Install Infiltration Systems

The design of individual projects will include infiltration systems, where feasible. Infiltration devices will be installed to replace the natural recharge rate of the soil to be paved over, reduce stormwater peak discharges and volumes to downstream catchments, and improve the quality of stormwater discharged to water bodies. (FEIR, Volume II, p. 10-24)

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-3, 4 and 5, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-22; 10-33)

Impact HYD-4: Substantial Increased Runoff Resulting in Flooding

The proposed project could potentially alter surface drainage patterns by adding impermeable surfaces, directly altering flow patterns, or placing structures in a floodway, all of which could yield increased amounts of stormwater runoff. Given that much of the project alignment is along existing roadways, flow patterns are not expected to be significantly altered or cause a substantial increase in impervious surfaces that would result in flooding, the impact would be less than significant. (FEIR, Volume II, p. 10-23, 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to increased runoff are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-4 (see Impact HYD-3), which includes conducting drainage studies, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-23)

Impact HYD-5: Reduction in Groundwater Recharge Caused by Increased Impervious Surfaces

The proposed project would include activities that would result in new impervious surfaces and could reduce rainwater infiltration and groundwater recharge. The proposed project is located in urban areas and along existing highways, streets, and roads where many of the surfaces are already paved or impervious. The project would increase this impervious area through new facilities. The impact would be significant. (FEIR, Volume II, p. 10-24; 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to reduction in groundwater recharge are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measure HYD-5 (see Impact HYD-3), which includes design and installation of infiltration systems, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-24; 10-33)

Impact HYD-6: Discharges of Contaminants to 303(d) Listed Water Bodies

Several water bodies in the project area, including major rivers, creeks, and tributaries (see Table 10-1) have been identified under CWA Section 303(d) as impaired by a variety of contaminants, including pesticides (chlorpyrifos, DDT, diazinon, and Group A pesticides), mercury, copper, zinc, pathogens, and exotic species. The impact from discharge of contaminants would be significant. (FEIR, Volume II, p. 10-25; 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to contaminants to 303(d) listed waters are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-1 and -3 (see Impacts HYD-1, HYD-3), which include obtaining a NPDES construction general permit and water quality maintenance measures, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-25; 10-33)

Impact HYD-7: Changes to Floodplain from Construction Activities

Segments of the proposed project would be constructed within the 100-year flood zone, thus increasing the potential to obstruct or exacerbate floodwaters. The impact would be significant. (FEIR, Volume II, p. 10-25; 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to floodplain changes are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Mitigation Measure HYD-6: Avoid Restriction of Flood Flows and Obtain Agency Approval of Construction within 100-Year Floodplains

The design of individual projects will proceed in accordance with the best available mapping from DWR, FEMA, and USACE. The project design will comply with the requirements of the applicable local flood control agencies, and flood control design criteria established under applicable local ordinances. If unavoidable construction would occur within a 100-year floodplain, the JPA or local agency will prepare a letter of map amendment and submit to FEMA before construction of the project. The LOMR will include revised local base flood elevations for projects constructed within flood-prone areas. If the LOMR is approved, the design will reflect its provisions. (FEIR, Volume II, p. 10-25)

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-6, which includes agency approval before construction, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (DEIR, p. 10-25; 10-33)

Impact HYD-8: Potential for Inundation by Dam or Levee Failure

Significant precipitation or major storm events have the potential to cause levee failure within the project area. Any projects constructed within areas subject to flooding caused by dam failure, as mapped by FEMA, would be built following standard building codes and federal, state, and local regulations, all of which would be adequate to protect against personal injury or death. While there are no state or federal levees in the project area,

there are several local levees along the Cosumnes River and Deer, Morrison, and Laguna Creeks, as well as other creeks in the project area. The impact would be significant. (FEIR, Volume II, p. 10-26; 10-33)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to dam or levee failure are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Summary of Mitigation Measure HYD-7: Design Projects to Pass Flows in the Event of Levee or Dam Failure

During the design of individual projects, the Connector JPA or local agency will consult with the applicable flood control agencies to ensure that the flooding risks of pre-project conditions will not increase as a result of construction of the individual projects. (FEIR, Volume II, p. 10-26)

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-7, which includes consultation with flood control agencies, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 10-26; 10-33)

9. Land Use:

Additional information on the impacts to Land Use for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact LU-1: Physically Divide an Established Community

The proposed project would include the development of thoroughfare, expressway, and rural road segments. Additionally, it would include sidewalks and Class II bike lanes within the right-of-way. Grade-separated interchanges also would be included along the proposed expressway segments. The proposed project would improve mobility within and between established communities. However, the potential for temporary disruption of local access would be considered a potentially significant impact. (FEIR, Volume II, p. 11-10) In addition to temporary disruption, the proposed improvements through the Sheldon area, including the widening of the current right-of-way, increase in traffic, and restricted access, could result in permanent limitations on access from one side of the Sheldon community to the other side of Grant Line Road. This impact is significant. (FEIR, Volume II, p. 11-18)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to temporary disruption of mobility between communities are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect during construction as identified in the Final EIR. However, although numerous design considerations can be incorporated into the Project to limit the disruption to the Sheldon community, no mitigations is available that would reduce this impact to a less-than-significant level.

Summary of Mitigation Measure HAZ-3: Prepare a Traffic Management Plan and Construction Scheduling

The Connector JPA or local jurisdictions, as applicable, will require that the contractor(s) prepare a traffic management plan (TMP) during the final stage of project design to ensure there is no interference with emergency vehicles/services or response/evacuation plans, consistent with Caltrans' TMP guidelines (2009). (FEIR, Volume II, p. 9-16.)

Findings on Proposed Mitigation: Implementation of Mitigation Measure HAZ-3, which requires the preparation of a traffic management plan, would reduce the temporary impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 11-11, 11-18)

However, the Connector JPA also finds that no mitigation is available to reduce the potential impacts to the Sheldon Community due to the potentially permanent limitations on access, which remain significant and unavoidable. The JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein. (FEIR, Volume II, p. 11-18)

Impact LU-2: Conflict with Applicable Land Use Plans and Policies

The proposed project would be subject to various regional and local plans and policies. The proposed project is included in the adopted MTP, and therefore would be considered consistent. Furthermore, the proposed project has been included in the draft scenarios for the ongoing MTP update. (FEIR, Volume II, p. 11-11, 11-18)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to conflicts with applicable land use plans and policies, and no mitigation measures are required.

Impact LU-3: Conflict with Habitat Conservation Plan or Natural Community Conservation Plan

The proposed SSHCP is in preparation. The geographic scope of the SSHCP would include the project study area, except for the City of Folsom and El Dorado County. As

part of the proposed project, the Connector JPA has approved participation in the preparation of the proposed SSHCP. This participation would help meet the project objective related to open space acquisition and habitat preservation. Once approved, the SSHCP will be an agreement between state/federal wildlife and wetland regulators and local jurisdictions that provides a regional approach to addressing issues related to urban development, habitat conservation, and agricultural protection. Project implementation is not anticipated to conflict with the SSHCP. No impact would occur. (FEIR, Volume II, p. 11-11;11-18)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to conflicts with habitat or natural community conservation plans, and no mitigation measures are required.

Impact LU-4: Convert Farmland to Nonagricultural Uses

Construction and operation of the project could result in the conversion of up to 1,066 acres of important farmland, of which 3.91 acres are prime farmland, and more than 1,500 acres of grazing land, to roadway uses. The actual amount of farmland acquired and used for roadway expansion could be less, as specific roadway design could potentially avoid areas of important farmland. However, Sacramento County has had substantial losses of farmland over the past decade. In the context of county trends in agricultural conversion, this is considered a significant direct impact, and the project's contribution to cumulative impacts on conversion of agricultural lands to non-agricultural uses is considerable. (FEIR, Volume II, p. 11-11; 11-18)

Finding on Significance of Impact: The Connector JPA finds that the impact on farmlands is potentially significant. The mitigation proposed to avoid the project's impact to important farmlands would, in most cases, reduce the impact to a less than significant level. However, no mitigation is available to render the effects less than significant in every case. Therefore, the impact is a significant and unavoidable direct and cumulative impact. (FEIR, Volume II, pp. 11-11, 11-12; 11-18)

Summary of Mitigation Measure LU-1: The Proponent Agency Will Implement One or More of the Following Measures as Feasible to Reduce Impacts on Significant Farmland

Through project design, the proponent agency will avoid or minimize the direct conversion of important farmland to nonagricultural uses. For important farmland (prime, statewide, and local) converted by the project, important farmland of the same category will be protected from development at a minimum ratio of 1:1. Productive off-site agricultural land subject to conversion will be protected through the purchase or transfer of its development rights and establishment of a farmland conservation easement over the agricultural land. The proponent agency may provide funds to an agricultural land trust or similar nongovernmental agency for the purchase of land or development rights and establishment of a farmland conservation easement. (FEIR, Volume II, p. 11-12.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of this mitigation measure would minimize potential impacts to farmlands, they may not reduce impacts to a less than significant level in all cases. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts on farmlands. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. (FEIR, Volume II, p. 11-11, 11-18.) Although the impacts of the Project to cultural resources remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Impact LU-5: Conflict with Existing Zoning for Agricultural Use or a Williamson Act Contract

Several parcels containing Williamson Act contracts are located along the project alignment. Although proposed development would occur mostly in existing right-of-way, it would require the acquisition of adjacent land for proposed roadway expansion which could result in the loss of farmland, including land subject to Williamson Act contracts. The impact would be considered significant. (FEIR, Volume II, p. 11-13; 11-19)

Finding on Significance of Impact: The Connector JPA finds that the impact on Williamson Act contracts is potentially significant. No mitigation is available to render the effects less than significant in every case. Therefore, the impact is significant and unavoidable. (FEIR, Volume II, p. 11-13; p. 11-19)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of Mitigation Measure LU-1 (see Impact LU-4) would minimize potential impacts but not to a less than significant level in all cases. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. (FEIR, Volume II, p. 11-13, 11-19.) Although the impacts of the Project to agricultural resources remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Impact LU-6: Involve Other Changes That Could Result in Conversion of Farmland

Potential acquisition of agricultural lands for project development would result in the direct conversion of farmland to transportation-related uses. Because the proposed project would run along existing roadway alignments for most of the corridor, land acquisition for the project would not generally result in the division of parcels used for agriculture, a common cause of indirect conversion of farmland. Therefore, the proposed project would not involve other changes that could result in the conversion of farmland. Because the proposed project could inadvertently affect farming operations for adjacent parcels, this would be considered a potentially significant impact. (FEIR, Volume II, p. 11-13; 11-19)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to conversion of farmland are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measure LU-1 (see Impact LU-4) would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 11-13; 11-19)

10. Noise

Additional Information on Noise Impacts for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact NOI-1: Exposure of Noise-Sensitive Land Uses to Noise and Vibration from Project Construction

Construction activities associated with implementation of the project could result in temporary increases in noise in the vicinity of the site-specific activity. In addition, there is the potential for noise to exceed applicable local noise standards and the potential for construction vibration to result in perceptible and potentially damaging vibration. Where those increases result in noise in excess of adopted standards, the impact would be considered significant. (FEIR, Volume II, p. 12-8, 12-9; 12-13)

Finding on Significance of Impact: The Connector JPA finds that the impact on noise-sensitive land uses during project construction is potentially significant. The mitigation proposed to avoid the project's impact to these land uses would reduce noise and vibration to a less-than-significant level in some cases. However, it may not be feasible in all cases to reduce noise and vibration to a less-than-significant level as a result of the proximity of equipment to noise-sensitive uses, the need for nighttime work, and the physical limitations of noise reduction measures. Therefore, the impact is significant and unavoidable. (FEIR, Volume II, p. 12-9; 12-13)

Summary of Mitigation Measure NOI-1: Employ Noise- and Vibration-Reducing Construction Practices

Before final project design, the Connector JPA or local agency will undertake a detailed evaluation of site-specific noise and vibration impacts and identify project-specific mitigation measures necessary to reduce construction noise and vibration to a level that is in compliance with local noise standards where feasible. This may be done as a part of

the CEQA process when a later project is subject to CEQA. In addition, various measures as detailed in the DEIR will be implemented to help reduce site specific impacts. (FEIR, Volume II, p. 12-10)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of this mitigation measure would minimize the potential impacts, they may not reduce impacts to a less than significant level in all cases. It may not be feasible in all cases to reduce noise and vibration to a less-than-significant level as a result of the proximity of equipment to noise-sensitive uses, the need for nighttime work, and the physical limitations of noise reduction measures. Therefore, excess caution is employed in determining significance, making this impact significant and unavoidable. Although the impacts of the Project to noise sensitive land uses remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Impact NOI-2: Exposure of Noise-Sensitive Land Uses to Increased Noise from Project Operation

Predicted noise levels along some existing roadway segments would increase as a result of traffic noise associated with the proposed project. Although operation of the project would result in significant traffic noise impacts, these impacts could be mitigated but not to a less than significant level in all locations. For example, noise barrier walls can be expected to reduce noise by at least 5 dB; however, there may be some locations where walls may not be feasible because of the need to maintain driveway access or because of other physical limitations such as drainage ditches or extensive underground utilities. In these situations, traffic noise impacts would remain significant and unavoidable. (FEIR, Volume II, p. 12-11)

