

SUTTER POINTE SPECIFIC PLAN AMENDMENTS LAKESIDE AT SUTTER POINTE SUTTER COUNTY

Addendum and Environmental Checklist

Prepared for
County of Sutter
Development Services Department

August 2024



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Development Services Department
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LAKESIDE AT SUTTER POINTE

Addendum and Environmental Checklist

Introduction and Project History

The Sutter Pointe Specific Plan (SPSP) project is an approved specific plan for a mixed-use master-planned development community. The Specific Plan includes a combination of employment-generating uses, retail and supporting services, recreational uses, and a broad range of residential uses and associated infrastructure and roads in southern Sutter County. The Sutter County Board of Supervisors approved the SPSP project in 2009 after certifying the Environmental Impact Report (EIR) for the project.

Since approval of the project in 2009, developers and property owners have made improvements within the SPSP area in anticipation of development occurring. For example, the Highway 99/ Riego Road interchange has been constructed, which is the type of infrastructure improvements and planning that has occurred in the area in preparation for significant growth in southern Sutter County. In 2014, property developers requested a rearrangement of land uses in the Phase 1 area of the SPSP, now called the Lakeside at Sutter Pointe, area. The purpose of that request was to better position the property to respond to changing economic conditions. The County prepared an addendum to the 2009 EIR and approved those changes to the SPSP on October 28, 2014. In 2017, the County approved the Sutter Pointe Regional Wastewater Conveyance Project, including certification of the EIR prepared for the project (State Clearinghouse Number [SCH#] 2016012048), to extend wastewater service from the Upper Northwest Interceptor (UNWI), operated by the Sacramento Regional County Sanitation District (Regional San), to the SPSP area. The Wastewater Conveyance Project includes on- and off-site facilities needed to convey future wastewater flows from the SPSP area to the UNWI, including pumping facilities and parallel force mains, for conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment. In 2020, project developers requested a reallocation of land uses within the Lakeside project site, while keeping the number of dwelling units and non-residential square footage the same within the totality of the SPSP area. The County prepared an addendum to the 2009 EIR and approved those changes to the Lakeside project site on November 17, 2020.

The project developers have now applied to amend the SPSP to allow for a reallocation of land uses again within the Lakeside project site. The proposed change would slightly reduce the number of dwelling units within the totality of the SPSP area while leaving the amount of non-residential square footage within the totality of the SPSP area the same.

In reviewing the proposed project revisions, the County's first step is to examine the impacts addressed in the prior EIR to determine whether the previous environmental document remains

relevant. This involves assessing whether the changes in land use and project circumstances affect the validity of the previous environmental analyses. The examination confirms that the revised project, though it includes updated land use allocations, does not introduce new significant environmental impacts or substantially increase the severity of significant previously identified significant impacts beyond those previously analyzed. The prior EIR remains relevant because the core project components and environmental settings are consistent with the conditions analyzed, and the proposed changes are within the scope of previously evaluated impacts.

For the County to consider amendments to the approved plans, the County must ensure that, if needed, environmental review consistent with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines has been completed. Because the County has previously complied with CEQA for the approved project and the new discretionary action before the County would be a change in an already-approved project, the County can rely on information in the certified EIR and the subsequent addendums previously prepared for the SPSP area, to the extent they remain adequate. Consistent with the requirements of CEQA Guidelines Section 15162, the County must, therefore, determine whether any changed circumstances or “new information of substantial importance” will trigger the need for a subsequent EIR. Under that section, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

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

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If any of the triggers set forth above occurs, the County would be required to prepare a subsequent EIR, unless “only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation,” in which case a “supplement to an EIR” would suffice (see CEQA Guidelines, Section 15163). If there are no grounds for either a subsequent EIR or a supplement to an EIR, then the County must prepare an addendum pursuant to CEQA Guidelines Section 15164, explaining why “some changes or additions” to the 2009 Final EIR and 2014 and 2020 Addendums “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Environmental analysis has been prepared for the whole SPSP area, and for the Lakeside project area, and are encompassed in three environmental documents:

- Sutter Pointe Specific Plan Environmental Impact Report, **SCH # 2007032157** (certified June 30, 2009);
- Sutter Pointe Specific Plan EIR Amendment, Addendum, **SCH # 2007032157** (approved October 28, 2014); and
- Sutter Pointe Specific Plan EIR Amendment, Addendum, **SCH # 2007032157** (approved November 17, 2020).

In addition, since certification of the 2009 EIR, the California Public Utilities Commission (CPUC) certified an EIR for Golden State Water Company’s (GSWC) application for a Certificate of Public Convenience and Necessity (CPCN) Project to establish a non-contiguous service area of southern, unincorporated Sutter County to provide municipal and industrial water service to the SPSP area. In addition, as described above, the County approved the Sutter Pointe Regional Wastewater Conveyance Project to extend wastewater service from the UNWI to the SPSP area. The environmental impacts of those projects were analyzed in the following EIRs:

- Golden State Water Company - Sutter Pointe CPCN EIR, **SCH # 2010012025** (certified June 2010)
- Sutter Pointe Regional Wastewater Conveyance Project EIR, **SCH # 2016012048** (certified February 2017).

This environmental checklist has been prepared to determine whether any additional environmental review would be required for the County to consider adoption of the proposed changes to the Sutter Pointe Specific Plan. This analysis considers whether the Lakeside project or environmental conditions that exist today have changed such that new or substantially more severe environmental impacts would occur compared to those evaluated in the 2009 EIR, 2014 Addendum, and 2020 Addendum.

This Addendum uses the terms "Approved Lakeside project," which encompasses the 2009 EIR and its subsequent 2014 and 2020 Addendums, while the "Proposed Lakeside project," identifies the currently proposed amendments outlined in this document.

SPSP History

On June 30, 2009, Sutter County certified an EIR for the SPSP, a 7,528-acre site then in agricultural and industrial use. The SPSP originally allowed for a maximum of 17,500 residential dwelling units (in three residential categories and one mixed-use category) on approximately 2,900 acres; approximately 49,706,000 square feet (sf) of employment-generating and other nonresidential uses on approximately 3,600 acres; elementary (K-8) and high schools, other community buildings, parks, and open space on approximately 1,000 acres; institutional uses; local commercial uses; detention basins; and major roads.

In 2014, South Sutter, LLC and Riego 1,700, LLC requested a Specific Plan Amendment (2014 Amendment) for a portion of the SPSP, also known as Phase 1. The 2014 Amendment affected 1,341.9 acres of the SPSP that were generally bordered by Sankey Road on the north, Riego Road on the south, Natomas Road on the east, and Pacific Avenue on the west. While the proposed Specific Plan Amendment changed the land use and circulation network, it resulted in no changes in the total acres of residential uses and schools (see **Table 1**). There was a small increase in land designated for employment uses and a comparable decrease in land designated for commercial retail uses. There was a small increase in the amount of land designated for parks and a comparable decrease in the amount of land designated for open space and roads.

TABLE 1
HISTORICAL LAND USE COMPARISON WITHIN PHASE 1

Land Use	2009 SPSP (in acres)	2014 Specific Plan Amendment (in acres)
Low-Density Residential (LDR)	178.2	178.2
Medium-Density Residential (MDR)	582.8	582.8
High-Density Residential (HDR)	48.6	48.6
Employment 1 (E1)	107.5	114.4
Commercial Retail (CR)	35.8	28.9
Park [park + recreation] (P)	62.8	68.5
Open Space [open space + lake] (OS)	187.6	184.6
Schools (K-8)	40.3	40.3
Roads	98.3	95.6
Total	1,341.9	1,341.9

SOURCE: Sutter County, 2008. Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157). Published December 2008. Sutter County, 2014. Addendum to the Sutter Pointe Specific Plan. August 2014.

Specifically, the 2014 Amendment rearranged previously approved land uses within the Phase 1 area of the SPSP area. A large, central open space area (Parcel OS-17) was relocated and a

mixture of mostly residential uses with parks and smaller open space parcels reconfigured to take its place. The displaced open space was repositioned within the southern portion of the Specific Plan Amendment area in the form of a lake/detention basin water feature (Parcel OS-22) and along the entire eastern boundary of the Specific Plan Amendment area in the form of a linear open space corridor (Parcel OS-17). One school (K-8 1) was relocated from its north-central location west, to a new site along the western border of the Specific Plan Amendment area. The other school (K-8 3) was repositioned from its western location to a new site closer to the eastern boundary, alongside the relocated open space corridor.

Low-density residential uses, originally approved to be located in the center of the Specific Plan amendment area, were moved mainly to the east, with one additional low-density residential area moved to the south, adjacent to the proposed water feature. This shift of low-density residential development was intended to provide a transition between the open space areas and the medium-density residential portions of the Specific Plan Amendment area. Lastly, an increase in the number of designated roads in the central and northeast portions of the Specific Plan Amendment area provided the circulation network with more east-west connectivity and additional access throughout the northeast corner of the site. The Addendum (2014 Addendum) to the SPSP EIR was approved by Sutter County on October 28, 2014.

In 2020, South Sutter, LLC and Riego 1,700, LLC requested Tier 2 entitlements and a Specific Plan Amendment (2020 Amendment) that would affect 873.5 acres of the SPSP area, known as Lakeside at Sutter Pointe, located north of Riego Road and west of Natomas Road. These entitlements were intended to develop a balanced, mixed-use community of residential, employment, commercial retail, parks, school, and utility uses. While the 2020 Amendment reallocated land uses within the Lakeside project area and redesignated and rezoned land, it did not change the overall residential unit count or non-residential square footages contemplated in the SPSP. No additional residential units or non-residential square footage was added to the SPSP area due to the 2020 Amendment. In terms of area, while the proposed redesignation adjusted some acreages up for certain uses and down for certain uses (see **Table 2**), the overall acreage remained balanced for the Lakeside project area.

TABLE 2
HISTORICAL LAND USE COMPARISON LAKESIDE AT SUTTER POINT AREA

Land Use	2014 Specific Plan Amendment (acres)	2020 Specific Plan Amendment (acres)
Low-Density Residential (LDR)	240.9	159.4
Medium-Density Residential (MDR)	360.3	380.9
High-Density Residential (HDR)	21.4	21.9
Employment 1 (E1)	44.8	45.8
Commercial Retail (CR)	25.0	21.6
Park [park + recreation] (P)	59.1	50.0

Open Space [open space + lake] (OS)	54.8	109.4
Schools (K-8)	16.0	28.3
Infrastructure and Utilities	5.2	0.0
Roads	46.0	56.3
Total	873.5	873.6

SOURCE: Sutter County, 2008. Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157). Published December 2008 and the Lakeside at Sutter Pointe project application (U-19-008)

Specifically, the 2020 Amendment amended the minimum and maximum densities for Low- and Medium-Density residential land uses so the 3,787 residential units would be constructed in the Lakeside project area, including an active adult community. In addition, the definition of “Lot” (1500-53-2535) was also adjusted to reduce the minimum lot frontage requirement on a street from 50 feet to 40 feet and allow the opportunity for shared private drives that are maintained by a homeowner’s association and provide appropriate access, subsequent to this change, the 2020 Amendment include tentative maps for both large and small lots.

The Large Lot Tentative Map subdivided the 873.5-acre Lakeside project area into 57 lots consisting of eight LDR lots totaling 240.9 acres, 17 MDR lots totaling 360.3 acres, two High-Density Residential (HDR) lots totaling 21.4 acres, two Commercial lots totaling 25.0 acres, two Employment Center lots totaling 44.8 acres, one 16.0-acre lot for a K-8 school, and five lots totaling 5.2 acres of Public/Quasi-Public uses intended for a drainage pump station, a sewer lift station, a site for two wells, a water tank site, and a Pacific Gas & Electric (PG&E) substation. The Large Lot Tentative Map would also include seven lots of Open Space totaling 54.8 acres, 13 lots of Parks totaling 59.1 acres, and 46.0 acres consisting of Major Roads.

The Small Lot Tentative Map subdivided a 386.2-acre portion in the southern portion of the Lakeside project area to include 1,082 single-family lots in eight-pack cluster units, two lots of MDR cluster residential cluster homes totaling 191 units, a 10.3-acre HDR lot with 193 units, a 26.8-acre Employment Center lot, an 8.9-acre Commercial Center lot, 17 lots of Park totaling 34.7 acres, two lake lots totaling 31.1 acres, five lots for utility sites totaling 5.2 acres, 22 common landscape lots totaling 9.68 acres, and seven lots totaling 0.35 acres that serve as shared private drives

The 2020 Amendment also amended certain sections of the Subdivision Ordinance to accommodate development criteria, applicable only to the SPSP area, and amended the SPSP to eliminate dedication of rights-of-way for future bus rapid transit (BRT) and/or light rail (LRT) along Riego Road. Finally, the 2020 Amendment proposed Tier 2 Development Agreement(s) applicable to the Lakeside project area and established a Public Facilities Financing Plan, together with a Nexus Study, to establish funding mechanisms.

Project Description

Project Overview

This addendum to the SPSP EIR has been prepared pursuant to CEQA Guidelines Section 15164. South Sutter, LLC and Riego 1,700, LLC are requesting a Specific Plan Amendment to redesignate land uses within the 873.5-acre Lakeside project area., located north of Riego Road and west of Natomas Road (proposed project). The proposed project would result in a slight decrease in overall residential units, with densities being reallocated within the northern area of the plan in Phases 2 and 3 to compensate for the units reduced in the southern area of the plan in Phase 1. The total number of units would remain below the 3,787 units analyzed in the previous EIR. Additionally, the proposed changes include relocating the K-8 school site and expanding its size from 16 acres to 20 acres. The parks and open space in the northern portion of the plan in Phases 2 and 3 would be reconfigured; however, the total park acreage remains unchanged, and there would be a slight increase in open space acreage. There is also a minor increase in roadways and a small decrease in infrastructure and utilities in the southern area of the plan in Phase 1.

The SPSP area encompasses approximately 7,528 acres in south Sutter County, immediately north of the Sutter/Sacramento County line (see **Figure 1**). It is located approximately 12 miles north of Downtown Sacramento and two miles northeast of Sacramento International Airport. The Sacramento River is situated about one mile west of the SPSP area. The SPSP area is generally bounded by Natomas Road on the east, Powerline Road on the west, and the Sacramento/Sutter county line to the south. The northern boundary is located approximately four miles north of the county line. State Route (SR) 99/70 divides the southern portion of the site and serves as the western boundary of the northern portion of the project site.

The Lakeside project site encompasses 873.5 acres on the east side of the SPSP area (see **Figure 2**). The Lakeside project area is bounded by Riego Road to the south, Natomas Road on the east, agricultural land to the north, and an irrigation canal to the west.

Existing Setting

The SPSP area consists primarily of agricultural uses with limited industrial facilities and is primarily used for rice production. The project site is designated as Specific Plan (SP) in the Sutter County General Plan; this designation facilitates development in accordance with the previously approved SPSP. The SPSP area and Lakeside project site are zoned for a variety of residential, commercial, employment, school, and recreational uses (see **Figure 3**).

Much of the existing land use around the SPSP area is primarily agriculture in unincorporated areas of Sutter, Placer, and Sacramento counties. A 50-acre Sysco Corporation warehousing and distribution center and a Holt Tractor manufacturing facility are immediately west of the Lakeside project area. Sacramento International Airport and the approved and graded, but not yet completed Metro Air Park (an industrial and business park) are located approximately two miles southwest of the project site. Nearby planned or approved developments include the Greenbriar Specific Plan project to the southwest and the Placer Vineyards Specific Plan and Elverta Specific Plan projects to the east. Proponents of the Grandpark Specific Plan propose to develop a 5,675-

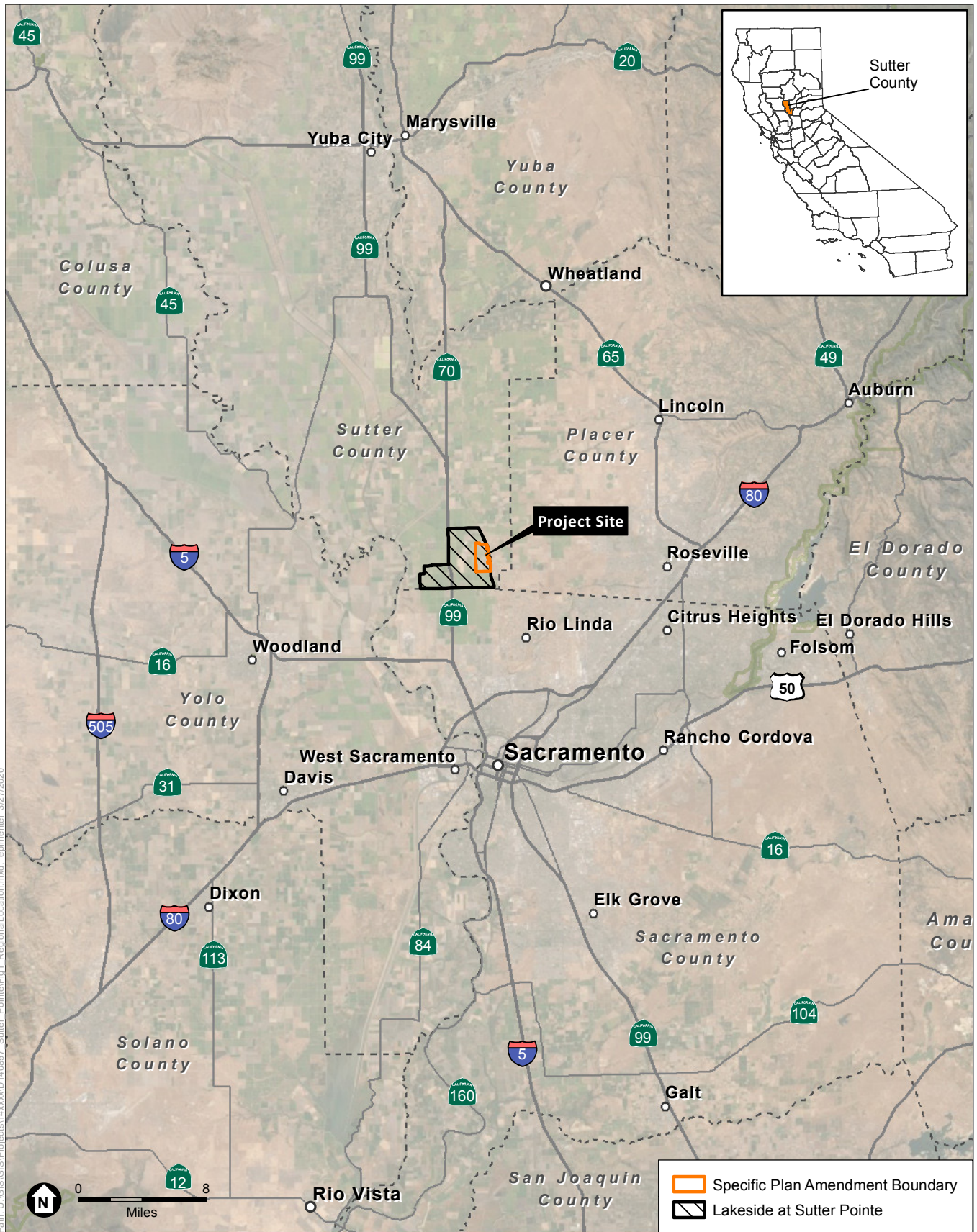
acre portion of unincorporated, northwestern Sacramento County, immediately south of the project site. The Lakeside project site is currently characterized by vacant and agricultural lands.

Project Objectives

The following project objectives, as noted in the SPSP DEIR (p. 1-5), remain applicable to the project:

- **Objective 1:** Create a major employment center in south Sutter County that serves both Sutter County and the greater Sacramento region and generates tax revenue to Sutter County.
- **Objective 2:** Accommodate projected regional growth in a location adjacent to existing and planned infrastructure, urban services, transportation corridors, and major employment centers.
- **Objective 3:** Provide a complementary and supportive array of land uses that enables development of a community featuring employment centers, homes, shopping, schools, recreation, cultural and worship facilities, and public services.
- **Objective 4:** Provide a range of housing choices for all family types.
- **Objective 5:** Promote a mixed-use community composed of neighborhoods and activity centers.
- **Objective 6:** Provide for development of needed regional service facilities, such as a hospital/medical center and/or community college.
- **Objective 7:** Establish a system of multimodal transportation facilities that connects to the regional transportation system, including pedestrian and bicycle trails and future bus rapid transit.
- **Objective 8:** Create an efficient internal street system that connects residents to employment, commercial and civic centers, schools, and recreational and community facilities.
- **Objective 9:** Locate neighborhood parks adjacent to schools, and establish joint use of park and school sites.
- **Objective 10:** Provide usable recreation facilities that also act as transition zones between employment areas and adjacent residential neighborhoods, including dual-use recreation and drainage facilities.
- **Objective 11:** Comply with the Natomas Basin Habitat Conservation Plan, Sacramento Area Flood Control Agency flood control plans, and other regional resource conservation and safety plans.
- **Objective 12:** Provide connectivity between individual habitat reserves and between reserves and surrounding agricultural lands.
- **Objective 13:** Promote a balance in the type and phasing of land uses that supports a strong tax base and generates financial resources to pay for public services and infrastructure without financial burden to existing Sutter County residents.
- **Objective 14:** Maintain flexibility to adapt and adjust to changing economic and market conditions.
- **Objective 15:** Support incorporation of the Specific Plan area as a city at the optimal time in the future.

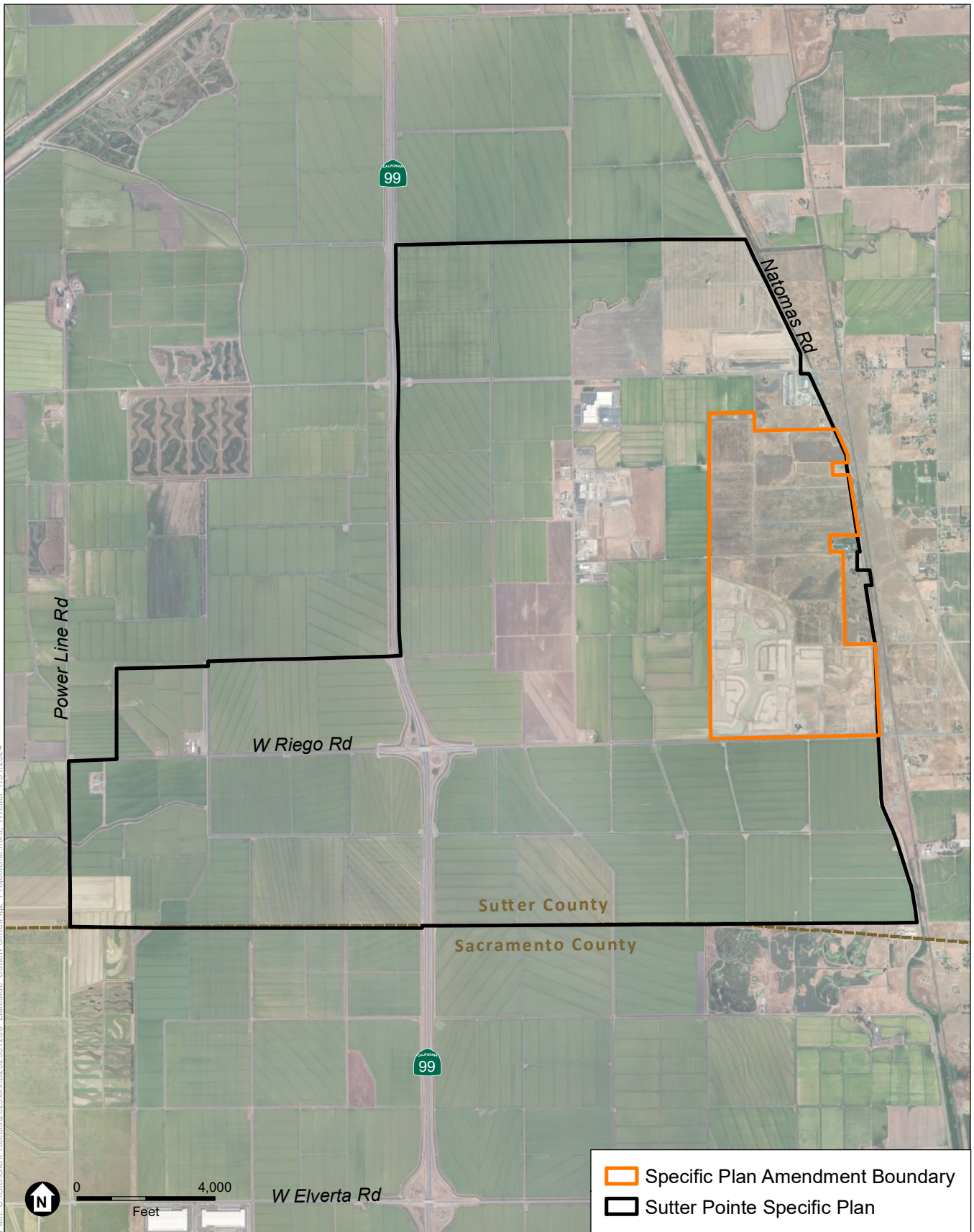
- **Objective 16:** Develop a project that complies with the Measure M advisory initiative as approved by Sutter County voters in 2004 (refer to SPSP DEIR Section 3.1, “Land Use,” for a detailed description of Measure M).



SOURCE: Esri, 2019; ESA, 2020

Lakeside at Sutter Pointe Phases 2 and 3

Figure 1
Regional Location



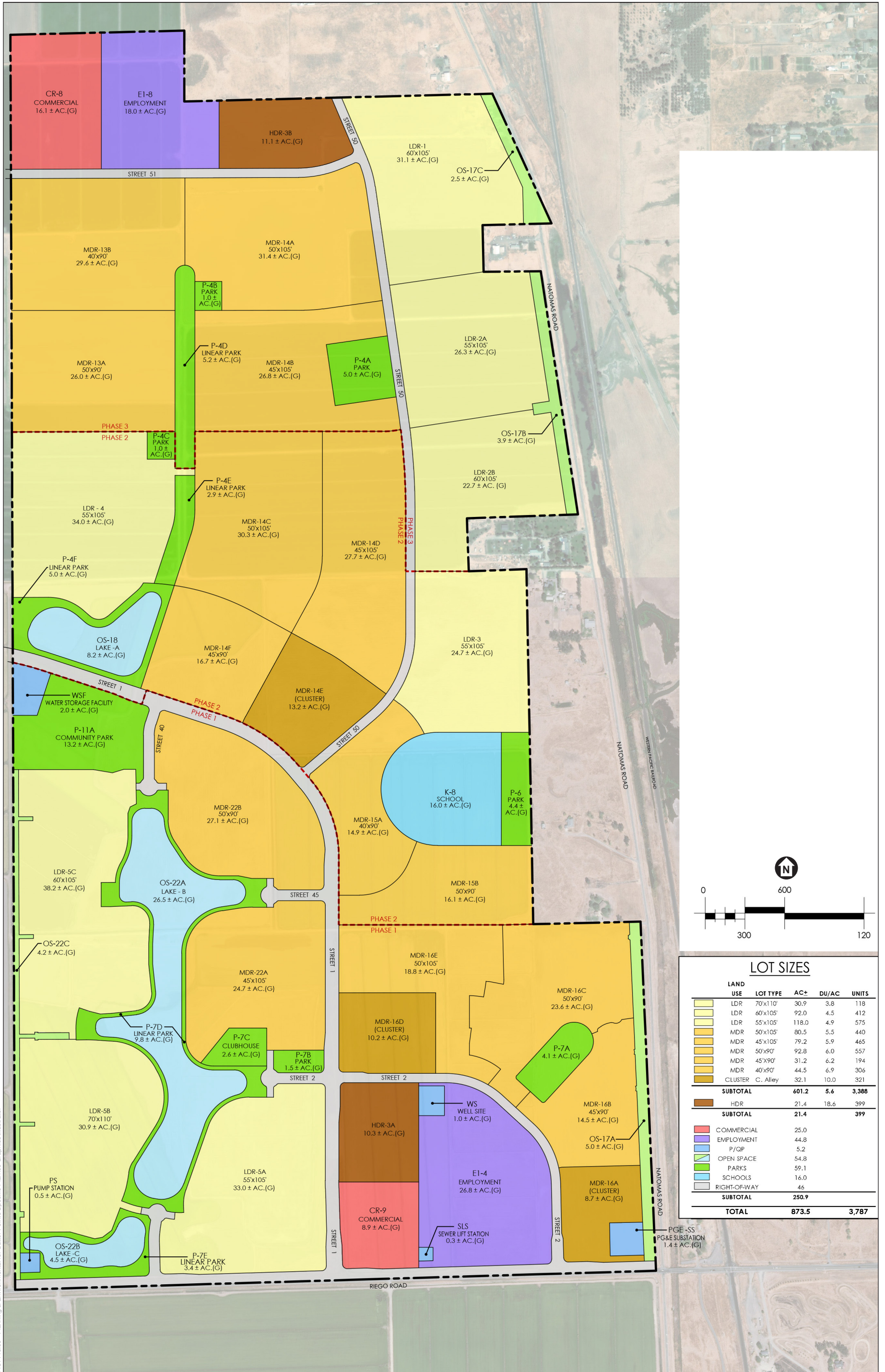
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SOURCE: Esri, 2019; ESA, 2020

Lakeside at Sutter Pointe Phases 2 and 3

Figure 2
Project Site





SOURCE: Wood Rodgers, 2020

Lakeside at Sutter Pointe Phases 2 and 3

Figure 3
Existing General Plan Land Use Designations and Zoning

Project Characteristics

As shown in **Table 3**, the proposed project involves converting 92.3 acres designed as Low Density Residential (LDR) to 87.9 acres of Medium Density Residential (MDR), 4.0 acres of Schools (K-8), 0.3 acres of Park [park + recreation] (P), and 0.1 acres of Roads. No changes to the total acreage devoted to High Density Residential (HDR), Employment 1 (E1), Commercial Retail (CR), and Open Space [open space + lake] (OS) would occur under the proposed project.