Finding on Significance of Impact: The Connector JPA finds that the impact on noise-sensitive land uses during operation of the project is potentially significant. The mitigation proposed to avoid the project's impact to these land uses would reduce noise and vibration to a less-than-significant level but may not be feasible to implement in all locations. Accordingly, the impact is considered significant and unavoidable. (FEIR, Volume II, p. 12-11 to 12-13)

Mitigation Measure NOI-2: Develop and Employ Site-Specific Measures to Reduce Traffic Noise

During project design, the JPA or local agency will incorporate feasible measures to reduce traffic noise related to the project such that traffic noise from new roadways does not exceed applicable land use compatibility standards at adjacent uses, and such that traffic noise increases along existing roadways does not exceed Sacramento County significance thresholds for traffic noise increases. This may be done as a part of the CEQA process when a later project is subject to CEQA and sufficient detail is available at the time of the CEQA process. Potential measures that can be implemented include (but are not limited to) setbacks, site design, construction of noise barrier walls between

the roadway and noise-sensitive uses and installation of low noise pavement such as open-grade asphalt or rubberized asphalt. Emphasis will be placed on the use of setbacks and site design to the extent feasible, prior to consideration of the use of noise barriers. (FEIR, Volume II, p. 12-12)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of this mitigation measure would minimize the potential impacts, it may not reduce impacts to a less than significant level in all cases. It may not be feasible in all cases to construct a noise barrier due to various physical limitations and therefore the mitigation measure would not reduce traffic noise impacts to a less-than-significant level. Therefore, this impact is considered significant and unavoidable. Although the impacts of the Project to noise sensitive land uses during project operation remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein. (FEIR, Volume II, p. 12-12)

11. Population and Housing:

Additional Information on the Impacts to Population and Housing for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact POP-1: Inducement of Substantial Population Growth

Overall, the individual improvements proposed within the project corridor have very limited potential to result in population concentrations substantially beyond those accounted for in the land use plans of each local jurisdiction. The proposed project would accommodate the projected population growth, and its traffic capacity is consistent with future demand projected by the general plans in the study area. However, the project would greatly improve access to lands south of the county urban services boundary (USB). These will afford easier access to lands currently planned for agricultural use by the county; thereby increasing development pressures on these areas. Therefore, this impact is considered significant and unavoidable. (FEIR, Volume II, p. 13-6 to 13-9.)

Finding on Significance of Impact: The Connector JPA finds that the potential impact on undeveloped lands south of the county USB is potentially significant. The mitigation proposed to avoid the project's impact to these undeveloped lands would help reduce the impact. However, no mitigation is available to render the effects less than significant. Therefore, the impact is significant and unavoidable and there is no feasible mitigation in light of project objectives. (FEIR, Volume II, p. 13-9)

Summary of Mitigation Measure POP-1: Require Consistency with the JPA's Planning Principles

The JPA or local agency, in developing the final design of any component of the Connector Project, will ensure that such design is consistent with the planning principles set forth in the Joint Powers Agreement that established the JPA. (FEIR, Volume II, p. 3-15)

Summary of Mitigation Measure POP-2: Require Consistency with the JPA's Functional Guidelines

The Connector JPA or local agency, in developing the final design of any component of the Connector Project, will consider the Functional Guidelines referenced in the in the JPA's Joint Powers Agreement, as they may be amended and adopted by the JPA. (FEIR, Volume II, p. 13-10.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, it may not reduce impacts to a less than significant level in all cases. The project would increase potential access to lands south of the county USB; thereby increasing development pressures on these areas. Therefore, this impact is considered significant and unavoidable. Although the impacts of the project on undeveloped lands south of the USB remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Impact POP-2: Displacement of Substantial Numbers of Existing Housing or People, Necessitating the Construction of Replacement Housing Elsewhere

Some project elements, such as widening of existing roadways, or new or expanded highway interchanges, could result in displacement of residential, commercial, or industrial structures. This would necessitate acquisition of these properties to make way for new or expanded transportation facilities. In other cases, certain transportation improvements could permanently alter the characteristics and qualities of a neighborhood. The extent of displacements is unknown because the specific alignment of the project has not yet been designed. Nonetheless, the proposed widening will result in displacements. This is a significant impact. (FEIR, Volume II, p. 13-11)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to potential displacement of housing or other structures are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, p. 13-11)

Mitigation Measure POP-3: Develop and Implement a Relocation and Compensation Plan

Before proceeding with final design, the JPA or local agency will develop and implement a relocation plan consistent with California Code of Regulations, Title 25, Section 6038 to ensure that eligible residential, commercial, and industrial uses are compensated for

moving and residential/business replacement costs. Eligibility of specific residences or businesses for compensation will be determined after evaluation of the impact on the specific use(s) to be relocated, but would include both full and partial property/parcel acquisitions.

The JPA or local agency will use applicable relocation assistance programs (including those administered by local, state and federal governments) to compensate owners and tenants for the relocation costs of residential, commercial, and industrial uses displaced by the project components. (FEIR, Volume II, p. 13-11)

Findings on Proposed Mitigation: Implementation of Mitigation Measure POP-3, which includes compensation for relocating and replacement costs, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 13-11)

12. Public Services and Utilities:

Additional Information on the Impacts to Public Services and Utilities for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact PS-1: Require or Result in the Construction of New Stormwater Drainage Facilities or Expansion of Existing Facilities, the Construction of Which Could Cause Significant Environmental Effects

Implementation of the proposed project will require or result in the construction of new stormwater drainage facilities or expansion of existing facilities to accommodate drainage from the road. Design of the project segments will include project-level environmental review to determine whether expansion of existing or construction of new stormwater drainage facilities is required and will determine significant impacts on the environment and mitigation measures, where applicable. Operational impacts will be avoided by design, and implementing mitigation measures would ensure impacts on stormwater drainage facilities would be less than significant. (FEIR, Volume II, pp. 14-6; 14-12)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to stormwater drainage facilities are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, pp. 14-7; 14-12)

Summary of Mitigation Measure PS-1: Implement Low-Impact Development Techniques for Control of Surface Drainage

The Connector JPA or local jurisdiction will ensure that the project design will employ low-intensity development (LID) techniques and features to maintain the site's predevelopment runoff rates and volumes to the extent feasible. The objective of the LID design is to mimic the site's predevelopment hydrology by including project features and techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff close to the source. (FEIR, Volume II, p. 14-7)

Summary of Mitigation Measure PS-2: Use Drought-Resistant Plants and Irrigation in Project Landscaping

The Connector JPA or local jurisdiction will ensure that the design of the project will include a landscaping and irrigation plan that is based on the use of drought-resistant landscaping materials. This includes the use of suitable drought-resistant native plants, where feasible, and nonnative plants that are suitable to the site, such as grasses. The irrigation system design will rely on recycled water or nonpotable water (including water from LID cisterns) whenever available, consistent with quality and health standards. (FEIR, Volume II, p. 14-7)

Summary of Mitigation Measure PS-3: Construction and Demolition Debris Produced by Implementation of the Proposed Project Will be Recycled and Properly Disposed

The Connector JPA or local jurisdiction will require that the contractor will dispose of construction and demolition debris by either sorting debris and dropping off at recycling facilities, or a certified construction and demolition debris sorting facilities. If a waste type produced by project construction is a type not accepted by regional landfills, the project engineer(s) will ensure that the waste is disposed of in accordance with all federal, state, and local statutes and regulations related to solid waste. (FEIR, Volume II, p. 14-7, 14-8)

Findings on Proposed Mitigation: Implementation of Mitigation Measures PS-1, -2, and -3 would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 14-7; 14-12)

Impact PS-2: Not Have Sufficient Water Supplies Available to Serve the Project From Existing Entitlements and Resources, or Require New or Expanded Entitlements

Projects constructed as a result of implementation of the proposed project would not require a substantial supply of water because the projects would be roadway projects only, and the only water use would be for the irrigation of landscaping. As described above, implementation of Mitigation Measure PS-2 would ensure that this impact is less than significant. (FEIR, Volume II, p- 14-8; 14-13)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to water supplies are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measures PS-2 (see Impact PS-1), which includes the use of drought-resistant plants, would ensure that this impact remains less than significant. Connector JPA finds that the above measure is appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact is considered less than significant. (FEIR, Volume II, p. 14-8; 14-13)

Impact PS-3: Be Served By a Landfill Without Sufficient Permitted Capacity to Accommodate the Project's Solid Waste Disposal Needs

Until final design plans are known, it would be speculative to determine the amount of solid waste the project would generate. Those details will be determined for each individual project at the time of specific project design.

An assessment of landfills in El Dorado and Sacramento Counties was conducted to determine the likelihood of sufficient capacity to accommodate the project's solid waste disposal needs. There are no active landfills in El Dorado County. However, the estimated remaining capacity of the largest landfill in Sacramento County, Kiefer Landfill, is 64 years. Because of the availability of capacity in the Kiefer Landfill facility; this is expected to be a less-than-significant impact. (FEIR, Volume II, p. 14-8; 14-13)

Finding on Significance of Impact: The Connector JPA finds that impacts on regional landfills as less than significant. In any case, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR. (FEIR, Volume II, p. 14-8; 14-13)

Findings on Proposed Mitigation: Implementation of Mitigation Measures PS-3 (see Impact PS-1, above), which includes recycling and sorting construction and demolition debris, would ensure that this impact remains less than significant. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. Therefore, this impact is considered less than significant. (FEIR, Volume II, p. 14-8, 14-9; 14-13)

13. Recreation

Additional Information on the Impacts to recreational facilities for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact REC-1: Increased Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities

Although the proposed project would help to accommodate planned growth in the region, it would not directly result in an increase in population that would substantially increase the use of parks or recreation facilities. Future projects would be required to undergo environmental review and mitigate any potential impacts if and when they are constructed. Therefore, impacts resulting from the proposed project are considered less than significant. (FEIR, Volume II, p. 15-4, 15-5, 15-7)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to recreational facilities, and no mitigation measures are required.

Impact REC-2: Includes Recreational Facilities or Requires the Construction or Expansion of Recreational Facilities

Construction of the project could result in temporary construction-related impacts, such as dust, noise, and restricted access to recreational facilities, but these impacts would be temporary and therefore would not substantially affect the long-term use of park facilities. Consequently, construction impacts would be less-than-significant impact.

The proposed project would not directly result in an increase in population that would justify the need for additional recreational facilities. Implementation of the proposed project would result in direct impacts on study area parks via the conversion of approximately 76 acres of park lands. Conversion of these lands could result in a potentially significant impact. (FEIR, Volume II, p. 15-5, 15-7)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to recreational facilities are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Mitigation Measure REC-1: Conduct Project-Level Assessment of Impacts on Recreational Resources

To determine the specific impacts resulting from implementation of the proposed project and its design options on recreation, a project-level assessment of impacts will be conducted by the JPA or local agency undertaking later projects. This assessment shall determine the specific recreational qualities and facilities significantly affected by the project, in consultation with the agency(ies) with jurisdiction over the recreational resources. The JPA or local agency will provide, in cooperation with the affected agency(ies), 1) land of equal quality and with similar characteristics will be secured by the JPA or local agency to compensate for the loss of existing recreational resources at a ratio of at least 1:1 or 2) sufficient enhancements to the existing parks. The JPA or local agency may provide these lands by acquiring them and dedicating them to the affected

agency(ies) or by providing the affected agency(ies) with in lieu fees sufficient to acquire the lands and replace the lost facilities, at the option of the affected agency. (FEIR, Volume II, p. 15-5)

Findings on Proposed Mitigation: Implementation of Mitigation Measure REC-1, which includes compensation for loss of park land or enhancements to existing parks, would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential environmental impacts. (FEIR, Volume II, p. 15-5, 15-7)

14. Traffic and Transportation

The following findings on Traffic and Transportation are based on the impacts for the Proposed Project, including the Sheldon Reduced Access Roadway Option. For the purposes of determining the impacts of the Proposed Project in this EIR, the “baseline” conditions are the physical conditions along the SouthEast Connector alignment as they existed in 2008, consistent with the recent appellate court decision in *Sunnyvale West Neighborhood Assn. v. City of Sunnyvale* (2010) 190 Cal.App.4th 1351. (FEIR, Volume II, pp. 16-2, 16-63 to 16-65, 16-60; Figure 16-12; Tables 16-7 through 16-32.)

To determine whether the Project would significantly impact the existing environment, the existing conditions in 2008 were compared to the existing conditions with the Project. (Draft EIR, section 16.5.6.1.) The existing conditions in 2008 with the Project are referred to as the “existing-plus-project” or “baseline” conditions. (DEIR, pp. 16-2, 16-63 to 16-65, 16-60; Figure 16-12; Tables 16-27 through 16-32.) Section 16.5.6.1 of the Recirculated Chapter 16 of the Draft EIR analyses the Project’s traffic related impacts to existing conditions.

The Traffic and Transportation Chapter of the Program EIR (Chapter 16) also examines the potential traffic impacts that would occur under the “future-with-project” conditions. (FEIR, Volume II, p. 16-2.) The “future-with-project” conditions include foreseeable changes and expected future conditions as necessary to understand the Project’s impacts over time, including its cumulative impacts. The traffic impacts of the “future-with-project” conditions were compared to the “future without-project” conditions to determine the cumulative traffic impacts of the Proposed Project. (FEIR, Volume II, p. 16-2, 16-56 to 16-59.) For this reason, the findings on the traffic impacts of the “future-with-project” conditions are set forth below in section II.15 (“Cumulative Impacts”). As discussed in the Final EIR and in section II.15, below, the transportation analysis of the Proposed Project under “cumulative” conditions is based on development assumptions beyond 2035. (FEIR, Volume II, pp.18-11 too 18-13)

Additional information on the Impacts to Traffic for the proposed Capital SouthEast Connector is set forth in the Final EIR. This information is incorporated into these findings as though fully set forth herein. Considering the above information, other considerations in the record, public comments, testimony, staff reports, and the potential impacts identified in the Final EIR, the findings of the Connector JPA are as follows:

Impact TRF-29: Increase traffic along the project alignment.