The land currently designated as Low Density Residential (LDR-1, LDR-2A) in the northeastern portion and LDR-4 on the western edge of Phases 2 and 3 would be converted to Medium Density Residential (MDR-1A, MDR-2A, MDR-1B, MDR-2B, and MDR-4). Additionally, the Medium Density Residential areas and the parks traversing the north-central portion of the Amendment area will be reconfigured. Park P-4A, currently situated adjacent to Street 50, would be relocated to the eastern edge of the Amendment area and renamed Park P-4D. In the southeastern boundary of the Amendment area, Park P-6 would be moved westward to be surrounded by residential uses. Additionally, Parks P-4B and P-4C, which are adjacent to Linear Park P-4D, would be combined with Linear Park P-4D to create the new Linear Park P-4B and new Park P-4A to the north. Alongside these park relocations and reconfigurations, the K-8 School would be relocated to a more centralized position along Street 50 and expanded from 16 acres to 20 acres.

TABLE 3
LAND USE COMPARISON FOR LAKESIDE AT SUTTER POINTE AREA

Land Use	Approved 2020 SPSP (acres)	Proposed Project (acres)	Difference (acres)
Low Density Residential (LDR)	240.9	148.6	-92.3
Medium Density Residential (MDR)	360.3	449.6	89.3
High Density Residential (HDR)	21.4	21.4	0.0
Employment 1 (E1)	44.8	44.8	0.0
Commercial Retail (CR)	25.0	25.0	0.0
Park [park + recreation] (P)	59.1	59.1	0.0
Open Space [open space + lake] (OS)	54.8	55.1	-0.3
Schools (K-8)	16.0	20.0	4.0
Roads	46.0	46.1	0.1
Infrastructure & Utilities	5.2	3.8	-1.4
Total	873.5	873.5	0.0

Required Discretionary Actions

Implementation of the Lakeside project is anticipated to require, but may not be limited to, the following actions by Sutter County:

- Amend the Sutter Pointe Specific Plan:

- Amend Specific Plan Sections 3.2 and 10.6 to clarify the Board of Supervisors is authorized to amend the land use lots and allocation of land use designations unless and until vested by development agreements or as otherwise provided by law.
- Amend the land use designations of an 873.5-acre portion of the Sutter Pointe Specific Plan known as Lakeside at Sutter Pointe, specifically addressing changes in land use allocations for Phases 2 and 3.
- Adjust land use allocations for Phases 2 and 3 to reflect the following changes:
 - Convert 92.3 acres of Low Density Residential (LDR) to 87.9 acres of Medium Density Residential (MDR), 4.0 acres of Schools (K-8), 0.3 acres of Park (P), and 0.1 acres of Roads.
 - Relocate and reconfigure parks, including moving Park P-4A to the eastern edge of the Amendment area, renaming it Park P-4D, and combining Parks P-4B and P-4C with Linear Park P-4D to create new Park P-4A and Linear Park P-4B.
 - Relocate and expand the K-8 School from 16 acres to 20 acres.
- Rezone 873.5 acres of the Sutter Pointe Specific Plan known as Lakeside at Sutter Pointe (excluding 46.0 acres of Major Roads) to reflect the changes in land use designations for Phases 2 and 3, as follows:
 - Low Density Residential District – Decrease from 240.9 to 148.6 acres.
 - Medium Density Residential District – Increase from 360.3 to 449.6 acres.
 - High Density Residential District – Remain unchanged at 21.4 acres.
 - Employment 1 District – Remain unchanged at 44.8 acres.
 - Community Commercial District – Remain unchanged at 25.0 acres.
 - Parks District – Remain unchanged at 59.1 acres.
 - Open Space District – Increase from 54.8 to 55.1 acres.
 - Schools District – Increase from 16.0 to 20.0 acres.
 - Roads – Increase from 46.0 to 46.1 acres.
 - Infrastructure & Utilities – Decrease from 5.2 to 3.8 acres.

Environmental Checklist

Explanation of Checklist Evaluation Categories

The purpose of this checklist is to evaluate the categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion. The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the CEQA Guidelines. The column titles of the checklist have been modified to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162.

A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the 2009 EIR and the 2014 Addendum. To the extent the Wastewater Conveyance Project EIR is relevant, the analysis will reference it. For instance, the environmental categories might be answered with a “no” in the checklist because the impacts associated with the Lakeside project were adequately addressed in the EIR and/or Addendums, and the environmental impact significance conclusions of the EIR and/or Addendums remain applicable. The purpose of each column of the checklist is described below.

Where Impact was Analyzed in the Prior Environmental Document

This column provides a cross-reference to the pages of the prior environmental documents where information and analysis may be found relative to the environmental issue listed under each topic. In this case, the relevant environmental documents include the Draft EIR (DEIR; approved 2008), Final EIR (FEIR; approved 2009), and Addendum to the FEIR for an amendment to the Sutter Pointe Specific Plan (Addendum; approved 2014). To the extent the Wastewater Conveyance Project EIR (certified February 2017) is relevant, the analysis will reference it.

Do Proposed Project Changes Involve New or Substantially More Severe Significant Impacts?

Pursuant to Section 15162(a)(1), this column indicates whether there have been substantial changes proposed in the project that would require major revisions of the previous environmental analyses due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified impact.

Any New Circumstances Involving New or Substantially More Severe Significant Impacts?

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

Any Substantially Important New Information Requiring New Analysis or Verification?

Pursuant to Section 15162(a) (3) (A-D) of the CEQA Guidelines, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental documents were certified as complete is available requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigations remain valid. If the new information shows that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative, the question would be answered 'Yes' requiring the preparation of a subsequent EIR or supplement to the EIR. However, if the additional analysis completed as part of this Environmental Checklist Review finds that the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or

identified significant environmental impacts are not found to be substantially more severe, the question would be answered ‘No’ and no additional EIR documentation (supplement to the EIR or subsequent EIR) would be required. Notably, where the only basis for preparing a subsequent EIR or a supplement to an EIR is a new significant impact or a substantial increase in the severity of a previously identified impact, the need for the new EIR can be avoided if the project applicant agrees to one or more mitigation measures that can reduce the significant effect(s) at issue to less than significant levels. (See *River Valley Preservation Project v. Metropolitan Transit Development Board* (1995) 37 Cal.App.4th 154, 168.)

Mitigations Implemented or Address Impacts?

This column indicates whether the prior environmental documents provide mitigation measures to address effects in the related impact category. In some cases, the mitigation measures have already been implemented. A “yes” response will be provided in either instance. If “N/A” is indicated, this Environmental Checklist Review concludes that the impact does not occur with this project and, therefore, no mitigation measures are needed. A “no” response indicates that mitigation measures are proposed in this document and have been agreed to by the applicant.

Discussions and Mitigation Sections

Discussion

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

Mitigation Measures

Applicable mitigation measures from the prior environmental review that apply to the project are listed under each environmental category. New mitigation measures are included, if needed.

Conclusions

A discussion of the conclusion relating to the need for additional environmental documentation is contained in each section.

Aesthetics

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
1. Aesthetics. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	DEIR, p. 3.16-24	No	No	No	Yes
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	DEIR, p. 3.16-25	No	No	No	Yes
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	DEIR, pp. 3.16-26 to 3.16-29	No	No	No	Yes
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	DEIR, pp. 3.16-29 to 3.16-31	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Aesthetics

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside Project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Proposed Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

The Proposed Lakeside project site is a subset of the SPSP area and has remained largely undeveloped since the certification of the 2009 EIR and approval of the 2014 and 2020 Addendums. As described in the 2009 EIR, the SPSP area is located within a larger area of generally flat, low-lying agricultural lands in the southeastern corner of unincorporated Sutter County and in proximity to Placer and Sacramento counties. Land uses surrounding the project site are generally open, largely treeless, and agricultural in character with scattered structures that typically would be found in agricultural settings, such as equipment storage facilities, sheds, single-family dwellings, and irrigation structure and equipment. Off-site agricultural crops are primarily rice fields, as well as wheat, alfalfa, and other row and grain crops. Off-site lands east of the project site also include nonnative annual grassland. The Proposed Lakeside project,

consistent with the impacts disclosed in the 2009 EIR and the 2014 and 2020 Addendums, would entail the conversion of the local viewshed from predominantly agricultural lands to urban development. There have been no substantial changes to the SPSP area, the Lakeside project site, or the vicinity that have occurred subsequent to the 2009 EIR and the 2014 and 2020 Addendums that would result in the Proposed Lakeside project having new significant aesthetic impacts that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

As described in the 2009 EIR and as remains the condition, there are no scenic vistas on or near the SPSP area and no officially recognized scenic highways are present in Sutter County or visible from the SPSP area, including from the project site, which is a subset of the SPSP area. Consequently, the Proposed Lakeside project would not result in impacts to a scenic vista or scenic highway not previously analyzed and disclosed.

Analysis for Impact 3.16-3 of the 2009 EIR identified direct and significant impacts to the visual character of on-site elements through the conversion of agricultural lands to developed urban uses. Analysis for Impact 3.16-4 of the 2009 EIR identified direct and significant impacts related to the temporary degradation of visual character for on- and off-site resources during construction resulting from the presence and movement of heavy construction equipment and staging areas. The SPSP includes design, architectural, development, and maintenance standards to ensure that urban development within the SPSP abides by aesthetic guidelines as approved by the County, and the 2009 EIR included Mitigation Measure 3.16-4 to reduce the impacts to temporary degradation of the project site's visual character. However, the 2009 EIR concludes that, due to the scale, location, and visual character of the proposed project site, no feasible mitigation is available to reduce these impacts of project implementation while avoiding the conversion of the local viewshed from agricultural to urban development. The impact is therefore considered significant and unavoidable.

The 2020 Addendum to the 2009 EIR as added by the 2014 Addendum found that the changes proposed at that time would be similar to the changes to the landscape previously analyzed within the 2014 Addendum and would not introduce substantially different impacts to those analyzed in the 2014 Addendum. The 2014 Addendum to the EIR found that the changes proposed by the 2014 Amendment would be similar to changes to the landscape previously analyzed within the 2009 EIR and would not introduce substantially different impacts to those analyzed in 2009 EIR; therefore, no additional analysis was required.¹

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. The proposed residential and non-residential land uses would be identical to those anticipated in the SPSP. The scale, location, and visual character of those uses are anticipated to be similar to those analyzed within the 2009 EIR and the 2014 and 2020 Addendums. Although the Proposed Lakeside project would slightly change specific

¹ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*, August 2014. P. 6.

residential densities, the types of residential product anticipated would be within what was contemplated in the 2009 EIR, as well as the 2014 and 2020 Addendums, and would not result in increased aesthetic impacts. For example, building heights would not be increased beyond those currently allowable in the SPSP. Neither the construction nor operation of the proposed uses would materially differ from what was analyzed in the 2009 EIR and the 2014 and 2020 Addendums from the perspective of visual change. Consequently, the proposed project would not result in impacts to visual character not previously analyzed and disclosed, and there is no new information showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

The analysis for Impact 3.16-5 of the 2009 EIR found that lighting associated with urban development pursuant to the SPSP could result in spillover lighting and glare effects that would result in direct, significant impacts which would be reduced to less-than-significant levels with implementation of Mitigation Measure 3.16-5. However, significant and direct impacts related to new skyglow effects for on-site elements were also identified as a result of lighting new development under analysis of Impact 3.16-6 of the 2009 EIR. These effects could obscure views of stars, constellations, and other features of the night sky. Although the proposed SPSP would establish and require conformance to lighting standards and preparation and implementation of a lighting plan, the 2009 EIR determined that implementation of these standards and lighting plan would not reduce the effects of new skyglow on the night sky to a less-than-significant level, resulting in a significant and unavoidable impact.

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land use types considered in the previous environmental analyses and would generate the same or similar light and glare effects to those analyzed within the 2009 EIR and the 2014 and 2020 Addendums, would be subject to the lighting standards and mitigation measures included in the previous environmental documents, and would also result in a significant and unavoidable impact related to skyglow. Consequently, the Proposed Lakeside project would not result in new or substantially more severe light or glare impacts than were previously analyzed and disclosed, and there is no new information showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.16-4: Screen Construction Staging Areas
- Mitigation Measure 3.16-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to aesthetics that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Agriculture and Forestry Resources

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
2. Agriculture and Forestry Resources. Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	DEIR, p. 3.11-10 to 3.11-12; Addendum, p. 6 (Agriculture and Forestry Resources Not Addressed)	No	No	No	Yes
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	DEIR, p. 3.11-12 to 3.11-13; Addendum, p. 6 (Agriculture and Forestry Resources Not Addressed)	No	No	No	Yes
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Forest Land Not Addressed	No	No	No	Not Applicable
d. Result in the loss of forest land or conversion of forest land to non-forest use?	Forest Land Not Addressed	No	No	No	Not Applicable
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	DEIR, p. 3.11-13 to 3.11-16; Addendum, p. 6 (Agriculture and Forestry Resources Not Addressed)	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Agriculture and Forestry Resources

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside Project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR, as well as the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area,

while keeping the combined overall amount of those uses equal to that approved in the SPSP. As disclosed in the 2009 EIR, 2014 Addendum, and 2020 Addendum, implementation of the Proposed Lakeside project would permanently convert Important Farmland to nonagricultural, urban uses, contributing to an overall decrease in Important Farmland within Sutter County and the State of California.

Relevant Changes to Environmental Setting

Much of the undeveloped land within the SPSP area and vicinity has been in agricultural use for at least the past 50 to 100 years, and agricultural uses within the SPSP area include the production of rice irrigated and non-irrigated pasture and other row crops.

As described in the 2009 EIR, the Lakeside project site is categorized primarily as Farmland of Statewide Importance, Grazing Land, and Other Land.² Farmland of Statewide Importance is considered “Important Farmland” and “Grazing Land” is land on which the existing vegetation is considered suitable for the grazing of livestock. “Other Land” is classified as land that is not included in any other mapping category under the Farmland Mapping and Monitoring Program (FMMP) administered by the California Department of Conservation (CDC), and may include low-density rural developments, brush and timber, wetlands and riparian areas, strip mines, and vacant and non-agricultural land designations, among others. Farmland of Local Importance is land that is considered important to the local economy, as defined under each county’s local advisory committee and adopted by its Board of Supervisors. The Sutter County Board of Supervisors has determined that there is no Farmland of Local Importance in Sutter County.³

There have been no substantial changes to the SPSP area, the Approved Lakeside project site, or the surrounding vicinity that have occurred subsequent to the 2009 EIR and the 2014 and 2020 Addendums that would result in the Proposed Lakeside project having new significant impacts to agriculture and forestry resources that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

As described in Impact 3.11-1 of the 2009 EIR, agricultural uses within the SPSP area include the production of rice irrigated and non-irrigated pasture and other row crops. Currently-available data from the FMMP indicates that the types and acreages of Important Farmland within Sutter County have not changed substantially since the certification of the 2009 EIR.^{4,5,6,7}

² California Department of Conservation, Division of Land Resource Protection, 2016. Sutter County Important Farmland 2016. Published June 2017.

³ California Department of Conservation, 2015. *California Farmland Conversion Report 2015*. Available: https://www.conservation.ca.gov/dlrp/fmmp/Pages/FMMP_2010-2012_FCR.aspx. Accessed March 20, 2020. September 2015. P. 102.

⁴ California Department of Conservation, 2019. *2016 Field Report*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sutter.aspx>. Accessed May 12, 2020.

⁵ California Department of Conservation, 2019. *2014 Field Report*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sutter.aspx>. Accessed May 12, 2020.

⁶ California Department of Conservation, 2019. *2012 Field Report*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sutter.aspx>. Accessed May 12, 2020.

⁷ California Department of Conservation, 2019. *2010 Field Report*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sutter.aspx>. Accessed May 12, 2020.

Implementation of the Proposed Lakeside project would permanently convert Important Farmland to nonagricultural, urban uses, contributing to an overall decrease in Important Farmland within Sutter County and the State of California. Mitigation Measure 3.11-1 calls for the establishment of conservation easements consistent with the Natomas Basin Habitat Conservation Plan (NBHCP), which requires the payment of fees or in-lieu land dedications on a per-acre basis for lost agricultural land during development of all project elements that involve the conversion of agricultural land to non-agricultural uses. These funds would then be used to purchase land or conservation easements on agricultural and habitat lands within the Natomas Basin, in which the SPSP area and the Lakeside subarea of the SPSP site are located, and to maintain habitat reserves to benefit the covered species. Despite implementation of this mitigation, the 2009 EIR determined that this impact would remain significant and unavoidable, as fees contributed to the NBHCP would only partially offset conversions of Important Farmland associated with development under the SPSP, and no new farmland for in-lieu dedication would be made available.

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. The Lakeside project represents a reallocation of land use acreages under the SPSP project, but would not change the overall acreage or footprint of the agricultural lands to be disturbed under the SPSP project. Because conversion of the entire Lakeside project area from agriculture to urban was considered in the 2009 EIR and 2014 Addendum, the impacts related to the conversion of Important Farmland as a result of the Proposed Lakeside project would be identical to those impacts previously disclosed, and would remain significant and unavoidable. These land uses are the same as those analyzed within the 2009 EIR and 2014 Addendum with minor alterations to the mix of acreages per use and would entail the permanent conversion of Important Farmland to nonagricultural, urban uses, contributing to an overall decrease in Important Farmland within Sutter County and the State of California. The Proposed Lakeside project would be subject to Mitigation Measure 3.11-1, which calls for the establishment of conservation easements consistent with the NBHCP, which requires the payment of fees or in-lieu land dedications on a per-acre basis for lost agricultural land during development of all project elements that involve the conversion of agricultural land to non-agricultural uses. As was the case with the project analyzed in the 2009 EIR and the 2014 and 2020 Addendums, the Proposed Lakeside project would result in a significant-and-unavoidable impact related to the permanent conversion of Important Farmland to a non-agricultural use. The Proposed Lakeside project would not result in impacts related to permanent conversion of farmland not previously analyzed and disclosed, and there is no new information showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

As described in Impact 3.11-2 of the 2009 EIR, none of the lands on or adjacent to the SPSP are under Williamson Act contracts, nor would any of the off-site project elements be located on lands under Williamson Act contracts. There are no new circumstances resulting in new impacts or new information requiring additional analysis related to the Williamson Act or to agricultural buffers. Impacts to forestry resources were not addressed in the 2009 EIR, as consideration of impacts to these resources were added to Appendix G of the CEQA Guidelines in the CEQA Guidelines Amendments of 2010. Nevertheless, no forest lands are present on the Lakeside

project site or within the vicinity, and no new significant impacts to forestry resources would therefore occur. The conclusions regarding impacts to agricultural preserves within the 2009 EIR remain valid, and no further analysis is required.

Analysis for Impacts 3.11-3 and 3.11-4 of the 2009 EIR identifies potential conflicts with adjacent long-term agricultural uses in areas north, south, east, and west of the SPSP area as a significant impact. The 2009 EIR concludes that this impact would remain significant and unavoidable, despite implementation of Mitigation Measures 3.11-3a and 3.11-3b, and 3.11-4. This conclusion remains applicable to the Proposed Lakeside project, which could potentially introduce conflicts with agricultural uses east and south of the project site as a result of increasing constraints on agricultural operations due to efforts by future urban residents to reduce potential risks and nuisances from nearby agricultural areas as distinct phases of the SPSP are developed. These constraints could result in increasing operational costs, phasing out of crops, and moving operations that create nuisances for urban development in the vicinity, and could result in the abandonment of agricultural operations adjacent to the project site over time. However, as there are no changed circumstances resulting in new impacts or new information requiring additional analysis related to agricultural buffers, the conclusions regarding impacts to agricultural buffers within the 2009 EIR remain valid, and no further analysis is required.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.11-1: Establish Conservation Easements Consistent with the Natomas Basin Habitat Conservation Plan
- Mitigation Measure 3.11-3a: Establish Buffers between Urban Land Uses and Existing Agricultural Operations
- Mitigation Measure 3.11-3b: Provide the County's Agricultural Operations Disclosure to Prospective Residents and Tenants Adjacent to the Agricultural Buffers
- Mitigation Measure 3.11-4: Avoid Disruption of Existing Agricultural Operations

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to agriculture and forestry resources that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Air Quality

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
3. Air Quality. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	DEIR, pp. 3.4-36, 3.4-27, and 3.4-30 to 3.4-31	No	No	No	Yes
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	DEIR, pp. 3.4-30 to 3.4-37; FEIR, p. 4-33	No	No	No	Yes
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	DEIR, pp. 3.4-25 to 3.4-30	No	No	No	Yes
d. Expose sensitive receptors to substantial pollutant concentrations?	DEIR, pp. 3.4-37 to 3.4-46; FEIR, p. 4-33	No	No	No	Yes
e. Create objectionable odors affecting a substantial number of people?	DEIR, pp. 3.4-37 to 3.4-50	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Air Quality

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These land uses are the same as those analyzed within the 2009 EIR, as well as the 2014 and 2020 Addendums, with minor acreage reallocations and minor realignments to roads and other infrastructure. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

The Lakeside project site has remained largely undeveloped since the certification of the 2009 EIR and the 2014 and 2020 Addendums, and is a subset of the SPSP area analyzed within the 2009 EIR.

Comparative Impacts Discussion

The evaluation in the 2009 EIR of emissions of temporary, short-term construction-related, and long-term operational criteria air pollutants and precursors, odors, and toxic air contaminants (TACs) associated with implementation of the SPSP employed recommended or approved methodologies of the Feather River Air Quality Management District (FRAQMD). Construction-related emissions of criteria air pollutants and precursors associated with development of the SPSP area were considered based on FRAQMD-recommended methods for the estimated peak year of construction activity that would occur under the SPSP. Post-construction operational emissions of criteria air pollutants and precursors were evaluated based on the screening levels of FRAQMD's Indirect Source Review Guidelines.⁸

The 2009 EIR concluded that construction-related activities for the SPSP could violate or contribute substantially to an existing or projected air quality violation, and that construction emissions could expose sensitive receptors to substantial pollutant concentrations. The contributions represent significant and unavoidable impacts, even after implementation of Mitigation Measures 3.4-1 and 3.4-2. The 2014 Addendum to the 2009 EIR found that the changes proposed by the 2014 and 2020 Amendments would not result in changes to the acreage of ground disturbance under full buildout of the project. The Proposed Lakeside project would result in the same amount of ground disturbance and construction activity as was anticipated for the Lakeside project area under the 2009 EIR and the 2014 and 2020 Addendums. Therefore, there would be no change in anticipated construction emissions than what was previously analyzed.

The 2009 EIR determined that SPSP operational area- and mobile-source emissions would also exceed the FRAQMD-recommended screening-level thresholds of 25 lb/day for reactive organic gases (ROG) and nitrous oxides (NO_x) and 80 lb/day for PM₁₀, resulting in or substantially contributing to emissions concentrations that exceed the recommended thresholds. For example, 97 single-family residential units would generally exceed the FRAQMD threshold of 25 lb/day for ROG, 119 units would exceed the threshold of 25 lb/day for NO_x, and 4,000 units would exceed the threshold of 80 lb/day for PM₁₀.⁹ Among employment-supporting land use types, the sizes of "community shopping center" that typically exceed FRAQMD's screening levels for ROG, NO_x, and PM₁₀ are 21,000 sf, 22,000 sf, and 615,000 sf, respectively. The 2009 EIR determined that development of the SPSP area would exceed these thresholds. Operational emissions resulting from the development of the SPSP area would exceed the FRAQMD-recommended thresholds for ROG, NO_x, and PM₁₀, resulting in direct and significant impacts to air quality and necessitating the preparation of an Air Quality Mitigation Plan (AQMP).¹⁰ The 2014 Addendum determined that development of the Phase 1 area (which includes the Lakeside site) would result in fewer vehicle trips as compared to the project analyzed in the 2009 EIR; therefore, no additional analysis was conducted because the emissions would be within the scope

⁸ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.4-24.

⁹ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. Pp. 3.4-30 to 3.4-31.

¹⁰ HDR and The Hoyt Company, 2008. *Sutter Pointe Master Air Quality Mitigation Plan*. August 25, 2008. P. 4

of what the 2009 EIR previously analyzed.¹¹ The Proposed Lakeside project would develop 3,787 residential units and 955,271 sf of non-residential uses, resulting in similar operational air quality impacts as anticipated for this area in the 2009 EIR, as well as the 2014 and 2020 Addendums.

The 2009 EIR concluded that although the SPSP project would result in more vehicle trips at buildout than under the existing conditions discussed in the 2009 EIR, project-generated local mobile-source CO emissions would not result in or substantially contribute to concentrations that exceed the 1-hour ambient air quality standard of 20 ppm (parts per million) or the 8-hour standard of 9 ppm.

The 2014 Addendum determined that development of the Phase 1 area (which includes the Lakeside site) would result in fewer vehicle trips as compared to the project analyzed in the 2009 EIR; therefore, no additional analysis was conducted.¹² The number of daily trips resulting from the Proposed Lakeside project would be consistent with those anticipated in both the 2014 and 2020 Addendums, given that there are no changes to the number of dwelling units for the project. Although effects would remain direct and significant, the proposed project would consist of similar land uses and intensity levels compared to the previously-approved project. Since development of the project area is a subset of development of the larger SPSP area, the anticipated level of air emissions would be within the envelope of those previously disclosed in the 2009 EIR. No new mitigation measures would be required, nor is there new information of substantial importance to suggest that the proposed project would have significant effects not previously disclosed. The conclusions regarding impacts to air quality planning and pollutant standards within the 2009 EIR and the 2014 and 2020 Addendums remain valid, and no further analysis is required.

Based on the above, the proposed land use reallocations would not, as compared to the 2009 EIR, result in new significant impacts or significant impacts substantially more severe than those previously disclosed related to operational area- and mobile-source emissions because the proposed land uses are similar in nature and the project footprint is the same.

Analysis for Impact 3.4-4 of the 2009 EIR concluded that implementation of the proposed project and the resultant potential exposure of nearby onsite receptors to short- and long-term toxic air contaminants (TACs) from on-site mobile and stationary sources would be a potentially significant impact. This impact, following implementation of Mitigation Measures 3.4-4a through Mitigation Measures 3.4-4c, would remain significant and unavoidable. The Lakeside project is a subset of the SPSP area and would consist of the same land uses assumed for the area in the SPSP, although at a different mix of acreages per use. As air quality significance criteria in the latest FRAQMD guidance has not substantially altered since the certification of the 2009 EIR, no new or more substantially severe impacts are expected.

¹¹ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*, August 2014. P. 6.

¹² ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*, August 2014. P. 6.

The 2009 EIR estimated that buildout of the SPSP would generate approximately 337,700 vehicle trips and 3,346,700 vehicle miles traveled (VMT), not including intra-traffic area zone trips.¹³ The Approved Lakeside project VMT would generate about 11.7 percent of the VMT forecast for the entire SPSP area. That level of VMT is similar in magnitude to the share of Lakeside trip generation (i.e., relative to the entire SPSP area), which is about 11.0 percent. Therefore, in the context of project-generated VMT, the Proposed Lakeside project would not result in a substantial increase in the severity of emissions related to VMT relative to the Approved Lakeside project.¹⁴

Analysis for Impact 3.4-5 of the 2009 EIR concludes that operation of the previously approved SPSP project could result in the frequent exposure of sensitive receptors to long-term, on-site objectionable odor emissions. However, implementation of Mitigation Measure 3.4-5 would reduce this impact to a less-than-significant level. No new information or changes under the Proposed Lakeside project are known which would affect this conclusion. Therefore, the conclusions of the EIR and the 2014 Addendum remain valid, and no further analysis is required.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.4-1: Develop and Implement Applicable Air District-Endorsed Air Quality Mitigation Plan for All Phases of Construction
- Mitigation Measure 3.4-2: Develop and Implement FRAQMD-Endorsed Air Quality Mitigation Plans to Reduce Operational Emissions
- Mitigation Measure 3.4-4a: Develop a Plan to Reduce Emissions Generated by Construction Activity and Implement Measures to Control Exposure of Sensitive Receptors to Toxic Air Emissions
- Mitigation Measure 3.4-4b: Perform a Site-Specific Health Risk Assessment for All Sensitive Receptors That Would Be Located within the Setback Distances Recommended by ARB
- Mitigation Measure 3.4-4c: Develop and Implement Planning and Design Measures to Reduce the Potential for TAC Exposure from On-Site Mobile Sources
- Mitigation Measure 3.4-5: Develop and Implement Planning and Design Measures to Reduce the Potential for Adverse Odor Exposure

2009 FEIR Mitigation Measures

None.