As shown in Figure 16-2 and Tables 16-27 through 16-32, the proposed project with the Reduced Access Roadway Option would cause traffic increases on all of the roadway segments that make up the proposed project, especially the expressway segments. The segment analysis indicates, however, that the Level of Service (LOS) on all roadway segments would either remain the same as existing 2008 conditions, or improve to LOS A or B. The proposed project with the Reduced Access Roadway Option would thus provide a benefit to traffic operations along the Project under 2008 conditions. This impact is considered less than significant. (FEIR, Volume II, p. 16-63; Figure 16-12; Tables 16-27 to 16-32)

Finding on Significance of Impact: The Connector JPA finds that the Proposed Project has no significant impacts relating to levels of service on project segments and no mitigation measures are required. (FEIR, Volume II, p. 16-63; Figure 16-12; Tables 16-27 to 16-32)

Impact TRF-30: Increase traffic volumes on some non-project roadways and intersections.

As shown in Figure 16-2 and Tables 16-27 through 16-32, the proposed project with the Reduced Access Roadway Option would increase traffic volumes on most non-project roadway segments in the traffic analysis study area that provide access to the Connector, but would not cause significant LOS impacts under 2008 conditions. The proposed project with the Reduced Access Roadway option would also cause traffic increases on the proposed project's cross streets near where they intersect the proposed project. However, as shown in Table 16-31, the segment analysis indicates that increases in daily traffic volumes on these segments would not result in significant LOS impacts at any of these intersections or warrant the installation of any new traffic signals.. This impact is considered less than significant. (FEIR, Volume II p. 16-64; Figure 16-12; Tables 16-27 to 16-32)

Finding on Significance of Impact: The Connector JPA finds that because the proposed project with the Reduced Access Roadway Option would not cause significant LOS impacts, this impact is considered less than significant and no mitigation is required. (FEIR, Volume II, p. 16-64; Figure 16-12; Tables 16-27 to 16-32)

Impact TRF-31: Affect traffic levels of service on freeways in the traffic analysis study area

As shown in Figure 16-12, the proposed project with the Reduced Access Roadway Option would decrease traffic on most of the freeway segments in the traffic analysis study area and would not cause any LOS impacts on the freeway mainline segments. The proposed project with the Reduced Access Roadway Option would thus provide a benefit to freeway traffic operations under 2008 conditions. (FEIR, Volume II, p. 16-64; Figure 16-12.)

Finding on Significance of Impact: The Connector JPA finds that, because the Proposed Project with the Reduced Access Roadway Option would provide a benefit to freeway traffic operations, the Project has no significant impacts relating to levels of service on freeways and no mitigation measures are required. (FEIR, Volume II, p. 16-64; Figure 16-12.)

Impact TRF-32: Affect existing or planned bikeway or pedestrian facilities

The proposed project would not adversely affect any existing or planned bicycle or pedestrian facilities. Under existing conditions, some portions of the study area have on-street (Class II) bike lanes along segments of the alignment of the proposed project, but not all. The proposed project with the Reduced Access Roadway Option would add off-street (Class I) bike trails along the expressway segments of the project and thereby provide two types of bikeways in those segments, which would provide a benefit compared to existing conditions, therefore this impact is considered less than significant. (FEIR, Volume II, p. 16-64)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts on existing or planned bikeway or pedestrian facilities and no mitigation measures are required. (FEIR, Volume II, p. 16-64.)

Impact TRF-33: Affect existing or planned transit facilities, routes or services

The transit policies adopted by the Connector JPA Board as part of its Integrated Modes Policy would provide capital funding, beyond what would be available in the absence of the Project, for cost-effective transit facilities and capital improvements on routes parallel to the Project that can demonstrate strong potential for high-use service. As there are no existing or planned transit facilities, routes, or services planned for the Project at this time, the Project has no impact on existing conditions on transit services. To the extent that the implementation of the JPA's transit policies may increase transit service in the future, it may provide a future benefit to transit services. This impact is considered less than significant. (FEIR, Volume II, pp. 16-38, 16-47, 16-64)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts on existing or planned transit facilities, routes, or services, and no mitigation measures are required

Impact TRF-34: Consistency with General Plan principles for transit-supportive development

The transit policies adopted by the Connector JPA Board as part of its Integrated Modes Policy would target capital improvements to transit facilities and services in a way that

encourages smart growth in the traffic analysis study area, especially the creation of villages or “nodes” of development of significant size and density that are easy to serve by transit, to reach desired levels of transit ridership beyond that currently available. The proposed project with the Reduced Access Roadway Option does not conflict with transit-supportive development, therefore this impact is considered less than significant. (FEIR, Volume II, p. 16-64)

Finding on Significance of Impact: The Connector JPA finds that the Project would not conflict with general plan principles for transit-oriented development, and no mitigation measures are required.

Impact TRF-35: The proposed project with the Reduced Access Roadway Option would not increase hazards due to design features

The proposed project would reduce the number of existing access points along the project alignment by eliminating many (but not all) existing driveways, as well as connections to smaller local roadways. It would also limit the number of new intersections with planned arterial roadways along the project alignment and some new major collector roadways. Under the Reduced Access Roadway Option, existing access to Grant Line Road through the Sheldon area would be consistent with Table 2-2.

Generally, accident/crash rates decrease as the number of access points decrease. Because the Reduced Access Roadway Option would reduce access, the proposed project with the Reduced Access Roadway Option would provide a benefit to safety under existing conditions.

This impact is considered less than significant. (FEIR, Volume II, p. 16-65)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to a hazards increase as a result of design features and no mitigation measures are required.

15. Cumulative Impacts and Growth-Inducing Impacts

Aesthetics: Cumulative impacts from physical construction of the roadway and its support of increasing urbanization of the rural area

The cumulative setting for aesthetics includes any proposed projects within the same viewshed of the project corridor, as identified in the local planning document. Other planned or reasonably foreseeable roadway improvement projects in the immediate area include the US 50/Silva Valley Parkway Interchange Project and the widening of Grant Line Road in the Sheldon area. In addition, the Rancho Cordova General Plan contains future land use planning areas for 16 locations in the county.

The project in combination with planned and reasonably foreseeable projects could result in substantial changes to the aesthetic character and visual quality of the study area. The project would increase the dominance of transportation facilities within the

predominately rural character of the study area. Other planned and reasonably foreseeable projects would introduce suburban and urban land uses that would reduce the intactness and unity of the agricultural and rural aesthetic, resulting in a cumulative impact on visual quality.

Cumulative impacts could be reduced through design measures incorporated into future development to be sensitive to the rural and agricultural aesthetic. There are various general plan policies that would have the effect of reducing cumulative visual change, such as the creation of open space areas and view corridors to preserve key visual elements. The Elk Grove General Plan EIR concludes that buildout of the general plan would result in significant and unavoidable visual impacts even with implementation of the general plan policies that would reduce the impacts. The cumulative impact of the proposed project and Elk Grove General Plan buildout would therefore be significant and unavoidable. The project's contribution to the significant and unavoidable cumulative impact from physical construction of the roadway improvements and its support of increasing urbanization of the rural area would be considerable. (FEIR, Volume II, p. 18-2)

Finding on Significance of Impact: The Connector JPA finds that the impact on aesthetics on a cumulative level is potentially significant and no mitigation is available to render the effects less than significant. Therefore, the impact is significant and unavoidable. (FEIR, Volume II, p. 18-2)

Findings on Proposed Mitigation: The Connector JPA finds that the impact on aesthetics on a cumulative level is potentially significant. There is no mitigation is available to render the effects less than significant. Therefore, the impact is significant and unavoidable. Although the impacts remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Air Quality: Impacts on Global GHG Emissions and Global Climate Change

There is the potential for cumulative health risks and impacts to climate change resulting exposure to NO_x Emissions, VMT, CO Emissions, Health Risks, and GHG Emissions both during construction and operation of the Project. This would be a significant impact. (FEIR, Volume II, p. 18-3 to 18-8)

Finding on Significance of Impact: Although mitigation measures, as described below, will help to minimize impacts to air quality and climate change, implementation of the project will increase GHG emissions. This increase in emissions may hinder implementation of AB 32 and SB 375. Therefore, this impact is considered significant and unavoidable. The Project's contribution to global GHG emissions and global climate change is therefore considered cumulatively considerable. (FEIR, Volume II, p. 18-3 to 18-8)

Summary of Mitigation Measure AQ-7: Implement SMAQMD Best Management Practices for Reducing Construction-Related Greenhouse Gas Emissions

The JPA or local agency will implement through construction contract terms and specifications that the contractor adheres to the mitigation measure and implements all applicable SMAQMD best management practices for reducing construction-related GHG emissions. Documentation will be provided to the JPA or local agency on a weekly basis. The contract provisions and specifications will authorize the JPA or local agency to sanction contractors for non-compliance. The JPA or local agency will consult with SMAQMD prior to construction about the most current recommended construction best management practices and will adopt those practices. (FEIR, Volume II, p. 18-7)

Summary of Mitigation Measure AQ-8: Conduct a Carbon Sequestration Feasibility Study and Cost-Benefit Analysis for Tree Planting as Greenhouse Gas Mitigation to Mitigate Greenhouse Gas Emissions to Net Zero

The JPA or local agency, in consultation with the SMAQMD and EDCAPCD, will conduct a carbon sequestration feasibility study and cost-benefit analysis for the proposed project for tree planting. The objective of the study and analysis is to mitigate GHG emissions to the maximum extent feasible, and down to net zero, if practicable, through tree planting. (FEIR, Volume II, p. 18-8)

Mitigation Measure AQ-9: Encourage Future Project-level Analysis of Impacts on Ability of the Region to Comply with SB 375

Future project-level environmental analyses of any portion of the Connector Project will consider the impact of the project on the ability of the region to meet the California Air Resources Board's current emissions reduction targets for the region. SACOG is currently underway with an update of their Metropolitan Transportation Plan for 2035 (MTP 2035), which will include the Sustainable Communities Strategy (SCS). The SCS combines transportation and land use elements, serving as a plan for achieving the emissions reduction target established for the region. However, nothing in an adopted sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of a local agency. (FEIR, Volume II, p. 18-8)

Mitigation Measure AQ-10: Encourage Local Jurisdictions to Develop Climate Action Plans that for Reducing GHG Emissions

The JPA will encourage each of its member jurisdictions to adopt a Climate Action Plan, consistent with CEQA Guidelines Section 15183.5(b), to address existing transportation emissions, including greenhouse gases. (FEIR, Volume II, p. 18-8)

Mitigation Measure AQ-11: Encourage Local Jurisdictions to Develop Efficiency Metrics for Reducing GHG Emissions

The JPA will encourage each of its member jurisdictions to adopt efficiency metrics to address future transportation emissions, including greenhouse gases. These metrics will include, but are not limited to:

- Vehicle idling restrictions
 - Per capita vehicle miles traveled goals
 - Public transit ridership goals
 - Traffic signal synchronization
 - Land use/Transportation integrated planning goals
 - Bicycles and Pedestrian Improvements
- (FEIR, Volume II, p. 18-8)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential impacts, they may not reduce impacts to a less than significant level in all cases. Because the specific location and design of the project has not been identified at this time, it would be speculative to attempt to quantify the resulting impacts. Therefore, excess caution is employed in determining significance, making this cumulative impact significant and unavoidable. (FEIR, Volume II, p. 18-7.) Although these impacts remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations below.

Biological Resources: Cumulative impacts on biological resources in the region, particularly vernal pool species

SACOG has identified several areas in the Sacramento metropolitan area where significant growth is expected to occur by 2035. Along the project corridor, Rancho Cordova and the Vineyard Community are identified as having the highest potential for population, housing, and employment growth.