¹³ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.4-30.

¹⁴ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 64.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to air quality that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Biological Resources

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
4. Biological Resources. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	DEIR, pp. 3.13-29 to 3.13-51; FEIR, pp. 3-6 to 3.7, 3.L9-3, 3.L9-5, 3.L14-4, L14-10, 3.15-4, 5.15-15, 3.110-87, 3.110-91, and 3.110-116 to 3.110-117; Addendum, pp. 6-8	No	No	No	Yes
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	DEIR, pp. 3.13-39 to 3.13-39; Addendum, pp. 6-8	No	No	No	Yes
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	DEIR, pp. 3.13-33 to 3.13-35	No	No	No	Yes
d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	DEIR, pp. 3.13-30 to 3.13-31 and 3.13-48 to 3.13-49	No	No	No	Yes
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	DEIR p. 3.13-52	No	No	No	Yes
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	DEIR, p. 3.13-52; FEIR, p. 3.110-116	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Biological Resources

The 2009 EIR evaluated the SPSP's potential effects on biological resources, including habitats and special status species. The 2009 EIR described the SPSP's location within the Natomas Basin, and the governing policies of the Natomas Basin Habitat Conservation Plan (NBHCP). The primary biological goal of the NBHCP is to create a system of reserves with both wetland and upland components that will contribute to the maintenance of viable populations of the giant garter snake, Swainson's hawk, and other covered species in the basin. As described in the 2009 EIR, a proposed project's impacts on species covered by the NBHCP are mitigated at a ratio of 0.5 acre of mitigation land for every 1.0 gross acre of development authorized under the ITP. The NBHCP provides for a general division of habitat types within the Natomas Basin Conservancy's (NBC's) system of reserves as follows: 25% managed marsh, 50% rice production, and 25% upland habitat. The primary compensatory mitigation mechanism in the NBHCP is the progressive establishment and maintenance in perpetuity of a system of biological reserves.

The 2009 EIR determined that implementation of the SPSP would result in both direct and indirect impacts on the giant garter snake by removing habitat and reducing habitat connectivity, and could also result in the loss of individuals. To the extent that development of the SPSP would fill onsite wetlands, an adverse impact would occur. The 2009 EIR noted that most of the SPSP area provides low- to moderate-quality foraging habitat for Swainson's hawk, but assumed that development of the SPSP area would remove a total of approximately 7,000 acres of potential foraging habitat for Swainson's hawk. The 2009 EIR determined that several special-status species present both on and off the project site could be adversely affected. Potential habitat for special-status plant species within the SPSP area or special-status plants or habitats along off-site improvement areas could be adversely impacted. However, the 2009 EIR determined that development of the SPSP would be consistent with the NBHCP because most impacts on listed species would be mitigated through implementation of the avoidance, minimization, and compensation measures identified in the NBHCP. Impacts resulting from implementation of the proposed off-site improvements on covered species could be mitigated through implementation of feasible mitigation measures that are similar to those required by the NBHCP.

The 2014 and 2020 Addendums to the EIR determined that changes to open space land use designations for a loss of three acres of open spaces as compared the SPSP project would not result in any increase in the loss of habitat as a result of the Amendments, and that habitat connectivity between the North Basin and Central Basin reserve units would be maintained by the preservation of the North and East Drainage Canals. Biological resources would therefore not be adversely affected by the approved 2014 Amendment. The 2014 Addendum to the EIR also analyzed special-status species considered within the 2009 EIR and determined that implementation of the 2014 and 2020 Amendments would not result in new significant impacts or substantial increases in the severity of previously identified impacts, as compared to the 2009 EIR.

The Proposed Lakeside project would be constructed within the footprint previously analyzed in the 2009 EIR and the 2014 and 2020 Addendums. Therefore, no additional habitat would be eliminated beyond that previously analyzed.

Changes to land use designations proposed by the Approved Lakeside project would reduce land dedicated to open space on the project site from 109.4 acres under the approved 2014 Addendum to 54.8 acres, resulting in a loss of 54.6 acres of open space. Although open space use would be reduced from 109.4 acres to 54.8 acres, the amount of open space provided under the proposed project continues to meet the SPSP requirements for parks and open space. The reduction in open space on the Lakeside project site would not result in additional environmental impact because both the 2009 EIR and the 2014 and 2020 Addendums anticipated full development of the project site. The largest continuous areas of proposed open space under the Lakeside project consist of manmade detention basins (i.e., Lakes A, B, and C) in the southwestern portion of the project area, as shown on Figure 4. The new proposed manmade open space areas would replace a singular, large open space parcel that would have also served as a detention pond in roughly the same area on the site. Habitat connectivity, maintained by the presence of the North and East Drainage Canals within the broader SPSP area, would not be adversely affected by the Proposed Lakeside project. Further development within the SPSP area would be subject to the SPSP policies, including compliance with the parkland provision policies, ensuring development of open space throughout the SPSP area would comply with the open space provision policies.

Relevant Changes to Environmental Setting

The Lakeside project site, which is a subset of the SPSP area analyzed in the 2009 EIR, has remained largely undeveloped since the certification of the 2009 EIR and the 2014 and 2020 Addendums. There have been no substantial changes to the SPSP area or the Lakeside project site that would result in the Proposed Lakeside project having new significant impacts to biological resources that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

Potentially significant direct and indirect impacts on giant garter snake (*Thamnophis gigas*, GGS) were identified in the 2009 EIR through the removal of approximately 6,092 acres¹⁵ of GGS habitat, including aquatic and upland habitat, actively farmed and fallow rice fields, and aquatic corridors such as canals and drains. Construction-related impacts could result in the death or injury of individual GGS due to vehicle or equipment impact or accidental entombing in winter retreats. Operational impacts resulting from project implementation could also include the loss of GGS individuals, degradation of remaining habitat quality, increased predation and human activities, and lack of adequate water resources during the GGS active season. The proposed project would be required to comply with the NBHCP, and mitigation measures were identified in the 2009 EIR for areas subject to the NBHCP Incidental Take Permit (NBHCP ITP), as well as for areas not subject to the NBHCP ITP. These measures may include the implementation of avoidance and minimization measures prior to ground disturbance and during construction

¹⁵ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.13-29.

activities. Mitigation required under the NBHCP ITP include the preservation, enhancement, and creation of 0.5 acre of habitat reserve for each 1.0 acre of habitat developed.¹⁶ The mitigation measures identified in the 2009 EIR (Mitigation Measures 3.13-1a and 3.13-b) would reduce potential impacts to GGS to less-than-significant levels. Although GGS could experience increased injury or mortality from vehicular activity on the proposed project site, the roadway connections and traffic volumes which would result from the Proposed Lakeside project are less than those considered in the 2009 EIR. Therefore, the Proposed Lakeside project would not result in new significant impacts or substantial increases in the severity of impacts to GGS than were identified in the 2009 EIR. The 2014 and 2020 Addendums found that development proposed on the site would not increase vehicular traffic above volumes analyzed in the 2009 EIR. Therefore, impacts to giant garter snake would not increase as a result of additional roadway connections in the project area, and there would not be a new significant impact or a substantial increase in the severity of the impact to GGS beyond that identified in the 2009 EIR.

Swainson's hawk (*Buteo swainsoni*, SWHA) is not anticipated to nest on the proposed project site, as there are not suitable nesting trees currently on the project site and no nests have previously been documented on the site. The majority of the Lakeside project area is considered unsuitable for SWHA, as it is occupied primarily by low- to moderate-quality foraging habitat, such as agricultural lands. However, impacts to SWHA would still be potentially significant, and could result from loss of potential foraging habitat or the loss or incidental take of SWHA individuals. The Lakeside project would be a subset of development previously analyzed in both the 2009 EIR and the 2014 and 2020 Addendums. Conversion of undeveloped land to urban development would occur as part of the Lakeside project, but the amount of potential foraging habitat lost or possible incidental take of SWHA would likely be less than that analyzed in the 2009 EIR, as well as the 2014 and 2020 Addendums. If any SWHA are nesting within 0.25 to 0.5 mile of the project site, disturbance resulting from construction and/or operation of development under the Lakeside project could occur. Mitigation measures were identified in the 2009 EIR for areas subject to the NBHCP ITP (Mitigation Measure 3.13-3a), as well as for areas not subject to the NBHCP ITP where potential nesting could occur (Mitigation Measure 3.13-3b). The Proposed Lakeside project would comply with the NBHCP ITP, which requires that potential loss SWHA foraging habitat be mitigated by the preservation, enhancement, and management of 0.5 acre of high-quality habitat on NBC reserves for every 1.0 acre developed.¹⁷ The ITP also requires the use of impact minimization measures prior to ground disturbance and throughout all project phases, and implementation of such measures, in conjunction with other mitigation, would reduce potential SWHA impacts to less-than-significant levels.

No suitable habitat for Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) or federally-listed vernal pool invertebrates such as vernal pool tadpole shrimp (*Lepidurus packardii*) or vernal pool fairy shrimp (*Branchinecta lynchi*) was identified within the Lakeside project site. No elderberry shrubs that would be covered under the NBHCP ITP have been identified on the proposed project site, and development of the site would likely have no impact on the Valley

¹⁶ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.13-30.

¹⁷ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.15-5 to 3.13-39.

elderberry longhorn beetle. Habitat for this species may occur off-site, however. Habitat for federally-listed invertebrate species may also occur off-site, in proximity to off-site project features and in grasslands containing vernal pools or seasonally inundated water features. This habitat could potentially be affected by the construction of off-site project features. Implementation of 2009 EIR Mitigation Measure 3.13-4a related to compliance with established guidelines pertaining to the treatment of these species, preconstruction surveys for vernal pool invertebrates, avoidance of habitat impacts where possible, transplantation and replacement of seedling elderberry plants, and meeting established survival rate goals¹⁸ would ensure that the Proposed Lakeside project would not result in new significant impacts or substantial increases in the severity of impacts to these species.

Although suitable habitat for special-status fish species may be located off-site in the Sacramento River, no suitable habitat was identified within the proposed project area. Special-status species may include Chinook salmon, steelhead trout, green sturgeon, Sacramento splittail, and hardhead; however, these species are unlikely to occur in the canals or drainage ditches in proximity to the proposed project site. While special-status fish species may be impacted at off-site project features, the land use changes proposed by the Lakeside project are unlikely to result in new significant impacts or substantial increases in the severity of impacts to such species compared to those analyzed within the 2009 EIR and the 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.13-4b would ensure less-than-significant impacts to offsite fish species.

As identified in the 2009 EIR, as well as the 2014 and 2020 Addendums, other special-status species that could potentially be significantly affected as a result of the implementation of the Proposed Lakeside project include burrowing owl (*Athene cunicularia*, BUOW), tricolored blackbird (*Agelaius tricolor*), black-crowned night heron (*Nycticorax nycticorax*), white-faced ibis (*Plegadis chihi*), loggerhead shrike (*Lanius ludovicianus*), and northwestern pond turtle (*Actinemys marmorata*). Potential was also identified in the 2009 EIR and the 2014 and 2020 Addendums for California tiger salamander (*Ambystoma californiense*, CTS) and Western spadefoot toad (*Spea hammondi*) to be impacted off-site. As the footprint of the Approved Lakeside project area would be significantly smaller than that of the SPSP area and was included in the overall footprint analyzed in the 2009 EIR, the proposed project would not result in any increase in the loss of habitat for the aforementioned species. Mitigation for covered species, including white-faced ibis, tricolored blackbird, and loggerhead shrike, is included in the NBHCP ITP as avoidance and minimization measures, and reinforced in 2009 EIR Mitigation Measure 3.13-4a. Other applicable mitigation measures which could reduce potentially-significant impacts to less-than-significant levels and which also apply to species not covered by the NBHCP ITP include preconstruction surveys, avoidance measures and the establishment of avoidance buffers, habitat preservation and replacement, and the acquisition of and compliance with requisite permits from relevant agencies (see 2009 EIR Mitigation Measure 3.13-4b). These measures would be implemented under the Proposed Lakeside project and would reduce impacts to these species to less-than-significant levels.

¹⁸ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.15-5 to 3.13-42.

Although no on-site special status plant species have been observed onsite during prior surveys,¹⁹ potential habitat for special-status plant species has been identified within the SPSP area and along certain off-site improvement areas. These potential habitats include canals, drains, vernal pools, seasonal wetlands, and riparian habitat; therefore, any loss of habitat containing special-status plants would be considered a significant impact. The proposed project would comply with the NBHCP ITP and 2009 EIR Mitigation Measure 3.13-5a, which includes avoidance and minimization measures for potential occurrences of on-site special-status species. The Proposed Lakeside project would also comply with mitigation measures for covered and non-covered plants off-site, such as conducting preconstruction surveys, consulting with applicable agencies, and avoiding causing the take of special-status plant species, where feasible (see 2009 EIR Mitigation Measure 3.13-5b). The Proposed Lakeside project would therefore not result in a new significant impact or substantially more significant impact to special-status plant species, as compared to the 2009 EIR, 2014 Addendum, or 2020 Addendum.

The fill of jurisdictional areas, including wetlands, as defined by the U.S. Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW), and/or the Regional Water Quality Control Board (RWQCB), would represent a direct, significant impact as a result of project implementation.²⁰ These habitats are considered sensitive by CDFW, and certain types of jurisdictional areas, including wetlands, require the issuance of a Clean Water Act Section 404/401 permit ensuring that no net loss of wetlands would result from a proposed project through the implementation of avoidance, minimization, and mitigation measures. As several features within the SPSP area and in areas proposed for off-site feature improvements meet the USACE criteria for wetland designation, the Proposed Lakeside project would be subject to the requirements of a Section 404/401 permit, and the project applicant would be required to secure applicable federal and state permits for each phase of development of the project, including off-site improvements.

Implementation of mitigation measures, including compliance with the Section 401/404 permit requirements and California Fish and Game Code Streambed Alteration Agreements and compensation measures (Mitigation Measure 3.13-2), would reduce this significant impact to less than significant. Compensation measures require no net loss. These measures would apply to the Proposed Lakeside project and would ensure that no new significant impacts or substantially more significant impacts to jurisdictional wetlands occur as a result of the proposed project than were identified in the 2009 EIR and the 2014 and 2020 Addendums.

¹⁹ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. Pp. 3.15-5 to 3.13-50.

²⁰ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*. Published August 2014. Pp. 8.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.13-1a: Implement NBHCP ITP Giant Garter Snake Mitigation Measures
- Mitigation Measure 3.13-1b: Implement Measures to Mitigate Impacts on the Giant Garter Snake that are Not Covered by the NBHCP
- Mitigation Measure 3.13-2: Secure Clean Water Act Section 404 and 401 Permits and California Fish and Game Code Streambed Alteration Agreements; Implement All Permit Conditions; and Ensure No Net Loss of Wetlands, other Waters of the United States, and Associated Functions and Values
- Mitigation Measure 3.13-3a: Implement NBHCP ITP Swainson's Hawk Avoidance and Minimization Measures
- Mitigation Measure 3.13-3b: Implement Measures to Mitigate Impacts Swainson's Hawk Not Covered by the NBHCP
- Mitigation Measure 3.13-4a: Implement NBHCP ITP Avoidance and Minimization Measures for Valley Elderberry Longhorn Beetle, White-Faced Ibis, Loggerhead Shrike, Burrowing Owl, Northwestern Pond Turtle, California Tiger Salamander, Western Spadefoot, and Vernal Pool Invertebrates
- Mitigation Measure 3.13-4b: Implement Measures to Mitigate Impacts on Special-Status Wildlife Species Not Covered by the NBHCP
- Mitigation Measure 3.13-5a: Implement NBHCP Avoidance and Minimization Measures for Impacts on Special-Status Plant Species
- Mitigation Measure 3.13-5b: Implement Measures to Mitigate Impacts on Special-Status Plants Not Covered by the NBHCP

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to biological resources that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Cultural Resources

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
5. Cultural Resources. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	DEIR, pp. 3.15-21 to 3.15-23	No	No	No	Yes
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	DEIR, pp. 3.15-23 to 3.15-23	No	No	No	Yes
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	DEIR, pp. 3.15-26 to 3.15-27	No	No	No	Yes
d. Disturb any human remains, including those interred outside the formal cemeteries?	DEIR, pp. 3.15-25 to 3.15-26	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Cultural Resources

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These land uses are the same as and are within the footprint of those analyzed within the 2009 EIR, as well as the 2014 and 2020 Addendums.

Relevant Changes to Environmental Setting

The Lakeside project site has remained largely undeveloped since the certification of the 2009 EIR. Analysis conducted for the 2009 EIR identified several historic-era resources within the SPSP project site, including Bridge No. 18C0050, elements of Rural Landscape Reclamation District (RD) 1000, the Natomas East Main Drainage Canal, a scatter of historic debris, a farm complex, a barn and associated features, a demolished barn with associated debris, a rice storage facility, and a house, garage, and barn. The Lakeside project area is void of built structures, and consists of agricultural fields and irrigation canals. There have been no substantial changes to the Lakeside project site that would result in the proposed Lakeside project having new significant impacts to cultural resources that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

The bridge, scatter of historic debris, farm complex, and demolished barn with associated debris within the larger SPSP area and identified in analysis conducted for the 2009 EIR were not recommended for inclusion in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Mitigation for potential impacts to RD 1000 were delineated within a Historic American Engineering Record (HAER) document and Historic Properties Treatment Plan (HPTP) prepared for the 2009 EIR at the request of the U.S. Army Corps of Engineers (USACE); therefore, impacts to this resource from past and future projects have already been mitigated.²¹

Although there are no structures on the Lakeside project site, drainage canals traverse the site. The 2009 EIR concluded that implementation of Mitigation Measure 3.15-1 would mitigate the potentially significant impact to historic-era features, it would not reduce it to less-than-significant levels, and the impact to historic-era resources would be potentially significant and unavoidable. The Lakeside project site represents a subset of the SPSP area, and ground-disturbing activities associated with construction of the Proposed Lakeside project would be similar to those analyzed in the 2009 EIR. No new or more substantially severe impacts to historical and archaeological resources are expected.

Mitigation Measures 3.6-6, 3.15-2, and 3.15-3 of the 2009 EIR account for the potential unearthing or identification of previously unrecorded cultural resources found to qualify as a historical resource per CEQA Guidelines Section 15064.5 or a unique archaeological resource per Public Resources Code (PRC) Section 21083.2(g), for potential damage to unknown and potentially unique paleontological resources during earth-moving activities, or for the inadvertent discovery of tribal cultural resources or human remains. Although such identification is unlikely given that no prehistoric resources have been identified within the project site to date, the 2009 EIR found impacts resulting from the project to these resources to be potentially significant. The mitigation measures referenced above would reduce potential damage to or destruction of such resources within the Lakeside project site or vicinity by educating construction workers, suspending ground-disturbing activities within 100 feet of identified resources, and complying with state laws regarding the treatment of such resources. The 2014 Addendum to the EIR found that, as the project did not change the project footprint, no changes for impacts to cultural, historical, archaeological, or paleontological resources would be identified as compared to the 2009 EIR. Similarly, the proposed project does not change the SPSP area footprint and impacts resulting from the Proposed Lakeside project would be substantially the same as those identified in the analysis conducted for the 2009 EIR and the 2014 and 2020 Addendums to the EIR. No new or significant resources have been identified on the project site, and the Lakeside Project would not result in new or more significant effects to paleontological resources or human remains than were discussed in the 2009 EIR. No new information or changes under the Proposed Lakeside project are known which would affect this conclusion. Therefore, the conclusions of the EIR remain valid and no further analysis is required.

²¹ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.15-5 to 3.15-22.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.6-6: Conduct Construction Worker Personnel Training, Stop Work if Paleontological Resources Are Encountered, and Implement Paleontological Resources Recovery Plan
- Mitigation Measure 3.15-1: Complete Cultural Resources Evaluations of Previously Identified Historic-Era Resources.
- Mitigation Measure 3.15-2: Educate Construction Workers Regarding Buried Cultural Resources, Suspend Ground-Disturbing Activities if Resources Are Encountered, Employ an Archaeologist to Assess the Find, and Implement all Required Measures
- Mitigation Measure 3.15-3: Suspend Ground-Disturbing Activities if Undocumented Human Remains Are Encountered and Follow California Health and Safety Code Procedures
- Mitigation Measure 3.15-4: Conduct Archaeological Surveys of All Unsurveyed Areas, and Implement Additional Treatment of Resources, if Necessary

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to cultural resources that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Geology and Soils

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
6. Geology and Soils. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides? 	DEIR, pp.3.6-24 to 3.6-27	No	No	No	Yes
b. Result in substantial soil erosion or the loss of topsoil?	DEIR, pp. 3.6-23 to 3.6-24	No	No	No	Yes
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	DEIR, pp. 3.6-27 to 3.6-28	No	No	No	Yes
d. Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	DEIR, pp. 3.6-27 to 3.6-28	No	No	No	Yes
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Not Addressed	Not Applicable	Not Applicable	Not Applicable	Not Applicable

Discussion

Relevant Changes to Project Related to Geological Resources

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside Project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed

within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

There have been no substantial changes to the underlying geology or soil conditions in the SPSP area or the Lakeside project site that would result in the Proposed Lakeside project having new significant impacts related to geology or soils that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

The 2009 EIR identified five potentially significant impacts to geological resources as a result of implementation of the previously approved SPSP. These potentially significant impacts include: temporary, short-term exposure of soils to erosion as a result of construction activities; risks to people and structures caused by surface fault rupture and strong seismic ground shaking; seismically-induced risks to people and structures as a result of liquefaction; potential damage to structures and infrastructure resulting from construction on expansive or unstable soils; and potential damage to unknown, potentially unique paleontological resources during earthmoving construction activities. However, the 2009 EIR determined that all of these potentially significant impacts could be reduced to less-than-significant levels following the implementation of 2009 EIR Mitigation Measure 3.6-6. The 2009 EIR did not consider whether soils within the SPSP area were incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems, as this impact was not applicable to the project analyzed in the 2009 EIR. As no changes to the types of development or the project footprint were suggested in the 2014 Amendment as compared to the SPSP project, the 2014 and 2020 Addendums to the EIR did not further consider soils or geological resources.

As the Lakeside project does not propose material changes to the type of urban development analyzed within the 2009 EIR and the 2014 and 2020 Addendums, no new significant environmental impacts to geology and soils are anticipated from implementation of the Proposed Lakeside project. Implementation of the mitigation measures included in the 2009 EIR would ensure that impacts to geological resources resulting from the Proposed Lakeside project would be reduced to less-than-significant levels. Consideration of whether soils within the SPSP area were incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems remains inapplicable, as the Proposed Lakeside project would be connected to an existing sewer system and service for the project site would be provided by Regional San in accordance with the Principles of Agreement between Regional San and Sutter County approved in 2009.²²

²² Wood Rodgers, 2020. *Lakeside at Sutter Pointe: Level 2 Sewer Study*. Published February 22, 2020. P. 24.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.6-1: Prepare and Implement a Grading and Erosion Control Plan
- Mitigation Measure 3.6-2a: Prepare a Final Geotechnical Report, and Implement All Applicable Recommendations
- Mitigation Measure 3.6-2b: Monitor On- and Off-site Earthwork
- Mitigation Measure 3.6-6: Conduct Construction Worker Personnel Training, Stop Work if Paleontological Resources Are Encountered, and Implement Paleontological Resources Recovery Plan

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to geology and soils that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Greenhouse Gas Emissions

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
7. Greenhouse Gas Emissions. Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	DEIR, pp. 3.17-11 to 3.17-20; FEIR, pp. 3-11 to 3-12	No	No	No	Yes
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	DEIR, pp. 3.17-11 to 3.17-20; FEIR, pp. 3-11 to 3-12	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Greenhouse Gas Emissions

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside Project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

There have been no substantial changes in environmental setting relative to greenhouse gas (GHG) emissions since the certification of the 2009 EIR, as the project site remains largely undeveloped and the general climate attributes and topography of the project site have not changed since the certification of the 2009 EIR.

In 2010, Sutter County adopted a Climate Action Plan (CAP) to establish policies that incorporate environmental responsibility into its daily management of residential, commercial and industrial growth, education, energy and water use, air quality, transportation, waste reduction, economic development, and open space and natural habitats. As a foundation in these efforts, the County developed a baseline GHG emissions inventory, a methodology for tracking and reporting emissions in the future, and recommendations for GHG reduction strategies.

Comparative Impacts Discussion

Sutter County has established policies within its CAP to achieve the goals of reducing emissions attributable to Sutter County to levels consistent with the reduction targets of Assembly Bill 32,²³ which establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and requires that statewide GHG emissions be reduced to 1990 levels by 2020. The 2009 EIR described GHG emissions and modeled the amount of CO₂ emissions resulting from the heaviest construction year. Implementation of 2009 EIR Mitigation Measure 3.4-1 would reduce construction vehicle emissions to the degree feasible, by requiring use of certain engines, following specific criteria, and other requirements. By reducing emissions of criteria air pollutants, GHG emissions also would be reduced. However, because of the uncertainty with respect to GHG reductions from regulations that have not yet been developed, and because the GHGs generated by SPSP-related construction activities are considerable, the 2009 EIR concluded that the SPSP's incremental contribution would be cumulatively considerable and significant and unavoidable.

Further, the 2009 EIR analysis estimated the Annual Mass CO₂e Emissions resulting from operations. Operational emissions associated with mobile sources, electricity usage, and water consumption would exceed 25,000 metric tons of CO₂ per year throughout the operational life if the proposed project, which is the mandatory reporting level for stationary sources as part of implementation of AB 32. Even after implementation of 2009 EIR Mitigation Measures 3.4-2 and 3.17-1, the 2009 EIR determined that the SPSP's incremental contribution to long-term operational GHG emissions is cumulatively considerable and significant and unavoidable.

The proposed project would comply with the County's CAP. Although the Lakeside project would represent slight alterations in the acreages of land use designation and zoning compared to the project proposed and analyzed in the 2009 EIR, the land uses and development types and intensities in the project area are largely consistent with those discussed in the 2009 EIR and would not represent significant changes to those anticipated under the SPSP. Mitigation Measures 3.4-1, 3.4-2, and 3.17-1 from the 2009 EIR would still be required to lessen the amount of GHG emissions. Since development under the SPSP, including development of the Proposed Lakeside project site, has been analyzed in the Sutter County General Plan Update EIR²⁴ and greenhouse gas emissions have already been considered, the proposed project would not conflict with implementation of the County's CAP.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.4-1: Develop and Implement Applicable Air District-Endorsed Air Quality Mitigation Plan for All Phases of Construction

²³ Sutter County, 2010. *Draft Sutter County Climate Action Plan*. Published July 2010. Pp. 1-2.

²⁴ PBS&J, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH #2010032074)*. Published September 2010. Pp. 6.6-1 through 6.6-34.

- Mitigation Measure 3.4-2: Develop and Implement FRAQMD-Endorsed Air Quality Mitigation Plans to Reduce Operational Emissions
- Mitigation Measure 3.17-1: Implement Additional Measures to Reduce GHG Emissions

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to greenhouse gas emissions that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Hazards and Hazardous Materials

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
8. Hazards and Hazardous Materials. Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	DEIR, pp. 3.12-20 to 3.12-21 and 3.12-34; FEIR, pp. 3.110-91, 3.110-97, 3.110-98, 3.110-123	No	No	No	Yes
b. 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?	DEIR, pp. 3.12-21 to 3.12-24; 3.12-2	No	No	No	Yes
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	FEIR, pp. 3.19-26 to 3.19-27	No	No	No	Yes
d. 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, would it create a significant hazard to the public or the environment?	DEIR, pp. 3.12-24 to 3.12-26	No	No	No	Yes
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	DEIR, pp. 3.12-36 to 3.12-30; FEIR, pp. 4-60	No	No	No	Yes
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working on the project area?	DEIR, pp. 3.12-36 to 3.12-27	No	No	No	Yes
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	DEIR, pp. 3.12-3, 3.12-6 to 3.12-7, and 3.12-20	No	No	No	Yes
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	N/A	No	No	No	N/A

Discussion

Relevant Changes to Project Related to Hazards and Hazardous Materials

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside Project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

At the time the notice of preparation (NOP) for the 2009 EIR was circulated, the SPSP site was in agricultural and industrial use, and existing land uses included agricultural lands (primarily rice fields), a 50-acre Sysco Corporation warehousing and distribution center, and a Holt Tractor manufacturing facility. Seven Phase I Environmental Site Assessments (ESAs) had been conducted for portions of the project site but did not cover the entire project site or the entire Phase 1 or Phase A site as identified in the 2014 and 2020 Addendums.

Historic uses of the area include rice farming and irrigated pasture, making historic pesticide use likely on most areas of the project site. Although the potential for residual pesticides in soil was identified as a recognized environmental condition (REC) at portions of the project site, the 2009 EIR concluded that the potential for residual pesticides in soil at the project site should not be considered as such and, therefore, does not warrant soil remediation.

The aforementioned ESAs conducted within the vicinity of the project site include findings of water supply, agricultural supply, and irrigation wells, “dry hole” natural gas well borings, burn pits, aboveground propane tanks, and scrap and debris piles, none of which were considered RECs. Septic systems, mobile fuel tanks, abandoned debris and vehicles, suspected animal carcass pits, burn areas, and stained soil were also identified through the ESAs.