The same sensitive biological resources identified in the project area occur in these areas of proposed development. Considering the past and reasonably foreseeable projects in the region, the proposed project would contribute to significant and unavoidable cumulative impact on biological resources in the region, particularly vernal pool species. Vernal pool habitat in the project area and vicinity occur in the Mather Recovery Unit of Southeastern Sacramento Valley Vernal Region, which is a recovery area identified in the USFWS's 2005 *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon*. Impacts to vernal pools within the Mather Core Area could affect recovery of federally listed vernal pool species in this area. Considering other projects and planning efforts in the Mather Core Area, full buildout of the proposed project and other reasonably

foreseeable projects could affect recovery of federally listed vernal pool species in this area. However, if the SSHCP is approved by the USFWS, the cumulative impacts of the proposed project (a project covered by the SSHCP) would be reduced to a less-than-significant level assuming that the planning behind the SSHCP will balance impacts to available mitigation credits in the region and more importantly, in the Mather Core Area. (FEIR, Volume II, p. 18-9)

Finding on Significance of Impact: The Connector JPA finds that the cumulative impact on vernal pool species is potentially significant. The mitigation proposed to avoid the project's impact to vernal pools would reduce the impact to a less than significant level. The Connector JPA, however, cannot ensure approval of the SSHCP. Therefore, this impact is considered significant and unavoidable. (FEIR, Volume II, p. 18-9)

Findings on Proposed Mitigation: The Connector JPA finds that the cumulative impact on vernal pools is potentially significant. The mitigation proposed to avoid the project's impact to vernal pools would reduce the impact to a less than significant level. The Connector JPA cannot ensure approval of the SSHCP. Therefore, the impact is significant and unavoidable. (FEIR, Volume II, p. 18-9.) Although the impacts remain significant and unavoidable, the JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Energy: Cumulative impacts relating to energy consumption

Operational activities associated with the proposed project are anticipated to result in an overall increase in energy consumption. However, it is not anticipated that this energy consumption would result in wasteful, inefficient, or excessive use of direct energy because implementation of the project would lead to improvements in congestion and roadway network efficiency. Because congestion and network inefficiency can be associated with the wasteful and inefficient use of energy (i.e., increased congestion and network inefficiency would "waste" energy because of more cars idling and traffic taking longer to travel through the roadway network), improvements to congestion and roadway network efficiency associated with the project are anticipated to result in more efficient use of energy resources. The project is not considered to result in a cumulatively considerable contribution to energy-related impacts. (FEIR, Volume II, p. 18-9.)

Finding on Significance of Impact: The Connector JPA finds that the Project has no significant impacts relating to energy consumption and no mitigation measures are required. (FEIR, Volume II, p. 18-9.)

Hydrology and Water Quality: Cumulative impacts

Hydrology and water quality conditions can be altered by large roadway projects, such as by increasing the potential for localized flooding and resulting in short-term (during construction) and long-term (post-construction) water quality impacts. As indicated in Chapter 10, "Hydrology and Water Quality," several water bodies within project area

could be affected within the 800-foot corridor of the project area. Many of these water bodies are listed as several as impaired according to Section 303(d) of the CWA, have water quality objectives that cannot be violated, and beneficial uses that cannot be compromised, according to the CWA.

The proposed project would likely have hydrology and water quality impacts. The primary hydrological impacts will likely be a greater potential for localized flooding from increases in storm runoff and construction in the floodplain. The primary water quality impacts will likely be associated with the construction of stream crossings (i.e., bridges, culverts), work adjacent to streambanks, and elevated roadways on existing floodplains, such as the Cosumnes River/Deer Creek floodplain.

Ultimately, however, with the adoptions of mitigation measures described herein, such as implementing water quality regulations into the design of the project, complying with dewatering provisions, implementing measures to maintain water quality after construction, conducting project-level drainage studies, designing and installing infiltration systems, avoiding restriction of flood flows, obtaining agency approval of construction with 100-year floodplains, and designing projects to pass flows in the event of levee or dam failure, the impacts will be less than significant. The project is not considered to result in a cumulatively considerable contribution to impacts on hydrology and water quality. (FEIR, Volume II, P. 18-10)

Finding on Significance of Impact: The Connector JPA finds that impacts relating to hydrology and water quality are potentially significant. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Findings on Proposed Mitigation: Implementation of Mitigation Measures HYD-1 through HYD-7 would reduce this impact to a less-than-significant level. The Connector JPA finds that the above measures are appropriate and feasible, and may substantially lessen or avoid potential cumulative environmental impacts. Therefore, this impact would be reduced to less than significant. (FEIR, Volume II, p. 18-10)

Land Use: Cumulative impacts

Sacramento County has experienced substantial losses of farmland over the past decade. Growth in the County will contribute to regional conversion of agricultural lands, including important farmlands (prime farmland, farmland of statewide significance and farmland of local significance). As described in Chapter 11, “Land Use”, the Connector project will have a significant impact on important agricultural lands in Sacramento County. If mitigation measures described in Chapter 11 are implemented, such as designing the project to avoid or minimize the direct conversion of important farmland to nonagricultural uses and protecting important farmland directly converted at a ratio of 1:1 (Mitigation Measure LU-1), the direct impacts will still remain significant unavoidable.

Because the project’s direct effect of converting important farmland is considered significant and unavoidable, even with the adoption of Mitigation Measure LU-1, the

project is also considered to have a cumulatively considerable contribution to impacts on agricultural lands in Sacramento County. Implementing the following mitigation measure will help reduce the cumulative impact, but not to a less-than-significant level. (FEIR, Volume II, p. 18-10)

Finding on Significance of Impact: The Connector JPA finds that the cumulative land use impact is potentially significant. The mitigation proposed to avoid the project's land use impact would reduce the impact but not to a less than significant level cumulatively. Therefore, this impact is considered significant and unavoidable. (FEIR, Volume II, p. 18-10)

Mitigation Measure LU-2: Implement General Plan Policies that Protect Agricultural lands from Conversion

The JPA or local jurisdiction will implement the applicable adopted general plan policies to minimize the conversion of important agricultural lands. Each member jurisdiction has its own policies for the protection of agricultural resources. Sacramento County's General Plan objectives, goals, and policies protect important farmlands from conversion to non-agricultural uses and encroachment and conserve agricultural resources (November 2011). The City of Elk Grove has adopted policies in its general plan that call for the conservation of agricultural uses, including the retention of agricultural productivity and the conservation of soils (City of Elk Grove General Plan, as amended 2009). The City of Rancho Cordova has adopted general plan policies, goals, and action items that protect and conserve farmland and agricultural practices, including the requirement to protect one acre of existing farmland of equal or higher quality for each acre of Prime Farmland, Unique Farmland or Farmland of Statewide Importance that would be converted to nonagricultural uses (City of Rancho Cordova 2006). The City of Folsom identifies the natural resources in the City planning area and outlines a comprehensive strategy for their preservation, protection and management in its Open Space and Conservation Element (City of Folsom 1993). El Dorado County addresses agricultural land conservation, management, and utilization of the County's agricultural and forest lands in its adopted General Plan, Agriculture and Forestry Element (July 2004).

Findings on Proposed Mitigation: Implementation of Mitigation Measures LU-2 would reduce this impact but not to a less-than-significant level. Although the impacts remain significant and unavoidable, The Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations in Section VI herein. (FEIR, Volume II, p. 18-10)

Noise: Cumulative impacts

Significant cumulative noise impacts are considered to occur when the cumulative noise generated by one or more individual projects exceeds an established noise standard. For example, if the land use compatibility noise standard for residential uses is 60 Ldn and traffic noise at a residential area along a roadway exceeds 60 Ldn, that residential area is considered to be exposed to a significant cumulative noise impact because noise exceeds

an established standard and the traffic generating the noise is the result of one or more individual development projects in the area.

Under the requirements of CEQA a determination must be made as to whether a project's incremental contribution to a significant cumulative impact is cumulatively considerable. Significant cumulative noise impacts are considered to occur along the proposed project alignment and the alternative alignments where traffic noise exceeds 60 Ldn at residential uses. Because noise from construction activity is highly localized and temporary, the contribution of construction noise to these significant cumulative impacts is not considered to be cumulatively considerable.

Implementation of the proposed project is expected to increase cumulative traffic noise levels in 2035 by as much as 2 dB depending on location. The project's contribution to significant cumulative noise impacts in the area is therefore considered to be cumulatively considerable. (FEIR, Volume II, pp. 18-11.)

Finding on Significance of Impact: The Connector JPA finds that the cumulative noise impact is potentially significant. The mitigation proposed to avoid the project's noise impact would reduce the impact to a less than significant level but not cumulatively. Therefore, this impact is considered significant and unavoidable. (FEIR, Volume II, p. 18-11)

Findings on Proposed Mitigation: The Connector JPA finds that the cumulative noise impacts to be potentially significant. Implementation of Mitigation Measure NOI-2 (see Impact NOI-2) would reduce project-related increases in noise. However because it may not be feasible in all cases to reduce project-related increases to a less-than-considerable level, the project's contribution to significant cumulative noise impacts is considered to be unavoidable. Although the impacts remain significant and unavoidable, The Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations in Section VI herein.

Traffic: Cumulative impacts

The transportation analysis of the proposed project under "cumulative" conditions is based on a "baseline" reflecting development assumptions for 2045 which reflect buildout of all residential uses in the traffic analysis study area and growth in jobs that results in about the same number of jobs per household in the traffic analysis study area as current levels with an increase in number of households based on growth projections.

The assumed roadway system serving the traffic analysis study area under cumulative (2045) No Project conditions generally reflects the maximum number of lanes allowed under local general plans. Most of the roadway segments that make up the project alignment have six lanes. The Elk Grove General Plan calls for eight lanes on Kammerer Road from Lent Ranch to SR 99 and on Grant Line Road from SR 99 to Bradshaw Road. The Sacramento County and El Dorado County General Plans call for White Rock Road

to have four lanes between Scott Road (E) and Latrobe Road.

SACOG's travel demand model (SACMET) was used to forecast travel demand and provide key performance measures, based on the 2045 development and transportation system assumptions outlined above. The Draft EIR summarizes the projected Year 2045 daily traffic volumes on segments along each of the alternative alignments and shows the projected change in Year 2045 daily traffic volumes compared to the Year 2045 No Project condition. (FEIR, Volume II, Table 17-9.) The Draft EIR also summarizes some key transportation criteria for each of the alignment alternatives. (FEIR, Volume II, Table 17-10.) The information in these tables was used to determine the general performance and impacts of the alignment alternatives, which are discussed below.

The assumed access along the proposed project in 2045 differs from the proposed project in 2035 as follows:

- An additional access point at Centennial Drive, which is expected to be extended to Grant Line Road after 2035.
- Additional interchanges (because of high traffic volumes by 2045) at Centennial Drive/Grant Line Road and at a roadway connection to White Rock Road between Grant Line Road and Prairie City Road.

Based on the general analysis of cumulative (2045) conditions, the impacts of the proposed project can be described as follows:

- The proposed project would cause increases in traffic volumes on 1) all of the segments along its alignment, and 2) most major roadways that provide access to the proposed project near where they intersect it. Because of higher levels of assumed development levels, the 2045 No Project traffic volumes would be higher on most major roadways in 2045 than 2035, and the increase in traffic volumes due to the proposed project would be somewhat greater under cumulative (2045) than the increases due to the proposed project in 2035. (FEIR, Volume II, pp. 16-56, 18-12)
- The proposed project would decrease traffic on many non-project roadway segments in the traffic analysis study area. However, the proposed project would cause traffic increases on most of its cross streets near where they intersect the Connector, which would likely result in significant LOS impacts on some non-project roadways, similar to the impacts of the proposed project. (FEIR, Volume II, pp. 16-57, 18-12)
- Measures could be identified to mitigate the LOS impacts on non-project roadway segments, but they would involve improvements beyond those planned by local jurisdictions, including some improvements that may not meet the policies of local jurisdictions because of concerns about adverse impacts on bicyclists and pedestrians. Improvements on non-project roadways would need to be implemented by local jurisdictions. Because local jurisdictions may choose not to implement them and the JPA cannot ensure their implementation, this impact is considered unavoidable considerable contribution. (FEIR, Volume II, p. 16-57, 18-12)

- The proposed project would decrease traffic on most of the freeway segments in the traffic analysis study area and would likely not cause any LOS impacts on the freeway mainline or at any ramp junctions. This contribution to freeway traffic is considered less than considerable. (FEIR, Volume II, p. 16-58, 18-12)
- The proposed project would decrease total vehicle hours of delay in the traffic analysis study area by approximately 11% because it would decrease traffic on a number of arterial/collector roadway segments in the traffic analysis study area and on portions of US 50, SR 99 and I-5. (FEIR, Volume II, p. 18-12)
- The transit policies adopted by the JPA as part of its Integrated Modes Policy would provide capital funding, beyond what would be available in the absence of the Project. This may facilitate a modest increase in bus service by 2045. This impact is considered less than cumulatively considerable. (FEIR, Volume II, p. 15-58, 18-13.)
- Outside the Sheldon area, the proposed project would reduce the number of existing access points along its alignment by 1) eliminating many (but not all) existing driveways and connections to smaller local roadways, and 2) limiting the number of new access points along the project alignment to planned arterial roadways and some new major collector roadways. This would reduce accident rates in the Project corridor. (FEIR, Volume II, p. 18-13.)
- In the Sheldon area, the accident rate for the proposed project with the Sheldon Access Roadway would be less than half the accident rate in the absence of the Project, and would substantially improve safety in the Sheldon area. (FEIR, Volume II, p. 16-59, 18-13.)