Hazards associated with surrounding land uses include the potential for aircraft accidents associated with travel to and from the Sacramento International Airport, risk of disease carried by mosquitos which could utilize nearby standing water from rice crop cultivation as breeding grounds, the potential release of hazardous materials resulting from vehicular accidents along proximate highways and railroads, and potential exposure to electric and magnetic fields (EMFs) along high-voltage electrical transmission lines.

There have been no substantial changes to the underlying conditions on SPSP area or the project site that would result in the Proposed Lakeside project having new significant impacts to hazards and hazardous materials that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

The 2009 EIR identified one significant and five potentially significant impacts related to hazards and hazardous materials as a result of implementation of the SPSP analyzed under the 2009 EIR. The EIR found that the potential impact to airspace safety hazards associated with on-site project water features was significant, as the project's proposed on-site lakes and detention basins could attract large numbers of birds, potentially creating a flyway between the project site and the Sacramento River and interfering with existing aircraft flight routes. Potentially significant impacts assessed include: potential human health hazards from exposure to existing on-site hazardous material; public health hazards from project development on a known hazardous materials site compiled pursuant to Government Code Section 65962.5; safety hazards for people residing or working near a public or private airstrip; the potential for public health hazards from mosquitos associated with project water features; and exposure of project residents to electric and magnetic fields. The 2009 EIR determined that all of these significant and potentially significant impacts could be reduced to less-than-significant levels following the implementation of Mitigation Measures 3.12-2 through 3.12-7.

Searches of regulatory databases to determine the potential for hazardous materials on or near the project site yielded no potential or confirmed state or federal "Superfund" sites within one mile of the project site. Additionally, no known contaminated municipal groundwater wells, active or inactive landfills, or producing Department of Oil and Gas (DOG) petroleum wells were located on, adjacent to, or within 0.5 mile of the project site. However, two sites – the Holt of California site and the Farm Air Flying Service – were listed as known hazardous materials sites on the Cortese List, which tracks properties with confirmed soil and/or groundwater contamination; neither of these sites are located on the Lakeside project site. No known underground storage tanks (USTs), leaking underground storage tanks (LUSTs), or cleanup sites are located within a half-mile of the Proposed Lakeside project site,²⁵ although one LUST cleanup site and one cleanup program site for which cleanup has been successfully completed are located within one mile of the project site.²⁶ No federal superfund, state response, cleanup, or investigation sites are located within one mile of the proposed project site.²⁷

The Lakeside project does not propose changes to hazardous materials transport routes, on-site or off-site hazardous materials conditions, the proximity of development to an airport or rail line, or exposure to electromagnetic fields, as compared to projects analyzed under the 2009 EIR and the 2014 and 2020 Addendums to the EIR. Additionally, the potential for aircraft bird strike hazards and mosquito attraction under the Proposed Lakeside project is similar to that analyzed within the 2009 EIR and is not anticipated to change or become more severe. Therefore, as compared to the 2009 EIR, the Proposed Lakeside project would not result in new significant impacts or significant impacts that are substantially more significant than previously disclosed. There are no

²⁵ California State Water Resources Control Board, 2020. *GeoTracker*. Available: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=riego+road%2C+sutter+county%2C+ca>. Accessed February 26, 2020.

²⁶ California State Water Resources Control Board, 2020. *GeoTracker*. Available: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=riego+road%2C+sutter+county%2C+ca>. Accessed February 26, 2020.

²⁷ California Department of Toxic Substances Control, 2020. *EnviroStor*. Available: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed February 26, 2020.

new circumstances resulting in new impacts or new information requiring additional analysis related to hazards or hazardous materials. The conclusions regarding impacts to hazards or hazardous materials within the 2009 EIR remain valid, and no further analysis is required.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.12-2: Retain a Licensed Professional to Investigate the Extent to Which Soil and/or Groundwater May Have Been Contaminated, including in Areas Not Covered by the Phase 1 ESAs, and Implement Required Measures, as Necessary
- Mitigation Measure 3.12-3: Retain a Licensed Professional to Investigate the Environmental Status of the Contaminated Groundwater Plume, Contaminated Soils, and Any Remediation Activities at the Holt Tractor and Farm Air Service Sites, and Implement All Remedial Measures, as Necessary
- Mitigation Measure 3.12-4: Evaluate Compatibility of Future On-Site Land Uses in the Sacramento International Airport's Approach-Departure Zone and Implement Any Required Restrictions on Land Uses by the Airport
- Mitigation Measure 3.12-5: Prepare and Implement a Design and Management Plan for the Proposed Water Features
- Mitigation Measure 3.12-6: Prepare and Implement a Vector Control Plan
- Mitigation Measure 3.12-7: Prohibit Construction of Residential Housing within 100 Feet of Any 115-kV Transmission Line

2009 FEIR Mitigation Measures

The 2009 FEIR included text changes to the following mitigation measures referenced in the DEIR that were implemented in the 2009 FEIR and would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.12-4: Evaluate Compatibility of Future On-Site Land Uses in the Sacramento International Airport's Approach-Departure and Overflight Zones and Implement Any Required Restrictions on Land Uses by the Airport

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to hazards and hazardous materials that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Hydrology and Water Quality

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
9. Hydrology and Water Quality. Would the Project:					
a. Violate any water quality standards or waste discharge requirements?	DEIR, pp. 3.7-30 to 32	No	No	No	Yes
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	DEIR, pp. 3.7-62 to 3.7-63, 3.9-15 to 3.9-36, and 3.9-41 to 3.9-43; FEIR, 3.17-25 to 3.17-40, 3.110-106, 3.110-112 to 3.110-114, and 3.112-5 to 3.112-6	No	No	No	Yes
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	DEIR, p. 3.7-30; FEIR, pp.3.L15-88, 3.14-7, 3.110-104	No	No	No	Yes
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	FEIR, pp. 3.L15-88, 3.14-7, 3.110-104	No	No	No	Yes
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	DEIR, pp. 3.7-32 to 3.7-55	No	No	No	Yes
f. Otherwise substantially degrade water quality?	DEIR, pp. 3.7-60 to 3.7-61 and 3.7-63 to 3.7-66	No	No	No	Yes
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	FEIR, pp. 3.S4-2 and 3.L3-4 to 3.L3-8	No	No	No	Yes
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	DEIR, pp. 3.7-55 to 3.7-56	No	No	No	Yes
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	DEIR, pp. 3.7-55 to 3.7-56	No	No	No	Yes
j. Inundation by seiche, tsunami, or mudflow?	DEIR, pp. 3.6-9 to 3.6-11	No	No	No	N/A

Discussion

Relevant Changes to Project Related to Hydrology and Water Quality

The Lakeside project would convert pervious soil surfaces to impervious urban uses. Although this development would change the landscape of the project site, full development of the project site was anticipated and analyzed in both the 2009 EIR and the 2014 Addendum.

Relevant Changes to Environmental Setting

At the time the 2009 EIR was certified, the project site analyzed under the DEIR was in agricultural and industrial use. Those circumstances have not substantially changed, with the project site remaining largely undeveloped. The majority of the project site consists of pervious soil, although there are some paved, impervious roadways traversing the site. The proposed project site is situated over the North American Groundwater Subbasin, a portion of the Sacramento Valley Groundwater Basin, which is bound by the Bear River to the north, the Feather River to the west, the Sacramento River to the south, and the edge of the alluvial aquifer in the Sierra Nevada foothills to the east.²⁸

Comparative Impacts Discussion

The Lakeside project site is located outside of any one-percent annual chance Special Flood Hazard Areas.²⁹ The project site and vicinity is currently primarily agricultural land, and runoff from existing site drains to the south and west and is transported via drainage channel and pump stations that are owned and operated by Reclamation District (RD) 1000 in the Natomas Basin. Open channels would be designed to convey a 100-year flood event with a minimum of one foot of freeboard and a minimum velocity of 2.0 feet per second.³⁰ Infrastructure to support flood protection and the drainage of stormwater would be required to comply with the design criteria of Sutter County and RD 1000, with Federal Emergency Management Agency (FEMA) National Flood Insurance Program requirements, and with NPDES permit requirements. The RD 1000 reviewed the Conceptual Drainage Analysis and determined that no downstream improvements to the existing RD 1000 facilities are required for the Lakeside project.³¹

Drainage System

The Lakeside project site is located primarily within Drainage Sheds 5 and 7 of the SPSP area. Drainage infrastructure within these drainage sheds includes detention basins, drainage channels, and pipe systems extending out from the detention basin. Per Chapter 9 of the Sutter County Improvement Standards, the drainage system for the Proposed Lakeside project would be designed and constructed to convey the peak flow rate from a 10-year storm event.³² The system may be required to convey larger flows in certain areas of the project site, however, depending on site grading. Throughout the drainage system, overflow paths for flows larger than the design

²⁸ Tully & Young, 2008. *Sutter Pointe Specific Plan DB 610 Water Supply Assessment*. November 2008. P. 3.

²⁹ Mueller, David, 2020. *Lakeside at Sutter Pointe Conceptual Drainage Analysis Technical Memorandum*. Prepared February 24, 2020. Pp. 3.

³⁰ Mueller, David, 2020. *Lakeside at Sutter Pointe Conceptual Drainage Analysis Technical Memorandum*. Prepared February 24, 2020. Pp. 3.

³¹ King, Kevin L, 2020. *Lakeside at Sutter Pointe (900 acres +/-) – Drainage Analysis Review*. March 17, 2020.

³² Sutter County, 2005. *County of Sutter Department of Public Works Improvement Standards, Revision 11-10*. Adopted October 26, 2010. Pp. 2.

storm event would convey flows to the lake and detention basins. Storm dry inlets and pipe networks would be designed to provide a minimum of one dry lane for arterial roadways in a 100-year storm event, and 0.5-foot of freeboard in a 10-year storm event. The network minimum full flow velocity would be two feet per second, which the maximum velocity at maximum system capacity, would not exceed 10 feet per second.³³ Three lakes and/or detention basins (Lake A, Lake B, and Lake C) are also proposed within the Lakeside project area.

A Conceptual Drainage Analysis Technical Memorandum prepared for the Approved Lakeside project concludes that the developed peak flow rate following implementation of the Proposed Lakeside project would likely exceed the capacity of the G2 corridor into which the proposed project would drain and which is maintained by Reclamation District (RD) 1000. The analysis concludes that, per Sutter County Improvement Standards, pads should be placed a minimum of one foot above the base flood elevation. The Lakeside project proposes placing pads a minimum of three feet above the base flood elevation as an additional safety factor to adjacent properties. The minimum pad elevations adjacent to Lake A and Lakes B/C would therefore be 23.3 feet and 27.3 feet, respectively. The analysis also demonstrated that, in order to ensure that the maximum stages of the lakes do not exceed the headwall elevations of the lakes under 10-year, 24-hour, and 10-day storm events, a pump station with a peak flow rate of 62 cubic square feet (cfs) would be required at Lakes B/C, and that a pump station may also be required at Lake A.³⁴

Changes in land use acreages would result in changes to the amount of impervious surfaces on the project site assumed within the 2009 EIR and the 2014 and 2020 Addendums to the EIR. Increased acreages of low-density residential, commercial retail, and infrastructure and utilities uses, as well as a decrease in open space uses, would contribute to increased impervious surfaces within the project area. Conversely, reductions in the acreages allotted to high-density residential, employment, schools, and roads uses, as well as increases in parkland acreage, would contribute to reduced impervious surfaces within the project area. Given the sum totals of these alterations, as seen in Table 3, the Lakeside project could potentially result in a slight net increase in storm water runoff. However, this impact would be mitigated to a less-than-significant level following implementation of Mitigation Measure 3.7-2a of the 2009 EIR, which requires the preparation and submission of final drainage plans to Sutter County and the implementation of any requirements documented within those plans for each increment of new development to occur on the project site.³⁵

The 2009 EIR ultimately concluded that the SPSP would have a less-than-significant impact related to increased demand for water supplies with implementation of Mitigation Measure 3.9-1, and the potentially significant impact resulting from the necessity of off-site water conveyance facilities would be mitigated to less than significant with implementation of Mitigation Measure 3.9-2. The impact to on-site water conveyance and storage facilities and to increased demand for groundwater and surface water treatment plant facilities could likewise be mitigated from

³³ Sutter County, 2005. *County of Sutter Department of Public Works Improvement Standards, Revision 11-10*. Adopted October 26, 2010. Pp. 2.

³⁴ Mueller, David, 2020. *Lakeside at Sutter Pointe Conceptual Drainage Analysis Technical Memorandum*. Prepared February 24, 2020. Pp. 7-11.

³⁵ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.7-49.

potentially significant to less-than-significant levels with implementation of Mitigation Measure 3.9-3. The 2014 Addendum to the EIR concluded that the 2014 Amendment would not result in any change to water quality impacts as compared to the 2009 EIR. The proposed project likewise would not result in any change to the water quality impacts as compared to the 2009 EIR.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.7-1: Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs
- Mitigation Measure 3.7-2a: Prepare and Submit Final Drainage Plans to the County and Implement Requirements Contained in Those Plans
- Mitigation Measure 3.7-2b: Perform a Detailed Geotechnical Analysis of Proposed Levees or Raised Ground Areas
- Mitigation Measure 3.7-2c: Negotiate an Agreement with RD 1000
- Mitigation Measure 3.7-5: Develop and Implement a BMP and Water Quality Maintenance Monitoring Plan
- Mitigation Measure 3.7-7a: Implement a Surface Water and Groundwater Treatment Program
- Mitigation Measure 3.7-7b: Maintain Sufficient Distance between On-Site Production Wells and the Holt Facility
- Mitigation Measure 3.9-1: Submit Proof of Surface Water Supply Availability
- Mitigation Measure 3.9-2: Submit Proof of Adequate Water Conveyance Facilities and Implement Off-site Infrastructure Service Systems or Assure that Adequate Financing is Secured
- Mitigation Measure 3.9-3: Submit Proof of Adequate Water Conveyance Facilities and Implement On-site Infrastructure Service Systems or Assure that Adequate Financing is Secured
- Mitigation Measure 3.9-4: Demonstrate Adequate Water Treatment Capacity
- Mitigation Measure 3.9-5: Implement the same mitigation measures called for in this DEIR, as specifically set forth in Table ES-1.