Finding on Significance of Impact: The Connector JPA finds that the proposed project would make a cumulatively considerable contribution to impacts on levels of service on non-project roadways. The mitigation measures proposed to avoid the project's impact would, in most cases, reduce the impact to a less than significant level. The measures required to mitigate the LOS impacts on non-project roadway segments would involve improvements beyond those planned by local jurisdictions. Improvements on non-project roadways would need to be implemented by local jurisdictions. Since local jurisdictions may choose not to implement them and the Capital SouthEast Connector JPA cannot ensure their implementation, this cumulatively considerable impact is considered *significant and unavoidable*. (FEIR, Volume II , pp. 16-56 to 16-59; 18-13)

Summary of Mitigation Measure TRF-1: Widen roadway segments and intersections

Potential mitigation measures for this impact are as follows:

- Widen Prairie City Road from Easton Valley Road to White Rock Road to six lanes
- Widen Scott Road (E) from US 50 to Easton Valley Parkway to eight lanes

- Latrobe Road and Town Center Boulevard – The 2035 analysis was based on the existing geometry at this intersection. Currently the westbound approach exiting the Town Center has a left-turn lane, a shared through and right-turn lane and a separate right-turn lane. The LOS impact at this intersection can be reduced to a less-than-significant level by providing a left-turn lane, a through and two right-turn lanes on the westbound approach.
- White Rock Road and Rancho Cordova Parkway – It was assumed that this intersection would have two left turn lanes, three through lanes and a separate right turn lane on each approach. The represents the typical maximum at-grade geometrics used by the City of Rancho Cordova. Additional improvements that could mitigate the LOS impact might include four-through lanes or a triple left-turn lane on one or more approach or a grade separation.
- East Bidwell Street and Iron Point Road - It was assumed that this intersection would have two left turn lanes, three through lanes and a separate right turn lane on each approach. This represents the typical maximum at-grade geometrics used by the City of Folsom. Additional improvements might include four through-lanes or a triple left-turn lane on one or more approach. (FEIR, Volume II , p. 16-49)

Summary of Mitigation Measure TRF-3: Widen roadway segments and intersections

The improvements needed to mitigate this impact are the same as Mitigation Measure TRF-1 except for one. The widening of Elk Grove Boulevard from Waterman Road to Bradshaw Road to four lanes would also be required for Mitigation Measure TRF-2. (FEIR, Volume II , p. 16-55.)

Findings on Proposed Mitigation: The Connector JPA finds that although implementation of these mitigation measures would minimize the potential cumulative traffic impacts on non-project roadways, they may not reduce these cumulative impacts to a less than significant level. This is because the measures required to mitigate the LOS impacts on non-project roadway segments would involve improvements beyond those planned by local jurisdictions, including some improvements which may not meet the policies of local jurisdictions due concerns about adverse impacts to bicyclists and pedestrians. Improvements on non-project roadways would need to be implemented by local jurisdictions. Since local jurisdictions may choose not to implement them and the JPA cannot ensure their implementation, these mitigation measures are infeasible. (FEIR, Volume II, pp. 16-54, 16-55, 18-13.) This impact, therefore, remains significant and unavoidable. Although the cumulative traffic impacts of the Project remain significant and unavoidable, the Connector JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations at Section VI herein.

Growth Inducing Impacts

The State CEQA Guidelines require that an EIR assess the growth-inducing impacts of a project, particularly the potential for a project to foster economic or population growth or the construction of new housing, either directly or indirectly in the surrounding environment. Included in this are projects which would remove obstacles to population growth.

A project can have direct or indirect growth inducement potential. A project would be considered to directly induce growth if it included construction of new housing. A project would be considered to induce indirect growth if it generated a substantial number of new jobs in the region, leading to the need for more housing, services, and associated growth. A major roadway improvement project could result in indirect growth by requiring a large construction effort generating new short- or long-term jobs.

A project may also be considered growth-inducing if it removes an obstacle to growth, such as providing public services or utilities to an area where these services are not available, or opening up a new area to development through the construction of new transportation facilities in areas where access is not currently provided. Growth inducement has the potential to result in a significant impact if the growth is not consistent with or accommodated by the land use plans and policies for the area affected because induced growth would exceed planned facilities and services and construction of needed housing and services could result in indirect physical effects on the environment. In addition, simply because growth would be consistent with land use plans does not mean a project removing obstacles is not growth inducing (*City of Antioch v. City Council* [1986] 187 Cal. App. 3d 1325).

Growth Inducing Impact: An established transportation network exists in Sacramento and El Dorado Counties that provides local and regional access. Major highways in the general project area include I-5, SR 99, and US 50, in addition to numerous arterial, collector, and neighborhood streets. Circulation within the general project area would be enhanced by the road widening, new road connections, and other improvements called for in the city and county general plans, which would provide access to planned development. Access to the project area is already provided along most of the project alignment by existing roadways. The proposed project would not create new access to areas that are not currently accessible to cars and other vehicles. In addition, the overall design concept for the proposed project is to limit access to the facility that would otherwise be allowed under the city and county general plans. These access limitations would reduce the growth-inducing effects of expanding the roadway capacity by ensuring that no access will be provided as a result of the project into areas. However, the result of the project will be to reduce congestion and provide better transportation conditions and easier access to areas currently served by the existing roadways. To the extent that the project will increase roadway capacity, it will remove obstacles to growth. Further, this will increase growth pressure on areas near the Connector's interchanges that are not currently planned for development.

Finding on Significance of Impact: The Connector JPA finds that for these reasons, the project is considered to have a significant growth inducing impact. (FEIR, Volume II, p. 18-13, 18-14.)

Findings on Proposed Mitigation: The Connector JPA finds that the growth inducing impact of the Project is significant. Implementation of Mitigation Measure POP-1 (see Impact POP- 1) may reduce this impact, but not to a less-than-significant level. Therefore, the Project's contribution to growth Inducement is considered to be significant and unavoidable. Although the impacts remain significant and unavoidable, the JPA has determined that the benefits of the Project outweigh the adverse impacts and that project should be approved, as explained in the Statement of Overriding Considerations in Section VI herein.

III. MITIGATION MONITORING PROGRAM

A Mitigation Monitoring and Reporting Program ("MMRP") was prepared for the Project and approved by the Connector JPA. (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) The JPA, or the Implementing Agency at the Project-level, will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period.

IV. PURPOSE AND OBJECTIVES OF THE PROJECT

A statement of a project's objectives provides a basis for defining the range of alternatives to be evaluated in an EIR in accordance with CEQA and the State CEQA Guidelines. CEQA also requires the analysis of a range of reasonable alternatives to a proposed project, which would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project." Based on these requirements, the Connector JPA has developed project objectives intended to address the deficiencies in the project area's existing roadway system, as described above.

The overall objectives of the project are to improve mobility, access, and connections between residential and nonresidential land uses, which have been compromised by increasing congestion, and to assist in preservation of open space and threatened habitats. The project is intended to link employment centers and residential areas in the corridor and contribute to the remedy for current and future deficiencies in transportation capacity, safety, and land use compatibility. The project would serve both regional and local travel needs, and would relieve congestion on heavily used local roadways that currently serve the corridor. The specific objectives of the project are to:

- enhance mobility options within the project corridor and support planned growth;
- aid economic vitality by improving accessibility to existing and planned job centers and commercial areas;
- provide a limited-access, multi-modal facility; and

- preserve open space, wildlife habitat, and productive agricultural uses in the corridor.

(FEIR, Volume II , p. 2-4.)

V. 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[.]” (Pub. Resources Code, § 21002, 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.” (*Ibid.*, 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.” (*Ibid.*)

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.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: “legal” considerations. (CEQA Guidelines, § 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).) 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, § 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 (i.e., mitigated to an “acceptable level”) 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. (Pub. Resources Code, § 21002; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 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, § 15091, subds. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the

agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interest, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.)

The preceding discussion regarding Project impacts reveals that nearly every significant effect identified in the Draft PEIR has been at least substantially lessened, if not fully avoided, by the adoption of feasible mitigation measures.

Thus, as a legal matter, the Connector JPA, in considering alternatives in these findings, need only determine whether any alternatives are environmentally superior with respect to those significant and unavoidable impacts. If any alternatives are in fact superior with respect to those impacts, Connector JPA is then required to determine whether the alternatives are feasible. If Connector JPA determines that no alternative is both feasible and environmentally superior with respect to the unavoidable significant impacts identified in the PEIR, Connector JPA may approve the Project as mitigated, after adopting a statement of overriding considerations.

CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, § 15126.6, subd. (a).) "The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The statute does not demand what is not realistically possible given the limitation of time, energy, and funds. 'Crystal ball' inquiry is not required." (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; see also CEQA Guidelines, § 15126.6, subd. (f)(3).) Indeed, as stated by the court in *Village of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1028, although there may be "literally thousands of 'reasonable alternatives' to the proposed project . . . 'the statutory requirements for consideration of alternatives must be judged against a rule of reason.'" (*Ibid.*, quoting *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 910.) "'Absolute perfection is not required; what is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.'" (*Id.*, at p. 1029.)

As described in section I.D. of these Findings, the Project has been under review, in some manner, for the last thirty years. During the last eight years, more detailed studies were completed, and a scoping process was conducted, which led to the determination of the alternatives to study in the Program EIR. Thus, the alternatives were developed and analyzed over several years, through an extensive technical and public outreach process.

The Connector JPA has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant

environmental impacts, as set forth below. The Connector JPA finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are either infeasible or are not environmentally superior to the proposed Project. Each alternative and the facts supporting the findings for each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration

CEQA requires that the lead agency identify any alternatives that were considered but rejected as infeasible during the scoping process, and briefly explain the reasons underlying the infeasibility determination (State CEQA Guidelines, Section 15126.6[c]). Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR is failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental impacts. The Draft PEIR included the following alternatives that were considered, but dismissed from further consideration. (FEIR, Volume III, Appendix H.)

1. Tunnel through Sheldon: Conceptual Alternative III B

The main alignment for this alternative would follow Hood-Franklin Road, Kammerer Road, Grant Line Road, and White Rock Road. This alternative included a two-land tunnel through the community of Sheldon. This design option in conjunction with Conceptual Alternative III was estimated to cost \$1.3 to \$1.4 billion and would create significant constraints with respect to phasing and construction, which would pose substantially greater construction complexity, risk, time, and cost (URS Corporation 2006). Therefore, Alternative IIIB was removed from further environmental review.

2. Stand-Alone Transit-Oriented Alternative

A stand-alone transit option was considered in the initial set of alternatives. A number of robust transit service concepts along the proposed Connector alignment and parallel roadways were tested and that analysis was presented to PDT members. It was found that robust transit concepts would not attract enough ridership to 1) be cost-effective or 2) substantially reduce the need to widen roadways. This alternative, therefore, as stand-alone alternative, was determined insufficient to meet the project objectives of aiding economic vitality via improved accessibility and goods movement, providing a reduced-access, multimodal road. However, transit-oriented and non-traditional forms of transportation alternatives are integrated as components into the proposed project. The Connector JPA has adopted transit policies, as part of its Integrated Modes Policy, to provide capital funding for cost-effective transit facilities along the project alignment and provide funding for strategic, cost-effective capital improvements on routes parallel to the project alignment that can demonstrate strong potential for high-use service. As such, the proposed project includes considerations for expanded transit service in the project area. Providing integrated multi-modal connections would help reduce the necessity to travel by single-occupancy vehicles in the project corridor. (FEIR, Volume III, Appendix H, p. H-7.)

3. Transportation System Management (TSM) Alternative

The objective of TSM is to reduce congestion using existing infrastructure, thereby reducing the need to construct new facilities. A stand-alone TSM alternative would typically involve construction of auxiliary lanes, reversible HOV lanes, or bus rapid transit lanes to improve the efficiency of the existing facilities without increasing the number of through lanes on the roadway. Similar to a transit alternative, TSM concepts along the proposed Connector alignment were tested and that analysis was presented to PDT members. It was found that TSM concepts would not attract enough ridership to 1) be cost-effective or 2) substantially reduce the need to widen roadways. As a result, TSM measures would not be effective as a stand-alone alternative to meet the project objectives to reduce congestion and improve safety within the corridor. However, the proposed project includes specific TSM components such as opportunities for exclusive high-occupancy vehicle (HOV)/transit lanes and bicycle and pedestrian facilities within the project limits. The member agencies also will continue to implement TSM strategies within their respective jurisdictions guided by plans and programs regardless of the proposed project. Based on this assessment, the TSM alternative as a stand-alone solution to meet the project objectives was withdrawn from further consideration. (FEIR, Volume III, Appendix H, p. H-8.)

4. Transportation Demand Management (TDM) Alternative

A stand-alone TDM alternative would consist of programs and projects to improve mass transit systems (e.g., bus) by providing incentives for using alternate forms of transportation to reduce the number of vehicle trips and reduce vehicle miles traveled within the project area. Similar to a transit alternative, TDM strategies along the proposed Connector alignment were tested and that analysis was presented to PDT members. It was found that TDM concepts would not attract enough ridership to 1) be cost-effective or 2) substantially reduce the need to widen roadways. Agencies in the region are already implementing numerous TDM strategies as part of their ongoing programs and projects. In addition, there are existing transit options available to the public in the project area and plans to continue to improve and expand these services. Finally, a stand-alone TDM alternative would not be able to meet key elements of the project objectives, particularly the need to reduce congestion and improve safety. For these reasons, a stand-alone TDM alternative was withdrawn from further study. (FEIR, Volume III, Appendix H, p. H-8.)

5. Combined Transit/TSM/TDM Alternative

The Connector JPA considered a combined Transit/TSM/TDM Alternative, which would involve strategies associated with all three concepts. Similar to the stand alone Transit, TSM, and TDM alternatives, a combined strategy along the proposed Connector alignment was tested. It was found that even with the combined strategy, this alternative would not attract enough ridership to 1) be cost-effective or 2) substantially reduce the need to widen roadways. Finally, a combined alternative would not be able to meet key elements of the project objectives, particularly the need to reduce congestion and improve safety. For these reasons, a stand-alone combined alternative was withdrawn from further study. (FEIR, Volume III, Appendix H, p. H-8.)

6. Dillard Road Alignment

An alternate connector route along Dillard Road in the southern portion of Sacramento County was considered but determined to be too remote in location to serve the travel needs of the user, serve the Connector JPA communities, or meet the project objectives. In addition, the proposed route alignment would be located entirely outside of Sacramento County's urban service boundary (USB), which is established to limit and manage growth in the county. This route would introduce new significant environmental impacts that the proposed project would avoid. (FEIR, Volume III, Appendix H, p. H-8.)

7. Shingle Springs Road Alignment to US 50

The Connector JPA considered an alternative that would extend from Douglas Road eastward to Shingle Springs Road near the El Dorado County line. The alignment would then follow Shingle Springs Road until it becomes Ponderosa Road and connects to US 50. This alternative would avoid running through the community of El Dorado Hills. However, this alignment was removed from further consideration because it would not meet the objectives to reduce travel times between communities along the project alignment in the eastern portion of the alignment, and would introduce additional significant impacts related to unplanned growth outside of the USB that would be avoided with the proposed project. (FEIR, Volume III, Appendix H, p. H-9.)

8. Truncate Eastern End: Empire Ranch Road Connection to US 50

The Connector JPA considered truncating the Connector before reaching the El Dorado County Line. This route would follow the existing proposed alignment on the eastern end on White Rock Road up to Scott Road, Prairie City Road, or another future road in the Folsom SOI, and then connect with US 50 potentially at Empire Ranch Road. This alternative was considered because of comments received by groups in communities El Dorado County concerned about traffic on White Rock Road through El Dorado Hills. This alternative was removed from further consideration because it would not address the objective of reducing travel times between key origins and destinations with respect to El Dorado County, the proposed Connector project would not change the planned improvements to White Rock Road in El Dorado County from those anticipated in the County's General Plan and numerous other improvements (e.g., improvements on White Rock Road through El Dorado County would proceed without the Connector, and improvements to area roads such as the West Access Road and the extension of Empire Ranch Road would proceed), and numerous potential design and geometric constraints associated with site topography at US 50. Therefore, this alternative would not avoid impacts associated with the proposed project and would introduce new significant impacts associated with access to US 50. (FEIR, Volume III, Appendix H, p. H-9.)

B. PROJECT ALTERNATIVES EVALUATED IN THE DEIR

Alternatives Considered in the EIR

To determine the Environmentally Superior Alternative, all alternatives were evaluated on a co-equal basis with respect to their ability to avoid or substantially lessen significant environmental

effects or provide meaningful differences in less-than-significant impacts, and their ability to meet the purpose and need for the Project. This analysis evaluated the No-Project alternative, followed by the alignment alternatives and project options. (FEIR, Volume II, Chapter 17.)

1. No Project Alternative – SACOG’s 2035 MTP

The roadway network under the No-Project Alternative represents, for the most part, the transportation system in SACOG’s adopted 2035 MTP, with widening of the existing roadways separately by the local jurisdictions in the general project area to four or six lanes, with exceptions, as noted below. Access along the roadways within the general project area under the No-Project Alternative would have only minor limitations on new driveways and no reductions in the substantial number of existing driveways. The No-Project Alternative would have numerous at-grade intersections with their locations based on adopted and proposed general plans and specific plans. These future roadway improvements would be intended to serve the planned growth in the general project area.

The primary difference between the No-Project Alternative and the proposed project is the amount and type of access along the project alignment. The proposed project would reduce the amount of access, especially on segments designated to have an expressway standard (Grant Line Road from north of Calvine Road to White Rock Road, and White Rock Road from Grant Line Road to the El Dorado County line).

Comparative Environmental Effects

Impacts under the No Project Alternative would be similar to the impacts under the proposed project. This is because the widening of existing roadways would occur under the local jurisdictions’ general plans and SACOG’s 2035 MTP. While the project would result in significant and unavoidable impacts to air quality, biological resources, cultural resources, land use, noise, population and housing, and traffic, similar impacts would also occur under the No Project Alternative. Specific impacts as anticipated for each environmental issue are described in Chapter 17 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the No-Project Alternative: Infeasible.

The No-Project Alternative represents what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans. Despite that fact that many of the significant impacts associated with implementation of the project would be slightly reduced in significance under the No Project Alternative, the implementation of this Alternative would still result in many significant impacts, and it would not meet any of the Project’s objectives.

The concept of “feasibility” encompasses the question of whether a particular alternative or mitigation measure promotes existing policies, as well as the underlying goals and objectives of

a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “[F]easibility’ under CEQA also encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

The No-Project Alternative would lessen some of the significant and unavoidable environmental impacts associated with implementation of the proposed project, such as the impacts on air quality, but it would not avoid these impacts altogether. Because the No Project Alternative includes no access restrictions through the Sheldon area, it would avoid the potential impact related to the physical division of the Sheldon Community by the Reduced Access Roadway. However, the No Project Alternative would not address the continuing long-term traffic congestion and safety concerns along the Project corridor, particularly through the Sheldon community.

Potential hydrology and water quality impacts could be substantially worse under the No Project Alternative, as the No Project Alternative could include up to 32 creek/stream overcrossings, while the proposed Project anticipates only 21 creek/stream overcrossings.

In addition, the No Project Alternative would not realize the transportation benefits anticipated with the proposed Project, including congestions relief, reductions in delay and travel times, and reduced VMT and VHT on congested roadways.

The No Project Alternative would also be inconsistent with Measure A, the Sacramento County 0.5% sales tax approved in 2004 by more than 75% of Sacramento County voters. The Measure specifically includes funding for the construction of the Connector Project, identified as the “I-5/SR99/US50 Connector.”

Furthermore, the No Project Alternative does not strategically apply access control to enhance functionality while discouraging growth in areas not designated for growth (as determined by the local jurisdictions’ general plans), as required in the planning principles and Functional Guidelines set forth in the JPA’s Joint Powers Agreement and Measure A.

Finally, the No Project Alternative does not support the South Sacramento Habitat Conservation Plan (SSHCP), which provides a regional approach to balancing development against conservation and the protection of habitat, open space, and agricultural lands, consistent with Measure A’s mandate that the Project adopt a habitat conservation approach. And it does not include the sustainability elements required under the proposed Project.

The No Project Alternative’s desirability is not on balance with the Project in terms of its economic, environmental, social and technological elements. The proposed Project is the more desirable choice for the Connector JPA and the region. Therefore, the No Project Alternative is rejected as infeasible.

2. Sunrise Boulevard Alignment Alternative

This alternative is the same as the proposed project, except that it would utilize existing Sunrise Boulevard for a portion of the alignment. At the Grant Line Road/Sunrise Boulevard intersection, this alternative would follow Sunrise Boulevard north as an expressway to just north of SR 16 (Jackson Highway) and then as a thoroughfare north of SR 16 to Douglas Road. North of Douglas Road, the alignment would be east of and parallel to Sunrise Boulevard, requiring an undefined new thoroughfare segment to provide a connection to White Rock Road. The alignment would continue east as a thoroughfare on White Rock Road through Rancho Cordova. East of Grant Line Road, the alignment is the same as the proposed project.

Comparative Environmental Effects

The comparative environmental effects of this Alternative are described in Chapter 17 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the Sunrise Boulevard Alignment Alternative: Infeasible.

This Alternative would utilize a portion of existing Sunrise Boulevard and require a new segment of roadway north of Douglas Road to connect to White Rock Road. It would avoid portions of existing Grant Line Road alignment that would be utilized by the proposed Project.

Nearly all of the impacts for this Alignment Alternative would be the approximately the same or more significant than the impacts of the proposed Project, as shown in Table S-2 of the Draft EIR, with the exception of biological impacts. This Alternative would lessen the biological impacts of the Project, as Sunrise Boulevard has less sensitive upland and wetland habitats that could be impacted and no critical habitat was identified. Despite this, the biological impacts of the Project with the Sunrise Boulevard Alignment Alternative would remain significant and unavoidable.

This Alignment Alternative would increase impacts to hydrology and water quality, public services and utilities, and recreation resources. The Sunrise Boulevard Alignment Alternative would have more extensive impacts on the hydrology and water quality conditions of the Folsom South Canal, Morrison Creek (upstream from Mather Lake), Rebel Hill Ditch, and surrounding tributaries. This Alternative would also slightly increase the impacts on water facilities, including the potential for construction of new storm water drainage facilities or expansion of existing facilities, due to the increased area of new road construction. And, compared to the proposed Project, this Alternative would result in the conversion of an additional 64.02 acres of park land. While all of these impacts would be slightly increased, as with the impacts of the proposed Project, they would all be less-than-significant after mitigation.

While this Alternative may lessen the biological impacts of the proposed Project, the Sunrise Boulevard Alignment Alternative does not meet the Project Objectives or serve as an I-5/SR99/US 50 Connector, as described in Measure A. Furthermore, unlike the proposed Project,

the Sunrise Alignment does not provide a limited-access facility, address deficiencies in transportation capacity and safety, relieve congestion in the Project corridor, enhance mobility options, or improve accessibility to existing and planned job centers and commercial areas.

As outlined above, the Sunrise Boulevard Alignment Alternative would pass through the proposed Rio del Oro project, which is planned as a dense mixed-use development. It would also cause increases in traffic volumes on all of the segments along its alignment, as well as most of the major roadways that provide access to this Alternative near where they intersect it.

In addition, the Sunrise Boulevard Alignment would not realize the same decrease in total vehicle-hours of delay in the traffic analysis study area that the proposed Project would generate. It would have the highest number of signalized intersections, and little access control. It would also increase traffic on all of the Project roadway segments and increase travel time along the Project corridor so significantly that through traffic would not use the Sunrise Boulevard Alignment as a preferred route.

Because through traffic would not utilize the Sunrise Boulevard Alignment as a preferred route, this Alternative would not enhance mobility options within the Project corridor or improve accessibility to existing and planned job centers and commercial areas.

Furthermore, because it is unlikely that through traffic would utilize the Sunrise Boulevard Alignment, this Alternative would not serve as an I-5/SR99/US50 Connector, as described in Measure A and approved by more than 75% of Sacramento County voters in 2004.

The Sunrise Boulevard Alignment Alternative's desirability is not on balance with the project in terms of its economic, environmental, social and technological elements. The project is the more desirable choice for the Connector JPA and the region. Therefore, the Sunrise Boulevard Alternative is rejected as infeasible.

3. Bradshaw Road Alignment Alternative

This alternative is the same as the proposed project, except that it would utilize existing Bradshaw Road for a portion of the alignment and would avoid a lengthy section of Grant Line Road between its intersections with Bradshaw and Douglas Roads. At the Grant Line Road/Bradshaw Road intersection, this alternative would be a thoroughfare along Bradshaw Road north to SR 16 (Jackson Highway), with access limited and consolidated where feasible. A signalized intersection spacing of ½ mile may not be feasible in this area because of existing and approved development, and therefore minimal ¼ mile spacing may be allowed for this stretch. From SR 16 (Jackson Highway), this alternative would continue as a new expressway in a predominantly easterly direction, along the southern boundary of Mather Airport, to the Sunrise Boulevard/Douglas Road intersection. The alignment would then follow Douglas Road east as a thoroughfare to Grant Line Road where it then follows Grant Line Road as an expressway. East of Grant Line Road, the alignment is the same as the proposed project. The mitigation measures identified for the project would also apply to the Bradshaw Road Alignment Alternative, as pertinent.

Comparative Environmental Effects

The comparative environmental effects of this Alternative are described in Chapter 17 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the Bradshaw Road Alignment Alternative: Infeasible.

The Bradshaw Road Alignment Alternative would utilize existing Bradshaw Road for a portion of the alignment and would avoid a lengthy section of Grant Line Road between its intersections with Bradshaw and Douglas Roads.

The impacts for the Bradshaw Road Alignment Alternative would be the approximately the same or more significant than the impacts of the proposed Project, as shown in Table S-2 of the Draft EIR. As outlined above, this Alternative would increase the impacts on biological resources, cultural resources, hydrology and water quality, hazards and hazardous wastes, public services and utilities, recreational resources, and traffic.

Because this Alternative is substantially longer, there is more overall acreage of land that may be impacted, including more acres of upland and wetland habitats within the assessment corridors than the proposed Project, contrary to the Project Objective to preserve wildlife habitat. The Bradshaw Road Alignment Alternative also has the potential to affect up to 300 acres of critical habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp. Like the impacts of the proposed Project, these biological impacts would be significant and unavoidable, and would increase the acres of mitigation lands required to replace these critical habitats.

This Alternative Alignment would add two high risk hazardous waste sites – Mather AFB and Aerojet Investments LTD. It would also increase potential impacts on cultural resources, and impacts on water resources. The Bradshaw Road Alignment Alternative has the highest number of water crossings (32 crossings), compared to 21 crossings for the proposed project, all of which must be bridged or culverted. This Alternative would also affect additional acres of wetlands and waters impacted by the Project, particularly in light of the additional water crossings.

The Bradshaw Road Alignment Alternative also has the potential to impact an additional 240.37 acres of park land. And because this Alternative involves additional construction activity when compared with the proposed Project, the impacts on regional landfills may also be greater.

In addition to increasing a number of environmental impacts, the Bradshaw Road Alignment Alternative also fails to meet a number of the Project Objectives. Because it would not be feasible to significantly limit access to Bradshaw Road or Douglas Road, this Alternative would not provide a limited-access facility, increase transportation capacity, enhance mobility options, or relieve congestion.

In addition, this Alternative would not realize the same decrease in total vehicle-hours of delay in the traffic analysis study area that the proposed Project would generate. It would have the highest number of driveways, and no access control. It would also increase traffic on all of the Project roadway segments and increase travel time along the Project corridor so significantly that through traffic would not use the Bradshaw Road Alignment as a preferred route.

Because through traffic would not utilize this Alternative as a preferred route, it would not enhance mobility options within the Project corridor or improve accessibility to existing and planned job centers and commercial areas. Furthermore, because through traffic would not utilize this Alternative, it would not satisfy the need for an “1-5/SR99/US50 Connector,” as identified in Measure A, which was approved by more than 75% of Sacramento County voters in 2004.

The Bradshaw Road Alternative’s desirability is not on balance with the project in terms of its economic, environmental, social and technological elements. The project is the more desirable choice for the Connector JPA and the region. Therefore, the Bradshaw Road Alternative is rejected as infeasible.

4. Kammerer Road Bypass Alternative

The Kammerer Road Bypass Option was developed to avoid residential areas along the existing Kammerer Road and the proposed extension of Kammerer Road. Under this option, the alignment would shift south just west of Franklin Boulevard and connect to the proposed Kammerer Road extension east of the proposed Willard Parkway, and continue to just east of Bruceville Road. At that point, it would shift south, continue east, and connect to the existing Kammerer Road just east of Big Horn Boulevard. The design of the Kammerer Road Bypass would be the same as the proposed Kammerer Road extension: a four-lane expressway west of Bruceville Road and a six-lane thoroughfare east of Bruceville Road with at-grade signalized intersections spaced 1 mile apart.

Comparative Environmental Effects

The comparative environmental effects of this Option/Alternative are described in Chapters 3 through 16 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the Kammerer Road Bypass Alternative: Not Environmentally Superior.

The Kammerer Road Bypass Option was designed to avoid impacts to a handful of existing structures on Kammerer Road. However, apart from avoiding some impacts on existing structures, the impacts of this alternative are very similar to those of the proposed project. In light of this, the Connector JPA may want to explore this option further in the future. While the JPA is not adopting the Kammerer Bypass Option at this time, because the Bypass Option is

within the General Alignment of the proposed Project, the Connector JPA's selection of the Kammerer Road alignment does not preclude further studies of this Option in the future.

While the impacts of hazards and hazardous materials may be lessened under this alternative, there is the potential for additional impacts on cultural resources, as well as additional impacts on hydrology and water quality due to the potential for increased impacts on bodies of water. In addition, this alternative may result in a slight increase in travel distance and time.

In light of these additional impacts, the Connector JPA is not selecting this alternative at this time, however, based on the incremental nature of the increased impacts, the JPA may explore this alternative in more detail in the future.

5. Deer Creek Causeway Options

Deer Creek Causeway Options 1 and 2 would construct a mostly elevated, divided, two-lane causeway on concrete piers and bridge slabs, including extended sections of an alternate-direction passing lane to facilitate slower traffic and continuous shoulders on both sides. Emergency pullouts would be provided about every 0.25 mile. No access points would be constructed along the causeway except for the proposed connections to Grant Line Road near each end. Only the paved shoulder along Grant Line Road, not the causeway, would accommodate bicycle and pedestrian access. The causeway would allow traffic on the Connector to bypass Grant Line Road south of central Sheldon. Two potential alignments for the causeway were studied:

- Option 1 would divert traffic from Grant Line Road just past its intersection with Waterman Road and would include a Grant Line Road connection at a signalized intersection just southeast of Mosher Road.
- Option 2 would divert traffic from Grant Line Road just south of Bradshaw Road and would include a Grant Line Road connection at a signalized intersection just southeast of Bradshaw Road.

Under both options, the causeway alignment would continue east, cross Deer Creek, head north just past Bradley Ranch Road, and connect to Grant Line Road just northeast of its intersection with Calvine Road. Access along the causeway would be limited to the connections from Grant Line Road near Mosher or Bradshaw, and Calvine Roads.

Under both options, the bypassed segment of Grant Line Road through Sheldon would not be incorporated into the proposed project. Any improvements to the bypassed segment would be in accordance with the Elk Grove General Plan as a separate project from the Capital Southeast Connector.

Comparative Environmental Effects

The comparative environmental effects of these Options/Alternatives are described in Chapters 3 through 16 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Findings on the Deer Creek Causeway Options: Not Environmentally Superior.

Overall, the Deer Creek Causeway Options are not the environmentally superior alternative for a number of reasons. While these options avoid the significant and unavoidable impact of the proposed project on the established community of Sheldon (LU-1: Physically Divide an Established Community), they result instead in significant and unavoidable aesthetic impacts to the predominantly rural, agricultural, and natural visual character of the area, specifically at the overcrossing of Deer Creek and the riparian/wetland habitat in the Cosumnes River floodplain. (Draft EIR, page 3-19; AES-1: Adverse Effect on a Scenic Vista; AES-2: Damage to Scenic Resources or Degradation of Existing Visual Character or Quality.) In addition to these aesthetic impacts, the Deer Creek Causeway options dramatically increase other impacts, including hydrology impacts and land use impacts, as set forth below:

The Program EIR also reflects that these options would significantly increase the impacts to wetlands, riparian habitat, agricultural lands, farmland, and potential habitat for special-status species by introducing a segment of new road to the southeast of the Sheldon area that currently has natural vegetation and agriculture, and provides special-status species habitat. These impacts include, but are not limited to:

- Impacts to 312 to 338.9 acres of agricultural lands.
- Impacts to farmland classified as Farmland Mapping and Monitoring Program land ranging from 780 to 873 acres (330 to 396 of which are prime farmland),
- Impacts to grassland and woodland areas ranging from 37.8 to 57.7 acres.

In addition, the Causeway would be built in the 100-year floodplain along its length and could result in a significant risk to people and existing structures in the floodplain, and would require project design approvals and permits from FEMA. (Draft EIR, pp. 10-31 to 10-32.)

Because the Cosumnes River Floodplain is undeveloped, there is also much more sensitivity of potentially unknown cultural and historical resources that may exist along the Deer Creek Causeway options. While mitigation measures are available to reduce the impacts to those resources to a less-than-significant level, such mitigation could result in significant construction delays and additional expense if such resources are found. And where avoidance of significant historic resources is not found to be feasible, impacts would remain significant and unavoidable.

The Deer Creek Causeway Options would also add additional traffic lanes to the project corridor. While concentrations are not expected to contribute to any new localized violations of the 1- or 8-hour ambient standards, these project options would result in a net increase in all criteria pollutants within the SMAQMD and exceed the district's thresholds. The proposed project with the Causeway options would also cause traffic increases on most of the proposed project's cross streets near where they intersect the Connector. The segment analysis indicates that increases in daily traffic volumes on these segments would result in significant LOS impacts.

In addition to having additional environmental impacts, the Deer Creek Causeway options are inconsistent with a number of current regional planning documents, substantially increase the cost of the project, and could have economic consequences for the town of Sheldon.

Because traffic would be diverted from the town of Sheldon, business owners along Grant Line Road have expressed concerns regarding the potential negative effect the Causeway options may have on their businesses.

The Deer Creek Causeway option is inconsistent with a number of current planning documents throughout the region, including the 2050 Preferred Blueprint Scenario, the adopted MTP 2035, and SACOG's ongoing MTP update, as well as the current general plans for Sacramento County and the City of Elk Grove, both of which contemplate that Grant Line Road will be expanded to six lanes, and do not include the Deer Creek Causeway.

The Causeway is also inconsistent with the Open Space Element of Sacramento County's General Plan, which identifies the area between Deer Creek and the Cosumnes River, extending from Hwy 99 to the Jackson Highway, as a key focus of the open space preservation strategy, noting that the area evidences almost all of the values that define open space, including: major groundwater recharge, frequent flooding, numerous archeological and historical sites, quality riparian habitat (which is recommended for protection), and aggregate resources. (Sacramento County General Plan, Open Space Element, pg. 8.)

Furthermore, the Deer Creek Causeway is less supportive of the SSHCP's regional approach to balancing development against conservation and the protection of habitat, open space, and agricultural lands in the plan area. Similarly, these options are less supportive of Measure A's goals to preserve agricultural land and unique, natural amenities.

The Deer Creek Causeway is also inconsistent with the planning principles in the joint powers agreement that established the Connector JPA, as well as the Project Objective of preserving open space, habitat, and agricultural uses.

Finally, construction costs for the Deer Creek Causeway options would also increase the overall cost of the project by between \$245 million to \$285.5 million.

Because the desirability of the Deer Creek Causeway options is not on balance with the proposed Project in terms of its economic, environmental, social and technological elements, the proposed Project is the more desirable choice for the Connector JPA and the region.

6. Sheldon High Access Roadway Option

Under the Sheldon High Access Roadway Option, Grant Line Road would be widened from four to six lanes consistent with the Elk Grove General Plan, and access would be maintained to driveways and local roadways on the segment through Sheldon, from Bond Road to Calvin Road. With 2035 traffic volume forecasts to exceed 30,000 daily vehicles on Grant Line Road through the Sheldon area, left-turn access would only be allowed at signalized intersections for

safety reasons. Under the Sheldon High Access Roadway Option, in addition to roadway widening, any unsignalized locations would be restricted to right turns, which would cause a substantial increase in U-turns at signalized intersections. Up to seven traffic signals would likely need to be installed over the 2.7 miles from Bond Road to Calvine on Grant Line Road because of high traffic volumes or to connect commercial properties to Grant Line Road and allow left-turn access.

Comparative Environmental Effects

The comparative environmental effects of this Option/Alternative are described in Chapters 3 through 16 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the High Access Roadway Alternative: Infeasible.

Under the Sheldon High Access Roadway Alternative, Grant Line Road would be widened from four to six lanes consistent with the Elk Grove General Plan, and access would be maintained to driveways and local roadways on the segment through Sheldon, from Bond Road to Calvine Road.

This Alternative would avoid the limitation on access from one side of the Sheldon community to the other side that may result from the selection of the proposed Project with the Reduced Access Roadway (Impact LU-1). Despite this benefit, however, the Sheldon High Access Roadway Alternative does not meet the Project Objectives, and may slightly increase certain environmental impacts.

Because this Alternative would include the widening of Grant Line Road from 4 to 6 lanes, certain impacts would be increased, including impacts to biological resources, hydrology and water quality, and traffic. In particular, this Alternative may have additional impacts on riparian woodland, special status wildlife or habitat, and protected trees. While these impacts would be reduced to a less-than-significant level through mitigation if possible, they could require the acquisition of additional acres of mitigation land.

The wider roadway associated with the Sheldon High Access Roadway Alternative would also increase the impervious surface area preventing ground water recharge and increasing the potential for runoff resulting in flooding.

This Alternative would also increase the traffic on all roadway segments, and result in LOS F conditions on Grant Line Road from Sheldon to Wilton Road, and LOS E conditions from Wilton to Bond Road. The level of service at the intersections of Grant Line Road with Aleilani Lane and Wilton Road would also be degraded to LOS F with this Alternative.

Based on these traffic impacts and because the Sheldon High Access Roadway would not limit access and contributes to significant levels of congestion through this segment of the Project, it does not meet the Project Objectives.

By decreasing the level of service through the Sheldon Area to LOS E and F, the High Access Roadway fails to enhance mobility options within the Project corridor or improve accessibility to existing and planned job centers and commercial areas. In addition, because this Alternative does not restrict access, it does not relieve the pressure for development through this segment, and may result in the additional conversion of open space, wildlife habitat, or productive agricultural uses to other uses.

Furthermore, because the High Access Roadway Alternative contributes to congestion along the Project corridor, it fails to serve regional travel needs, or contribute to the remedy for current and future deficiencies in transportation capacity or safety. By significantly increasing traffic along all roadway segments and degrading operations to LOS F in the center of the proposed Project corridor, the High Access Roadway Alternative will not serve the regional need for an I-5/SR99/US 50 Connector, as identified by Measure A, and it will not create a reliable link between residential areas and employment centers. Commuters and other travelers are unlikely to utilize the proposed Project if a main segment between these uses operates at LOS F.

Furthermore, without limitations on access, this Alternative provides no safety improvements along this segment of the proposed Project.

Because the High Access Roadway Alternative's desirability is not on balance with the Project in terms of its economic, environmental, social and technological elements, the proposed Project is the more desirable choice for the Connector JPA and the region. Therefore, the High Access Roadway Alternative is rejected as infeasible.

7. Off-Corridor Multi-Use Path Alternative

The Off-Corridor Multi-Use Path Alternative is a basic multi-use path that would be constructed within the Connector corridor and an off-corridor trail that would be completed in coordination with local park jurisdictions. The Off-Corridor Multi-Use Path would link existing disconnected trail segments in the study area. Segments of a Class I multi-use path off the project corridor would be constructed along Laguna Creek, the Folsom South Canal, and Alder Creek. This path, which would be paved and measure 12 feet wide with 2- to 4-foot-wide graded shoulders, would be constructed between disconnected existing trail segments to create a fully linked system between the southwest and northeast portions of the project area.

Comparative Environmental Effects

The comparative environmental effects of this Option/Alternative are described in Chapters 3 through 16 of the Draft EIR, and incorporated herein by this reference as if fully set forth herein.

Feasibility/Relationship of Alternative to Project Objectives

Finding on the Off-Corridor Multi-Use Path Alternative: Not Environmentally Superior.

Overall, implementation of the Off-Corridor Multi-Use Path Alternative would not reduce or avoid any impacts of the Proposed Project. And while it would not increase the significance of

any of the environmental impacts identified in the Program EIR, it does have the potential to result in slight increases in the following impacts:

- Direct and indirect impacts on sensitive biological resources, including sensitive upland and wetland habitats;
- Cultural resource impacts, including the Prairie Diggings Placer Mining District;
- Hydrology and water quality resources where the Path runs outside of existing roads, as well as additional impacts on water bodies along the Laguna Creek and other water bodies along the path;
- Additional impacts related to property acquisition and relocation, as well as the potential for development along the southern portion of Grant Line Road;
- Potential for construction of new storm water drainage facilities or expansion of existing facilities;

While the Off-Corridor Multi-Use Path Alternative itself could increase the use of the existing off-corridor multi-use path because it would be an expansion and improvement of this recreational resource, it would not put increased pressure on any already overused recreational facilities. It would provide additional capacity of an existing facility and would be a beneficial impact. In addition, it would provide additional benefits to bikeway or pedestrian uses.

Because the Off-Corridor Multi-Use Path Alternative's desirability is not on balance with the Project in terms of its economic, environmental, social and technological elements, the proposed Project is the more desirable choice for the Connector JPA and the region.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Program EIR indicates that if the proposed Project is constructed, certain significant effects may be unavoidable. However, if the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the project may be approved in spite of the adverse environmental effects. CEQA requires the Connector JPA Board of Directors to balance the benefits of the Connector Project against its unavoidable environmental risks in determining whether to approve the proposed alignment.⁹

The Program EIR identifies the following significant environmental impacts as unavoidable:

- Operation of the project would contribute to an increase of traffic emissions above the Sacramento Metropolitan Air Quality Management District's threshold, despite mitigation measures to minimize air quality impacts, and project objectives to minimize the expansion of urban areas and changes in land use, and to restrict access.
- Construction of the project would lead to cumulatively significant impacts on the aesthetic character and visual quality of the predominantly rural study area, even with the implementation of general plan policies that would reduce these impacts

⁹ Virtually all of these unavoidable impacts were also determined to be significant and unavoidable by SACOG under the current MTP 2035, which includes the Connector Project. SACOG made a statement of overriding considerations relying on the benefits of the project outweighing the environmental impacts.

- Construction of the project could lead to permanent impacts on wetlands and loss or disturbance of special-species wildlife and their habitats, despite a number of mitigation measures designed to reduce such impacts.
- Construction of the project could destroy or damage cultural resources or historic architectural resources, despite a number of mitigation measures designed to reduce such impacts.
- Construction and operation of the project would convert both prime farmland and Williamson Act lands to non-agricultural uses, despite a number of mitigation measures designed to reduce such impacts.
- Both construction and operation of the project could expose noise-sensitive land uses to noise and vibration, despite mitigation measures to reduce these impacts.
- The proposed project may result in the expansion of urban areas and changes in land use.
- The proposed project would increase traffic volumes and adversely affect Level of Service (LOS) on some non-project roadways and intersections in the traffic analysis study area.
- The Reduced Access Roadway (RAR) Option would limit access from one side of the Sheldon community to the other side of Grant Line Road.

However, as detailed in the findings for each impact above, because of the programmatic nature of the EIR, and because the exact location and design of future project elements have not yet been identified, it would be speculative to attempt to determine project-specific impacts, and it is infeasible to design project-specific mitigation measures in all cases to ensure respective impacts would be reduced to a less than significant level. Therefore, excess caution was employed in determining significance, which led to determinations of significant, unavoidable impacts for the project. **Some of the impacts above could be reduced or avoided altogether after detailed-level project planning and project-level environmental review is completed.**

Pursuant to Guidelines section 15092, the Connector JPA finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible. The Connector JPA further finds that it has balanced the benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The Connector JPA makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact.

1. The Project Supports Long-Range Regional Planning Efforts.

The need for the Project has been studied and established through various long-range regional planning efforts. These efforts began in 1984 when Sacramento County conducted an East Area Transportation Study and identified a need for a circumferential “beltway” to accommodate increasing development, population, and transportation demands. This “beltway” became the

focus of a feasibility study conducted by the Sacramento Area Council of Governments (SACOG) in 1985. Additional studies at SACOG over the next 20 years culminated in the formation of the Connector JPA in 2006 for the planning, construction, and operation of the Connector Project.

The Project has also been included in the regional Metropolitan Transportation Plan (MTP) for more than a decade. The MTP 2025, adopted in 2002, included a project in the corridor area designated as the “Elk Grove-Rancho Cordova-El Dorado Connector.” In addition, the Connector Project is recognized as an element of the Preferred Blueprint Scenario for 2050, adopted by SACOG in 2004, and is shown as part of the assumed future transportation network for the Blueprint. In 2008, the current MTP 2035 was adopted, which implemented the Blueprint principles, and includes the Connector Project. The Connector Project is described in the current MTP 2035 and the Blueprint as a four to six lane project for the 35 mile corridor.

2. The Project is Consistent with the Need Identified by Measure A, which was Approved by Over 75% of Voters in Sacramento County.

In 2004, the voters of Sacramento County overwhelmingly renewed Measure A, a countywide 0.5% sales tax, which included funding for the planning and construction of the Connector Project, identified as the “I-5/SR99/US50 Connector.” Measure A was approved by more than 75% of the voters, and specifies that funding for construction of the Project is contingent on the establishment, approval, and adoption of a habitat conservation approach.

3. The Project Supports Transportation and Land Use Principles Consistent with the General Plans of the Local Jurisdictions

The Project supports the transportation and land use principles in the general plans of the local jurisdictions, including the County of Sacramento, City of Elk Grove, County of El Dorado, City of Rancho Cordova, and the City of Folsom, which include plans for a roadway consistent with the Project, and will enhance mobility options within the Project corridor to serve and support sustainable planned growth and development patterns and principles from the approved general plans, while minimizing impacts on the livability of residences and communities along the Project corridor.

As identified in the jurisdictions’ general plans, the Project corridor has been, and continues to be, the site of significant regional growth and development.

4. The Project Provides Strategic Access Controls to Discourage Growth which will Enhance Regional Transportation Goals

The Project will strategically apply access control and capacity characteristics to preserve and enhance regional functionality while discouraging growth in areas not designated for growth in the local jurisdictions’ general plans. Consistent with the Preferred Blueprint Scenario for 2050, adopted by SACOG in 2004, as well as the Sacramento County Open Space Preservation Strategy in the Sacramento County General Plan, the Project will apply access control to preserve open space, habitat, and agricultural uses along the Project Corridor.

Many segments of the Project corridor run through or adjacent to areas containing valuable open space resources, particularly in the areas east and south of Grant Line Road. Many of these areas are designated in local general plans for open space, recreation, or agricultural uses, which would normally preclude them from development. However, many areas in the corridor are under tremendous development pressure, which would result in degradation of biological resources and open space values, as well as increased travel congestion.

The Project will be designed to comply with the JPA's planning principles and Functional Guidelines, as set forth in its Joint Powers Agreement. The planning principles and Functional Guidelines require that any portion of the Connector Project shall strategically apply access control to enhance functionality while discouraging growth in areas not designated for growth as determined by the local jurisdictions' general plans. In addition, significant portions of the project may be built to an expressway standard, which will have fewer access points than a thoroughfare and may include growth-restrictive, grade-separated interchanges instead of at-grade intersections at specific locations.

5. The Project Provides Efficient and Safe Facilities for Multi-Modal Travel

The Project will provide efficient and safe facilities for automobile, transit, bicycle, and pedestrian options for multi-modal travel, consistent with regional planning goals set by SACOG and the applicable general plans of the local jurisdictions.

Improvements are needed to ensure the safety and security of travelers traveling by all modes in the project corridor. (FEIR, Volume II, p. 2-3) Automobile accidents, including those affecting pedestrians, bicyclists, and motorcycle riders continue at high rates in Sacramento County. (FEIR, Volume II, pp. 2-3, 2-4.)

To provide efficient and safe facilities for multi-modal travel, the Project will include an in-corridor multi-use path with non-motorized, multi-modal facilities, including Class I, II, and/or III bike lanes throughout the project corridor, depending on the design.

6. The Project will Improve Accessibility to Job Centers and Commercial Areas, Aiding Economic Activity Crucial to the Region's Economic Health and Sustainability

The Project will aid economic vitality by improving accessibility to existing and planned job centers and commercial areas, facilitating goods movement, and enhancing the attractiveness of existing and planned employment and commercial areas. By 2045, employment in Rancho Cordova, the largest employment center in the Project corridor, is expected to more than double; its job total will be more than the current employment in central Sacramento. (FEIR, Volume II, p. 2-6.) The El Dorado Hills Business Park will also become a major employment center, growing from 9,000 jobs in 2008 to more than 33,000 in 2045. (FEIR, Volume II, p. 2-6.) Additionally, Elk Grove is expected to grow as a regional employment center, with a 200% increase in jobs by 2045. (FEIR, Volume II, p. 2-6.)

The Project will facilitate diversified employment opportunities for residents of the region and provide a larger reservoir of skilled workers to businesses in the corridor by creating a more direct connection between residential areas and employment centers.

The Project will also be designed for higher travel speeds and have higher capacity and less delay at intersections than a typical arterial or thoroughfare facility. By substantially reducing delay and travel times along the alignment, the Project will also reduce the cost of shipping goods and facilitate goods movement throughout the region.

7. The Project Supports Habitat Conservation and Open Space Preservation

The Project will support the South Sacramento Habitat Conservation Plan (SSHCP) and will preserve open space to reinforce and support approved land use plans, consistent with Measure A which provides that the I5/SR99/US50 Connector shall be consistent with a habitat conservation approach.

The Connector JPA is a partner in the SSHCP process that is currently underway to help ensure preservation of natural resources in south Sacramento County, and the JPA is included in the SSHCP as a covered project. The SSHCP provides a regional approach to balancing development against conservation and protection of habitat, open space, and agricultural lands. The SSHCP will protect 30 species of plants and wildlife including 10 that are listed as threatened or endangered under federal and state law. The SSHCP will also protect vernal pool, wetland, and stream habitats.

The Connector Project includes \$15 million for open space acquisition, funded through Measure A as part of the Project. These funds could be used to strategically target areas that are most susceptible to growth pressures, to provide local matching funds for securing other funding to inhibit development in areas that are not currently planned for urban growth, and to protect sensitive habitat and open space, consistent with approved land use plans. The Project will also assist in protecting agricultural uses.

In addition to open space preservation, the Project will include design features to relieve potential encroachment on natural and agricultural resources, including access management to minimize direct exposure of natural resources and agricultural uses to increased activity, and accommodating the regional need to transport agricultural products to market and to move agricultural equipment.

8. The Project Provides Regional and Local Transportation Benefits

There are numerous regional and local deficiencies in the Project corridor's existing roadway facilities, which create a variety of transportation problems, including insufficient transportation options for persons, goods, and freight within the corridor. (FEIR, Volume II, p. 2-2.) The Project Corridor is principally served by a partial grid system of arterial roadways, but this grid system has gaps on its northern end and substantial levels of congestion in areas that are projected to grow. It also does not provide adequate mobility for longer-distance trips due to an increasing number of traffic signals.

In addition, increasing development and demand for limited transportation capacity are resulting in growing congestion on local streets. Currently in the project corridor, about 25% of all weekday peak-period VMT takes place under level of service (LOS) E or F conditions. (FEIR, Volume II, p. 2-2.) A number of roadway segments in the project vicinity do not meet current LOS standards.

Furthermore, growth in area households and employment is expected to far outpace roadway and transit improvements, which means congestion will worsen as newly constructed dwellings become occupied and as new jobs are filled in the project corridor and the greater Sacramento region. Sections of US 50 and SR 99 are very congested during peak periods, motivating travelers to seek alternate routes on arterials and local streets. Congestion along numerous segments in the project vicinity is also projected to worsen as planned growth and development in the region proceed. (FEIR, Volume II, p. 2-3)

The Project will help to address these regional and local deficiencies, and will provide numerous transportation benefits for the region, including:

- a. Decreased traffic on several arterial/collector roadway segments in the traffic analysis study area, as well as decreased traffic volumes on portions of US 50, 99, I-5;
- b. Reduced vehicle miles travelled (VMT) and vehicle hours travelled (VHT) percentages on congested roadways in the traffic analysis study area;
- c. Substantially reduced delay and travel times along the project alignment;
- d. Reduced overall delay on the entire roadway system serving the traffic analysis study area;
- e. Reduced travel times between communities along the project alignment, especially along the expressway segment between Grant Line Road at Calvine Road and White Rock Road at the El Dorado County line; and
- f. Improved goods movement in the corridor by substantially reducing delay and travel times.
- g. Improved safety through the inclusion of divided lanes, shoulders, and controlled intersections.

(FEIR, Volume II, p. S-5)

9. The Project Provides an All-Weather Transportation Facility to Enable Mobility and Emergency Vehicle Access for Improved Health and Safety

Portions of the project corridor lie within the Federal Emergency Management Agency's (FEMA) designated 100-year flood zone, meaning some segments of older arterials are

impassible during high water conditions. Generally, the two-lane rural design of many roads in the corridor also creates problems for emergency vehicles responding to residential, workplace, and roadside emergencies, including but not limited to flooding, fire, traffic accidents, evacuations, and other emergency conditions.

By increasing the number of traffic lanes throughout the alignment, the Project will enable faster and safer access for emergency vehicles and residents in cases of emergency. (FEIR, Volume II, p. 2-3)