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 Addendum to the EIR, result in a new significant impact or significant impacts related to hydrology and water quality that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Land Use and Planning

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
10. Land Use and Planning. Would the project:					
a. Physically divide an established community?	DEIR, p. 3.1-20	No	No	No	Yes
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	DEIR, pp. 3.1-26 to 3.1-32; FEIR, pp. 3.L6-4 to 3.L6-5, 3.14-7 to 3.14-8	No	No	No	Yes
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	FEIR, pp. 3.L9-3 to 3.L9-6, 3.110-101	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Land Use and Planning

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

The SPSP project site consists primarily of agricultural uses with limited industrial facilities and is primarily used for rice production. Rural residences, associated agricultural outbuildings, and various industrial uses would not be removed as part of development of the SPSP project. The SPSP area and the Lakeside project site are designated as Specific Plan (SP) in the Sutter County General Plan; this designation facilitates development in accordance with the previously approved SPSP. The undeveloped land on the project site is zoned for a variety of residential, commercial, employment, school, and recreational uses (see Figure 3). Existing developed properties in the vicinity of the Lakeside project site are zoned General Industrial, which provides for a range of industrial, manufacturing, and related uses intended to provide employment opportunities and expand the economic base.

Comparative Impacts Discussion

All potential impacts to land use and planning identified within the 2009 EIR were found to be less than significant or possible to reduce to less-than-significant levels through the implementation of mitigation. The 2014 and 2020 Addendums to the EIR concluded that, as no inhabited structures or communities within either of the Amended project site would be affected and internal land uses of the project were compatible with the SPSP project, no further analysis was required.

The proposed Lakeside project would yield the same number of units as the approved Lakeside project, totaling up to 3,787 dwelling units. This includes 1,105 low-density residential (LDR) units, 2,283 medium-density residential (MDR) units, and 399 high-density residential (HDR) units. Other land uses proposed by the Lakeside project include an active adult community, commercial, employment, parks, schools, and open space uses. The internal land uses within the Lakeside project site are compatible with the SPSP project and the 2014 and 2020 Amendments' land uses, though the land use acreage totals for the Lakeside project involve changes from the land use acreages previously analyzed and approved. Specifically, as shown in Table 3, there is a reduction in low-density residential acreage and an increase in medium-density residential acreage compared to earlier analyses. The 2009 EIR and the 2014 and 2020 Addendums to the EIR did not identify these changes as incompatible with surrounding land uses. Consequently, the proposed land uses are considered compatible with existing surrounding land uses. Since there are no existing residences or developed properties on the project site, the project would not physically divide an established community.

The project proposes amendments to the Sutter Pointe Land Use and Development Code, which would increase the allowable density of LDR and the minimum allowable density of MDR uses and amend the definition of "Lot" to reduce the minimum lot frontage requirement and allow for shared private drives. Following these amendments to the Land Use and Development Code and the Specific Plan Amendments proposed by the Lakeside project, the proposed project would be consistent with the allowable land uses and development intensities identified in the development guidelines for the project site, and would comply with state, regional, and local plans, policies, and regulations.

Development of the Lakeside site was anticipated and analyzed as part of the 2009 EIR, where it was determined that development would not conflict with the adopted NBHCP. Therefore, development of the Proposed Lakeside project also would not conflict with the NBHCP as it is a subset of the larger SPSP area.

The proposed project would not result in significant land use effects that were not addressed or identified in the 2009 EIR or the 2014 and 2020 Addendums, nor would it result in significant impacts that are substantially more significant than previously disclosed. Therefore, impacts to land use from the Proposed Lakeside project would not require the preparation of a subsequent EIR.

Mitigation Measures

2008 DEIR Mitigation Measures

None.

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to land use and planning that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Mineral Resources

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
11. Mineral Resources. Would the Project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	N/A	No	No	No	N/A
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	N/A	No	No	No	N/A

Discussion

Relevant Changes to Project Related to Mineral Resources

The Proposed Lakeside project would not alter the amount or quality of existing mineral resources within the vicinity or surrounding the project site from those previously analyzed in the 2009 EIR and the 2014 and 2020 Addendums. The proposed project would not result in new changes or any loss involving known or locally-important mineral resources as there are none identified on the site. Additionally, the proposed project would not involve any mineral extraction.

Relevant Changes to Environmental Setting

As discussed in the Sutter County General Plan Technical Background Report,³⁶ there are no significant or substantial mineral deposits located within Sutter County, although pockets of MRZ-1, MRZ-3, and MRZ-4 are found southwest of Yuba City and Live Oak and along the base of the Sutter Buttes. There are no mineral resources on the proposed project site.

The 2009 EIR only briefly discusses mineral resources (DEIR p. 1-9) before dismissing the topic from further consideration because no mineral resources would be impacted as a result of development in the SPSP area. The 2014 and 2020 Addendums similarly dismiss the topic because there would be no impact as a result of development proposed with the 2014 Amendment (2014 Addendum, p. 6) and 2020 Amendment (2020 Addendum, p. 66). Currently, no new mineral resources have been determined to exist in the SPSP area.

Comparative Impacts Discussion

Although the 2008 EIR and the 2014 and 2020 Addendums did not examine mineral resources, these documents did examine impacts to geology, soils and seismicity. For an updated discussion on impacts related to geology, soils, and seismicity, please see the Geology and Soils section of

³⁶ Sutter County, 2008. General Plan Update Technical Background Report, p. 4.2-14, February 2008.

this addendum. The SPSP area still does not contain any known mineral resource areas. Construction of the proposed project would not result in the extraction or use of any mineral resource areas or the preclusion of access to mineral resources within the communities surrounding the SPSP area, or the Lakeside project site within the SPSP area. As a result, this impact would remain less than significant.

Mitigation Measures

2008 DEIR Mitigation Measures

None.

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to mineral resources that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Noise

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
12. Noise. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	DEIR, pp. 3.5-32 to 3.5-35	No	No	No	Yes
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	DEIR, pp. 3.5-30 to 3.5-32; FEIR, pp. 3.111-13 to 3.111-15, 4-6	No	No	No	No
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	DEIR, pp. 3.5-33 to 3.5-40	No	No	No	Yes
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	DEIR, pp. 3.5-31	No	No	No	Yes
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	DEIR, pp. 3.5-26 to 3.5-27; FEIR, pp. 3.L15-49 to 3.L15-50, 3.L15-85 to 3.L15-88, 3.L15-90 to 98, 3.110-95, 3.110-98 to 3.110-100	No	No	No	No
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	DEIR, pp. 3.5-26 to 3.5-27; FEIR, pp. 3.L15-98 to 3.L15-100	No	No	No	No

Discussion

Relevant Changes to Project Related to Noise

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP. Although the proposed project would involve the reallocation of land use acreages, it would not create new land uses within the proposed project site, or develop more of the Lakeside site than previously anticipated.

Relevant Changes to Environmental Setting

There have been no substantial changes in environmental setting relative to noise since the certification of the 2009 EIR, as the project site remains largely undeveloped and the general land uses of the project site have not changed since the certification of the 2009 EIR or the 2014 and 2020 Addendums to the EIR. As the uses proposed by the 2014 Amendment were placed in similar proximity to noise sources evaluated in the 2009 EIR and no sensitive receptors were located in the area of proposed project changes, the 2014 and 2020 Addendums to the EIR did not further consider noise impacts.

Comparative Impacts Discussion

Noise levels and corresponding reactions to noise depend on an array of factors, such as sound pressure level, duration of intrusive sound, frequency and time of occurrence, and frequency content. As a conservative estimate, an increase of 3 decibels (dB) represents a significant increase in ambient noise levels.³⁷ The 2009 EIR concluded that an increase in traffic noise levels of 5 dB or more would be noticeable where the ambient level is between 60 and 65 dB, and an increase of 1.5 dB or more would be noticeable where the ambient noise level is greater than 65 dB L_{dn} .³⁸ The existing ambient noise setting is defined by traffic on State Route (SR) 99 and other local roadways, Union Pacific Railroad (UPRR) operations, agricultural activities, and aircraft operations associated with the Sacramento International Airport.

The 2009 EIR concluded that portions of the SPSP area are located within the Sacramento International Airport 60 dB community noise equivalent level (CNEL) contours, which could result in significant noise impacts if aircraft noise levels within the CNEL exceed Sutter County noise standards at noise-sensitive land uses proposed on the project site. Analysis within the 2009 EIR also suggested that aircraft operations from the Sacramento International Airport are unlikely to have an appreciable effect on development. Railroad noise impacts are considered significant where railroad noise levels would exceed Sutter County noise standards or where sound exposure level (SEL) would exceed the recommended sleep interference threshold of 70 dB within residential areas. No residential or school uses are proposed within the projected railroad noise impact contours; therefore, no adverse railroad noise impacts were identified within the 2009 EIR and that conclusion will not change with the proposed project.

Construction activities resulting from implementation of the Lakeside project would contribute to ambient noise levels in the project vicinity, and were estimated to generate maximum noise levels ranging from 85 dB to 90 dB at a distance of 50 feet.³⁹ Construction activities would be temporary in nature and would generally occur during normal daytime work hours. The project will implement County General Plan Policy N 1.6, which requires restrictions on the days and times during which construction can occur. The 2009 EIR concludes that with implementation of

³⁷ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.5-14.

³⁸ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.5-16.

³⁹ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.5-30.

these measures, significant adverse effects related to construction noise impacts will be mitigated to less than significant, and impacts related to the proposed project are therefore not anticipated.

Noise-producing aspects of land uses intended for development within the project area, including industry, commercial loading docks, school playing fields, etc., could contribute to elevated noise levels in the vicinity of the proposed project. Noise associated with these types of uses could exceed applicable Sutter County noise limits at noise-sensitive areas, contributing to a potentially significant impact as a result of the Lakeside project. These impacts were considered in the 2009 EIR and Mitigation Measure 3.5-1, 3.5-3, 3.5-7a, 3.5-7b, 3.5-8, and 3.5-10 requiring acoustical analyses for new on-site commercial, industrial, recreation, school, utilities, and public facility uses developed in Sutter County that are determined to have the potential to exceed relevant noise standards would reduce this impact to a less-than-significant level.

The 2009 EIR anticipated that development in the SPSP area, including on the project site, would result in changes in traffic within the existing roadway network and contribute to significant increases in traffic noise levels (i.e., an increase of 1.5 dB to 5 dB) along several roads, including Riego Road, segments of which are located proximate to the proposed project site. As residential units are located along certain segments of the roadways that would experience significant increases in traffic noise levels, development under the proposed project would result in a significant increase in traffic noise levels; this mirrors the anticipated impact disclosed in the 2009 EIR. The 2009 EIR concludes that no feasible or enforceable mitigation is available for this effect, resulting in a significant and unavoidable impact. The proposed project would not result in new or more significant impacts than analyzed in the 2009 EIR.

Proposed uses within the project area would be located in similar proximities to noise sources evaluated under the 2009 EIR and the 2014 and 2020 Addendums. Noise impacts of the Proposed Lakeside project relative to those analyzed in the 2009 EIR would not be substantially altered, as no additional noise-generating uses or new sources of noise are proposed by the proposed project. Changes introduced by the previously Approved Lakeside project would not, relative to the 2009 EIR, result in new significant impacts or significant impacts substantially more severe than those previously disclosed. No new mitigation measures would be required, and no new information of substantial importance to demonstrate that mitigation measures previously found to be infeasible would be feasible and would substantially reduce one or more significant effects of the project but have not adopted per the project applicant. There are no new circumstances resulting in new impacts or new information requiring additional analysis related to noise impacts. The conclusions regarding impacts to noise within the 2009 EIR remain valid, and no further analysis is required.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.5-3: Prepare an Acoustical Study for Any Sensitive Uses within the 60 dB L_{dn} Contour of the UPRR Operations

- Mitigation Measure 3.5-5b: Construction activities taking place in Placer and Sacramento Counties shall adhere to the applicable Counties ordinances and regulations regarding construction activity hours of operation.
- Mitigation Measure 3.5-5c: Measures to Minimize Potential for Sleep Disturbance and Speech Interference
- Mitigation Measure 3.5-6a: Disclosure Statements should be provided to all future residences located adjacent to active agricultural areas informing them of the likelihood of elevated noise levels during agricultural operations.
- Mitigation Measure 3.5-6b: Ensure that Residential Construction Provides Minimum 30 dB Noise Reduction.
- Mitigation Measure 3.5-7a: Require acoustical analyses for new on-site commercial, industrial, recreation, school, utilities, and public facility uses constructed within Sutter County determined to have the potential to exceed applicable noise standards.
- Mitigation Measure 3.5-7b: Require acoustical analyses for new off-site utilities and public facility uses constructed within Placer or Sacramento Counties determined to have the potential to exceed applicable noise standards.
- Mitigation Measure 3.5-8: Require acoustical analyses for residential uses within 1,500 feet of existing industrial uses.
- Mitigation Measure 3.5-10: Prepare acoustical analyses for residential and other noise-sensitive development located within areas impacted by traffic noise.

Mitigation Measure 3.5-5a, which restricted construction activities within Sutter County to certain days and times, is no longer applicable as it has been usurped by County General Plan Policy N 1.6 Construction Noise: Require discretionary projects to limit noise-generating construction activities within 1,000 feet of noise-sensitive uses (i.e., residential uses, daycares, schools, convalescent homes, and medical care facilities) to daytime hours between 7:00 am and 6:00 pm on weekdays, 8:00am and 5:00pm on Saturdays, and prohibit construction on Sundays and holidays unless permission for the latter has been applied for and granted by the County.

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to noise that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Population and Housing

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
13. Population and Housing. Would the Project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	DEIR, pp. 3.2-8 to 3.2-9 and 3.2-10 to 3.2-11	No	No	No	Yes
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	DEIR, pp. 3.2-7	No	No	No	Yes
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	DEIR, pp. 3.2-7	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Population and Housing

Under the Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and the 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

Although the proposed project site remains largely undeveloped since the certification of the 2009 EIR, the residential population of Sutter County, along with the Sacramento region, continues to grow. As of 2019, the population of Sutter County was estimated to be 103,580.⁴⁰ Projected population growth rates for the county depend on multiple factors, including employment conditions, growth pressures, and land use policies. The Department of Finance 2035 population projections estimate that the population of Sutter County would be approximately 128,000 residents by 2035.⁴¹

⁴⁰ State of California, 2020. Department of Finance. "Total Estimated and Projected Population for California and Counties: July 1, 2010 to July 1, 2060 in 1-year Increments." Sutter County. Available: <http://www.dof.ca.gov/forecasting/demographics/projections/>. Accessed June 12, 2020.

⁴¹ State of California, 2020. Department of Finance. "Total Estimated and Projected Population for California and Counties: July 1, 2010 to July 1, 2060 in 1-year Increments." Sutter County. Available: <http://www.dof.ca.gov/forecasting/demographics/projections/>. Accessed June 12, 2020.

Comparative Impacts Discussion

As analyzed in the 2009 EIR, implementation of the SPSP would lead to new housing and businesses that would result in direct increases to population. Implementation of the Proposed Lakeside project would result in 622.6 acres of currently undeveloped land being developed for residential uses. The project seeks entitlements for 3,787 units, including units in the proposed active adult community. The 2009 EIR established factors of household size for low-density, medium-density, and high-density residential uses of 2.93, 2.77, and 2.3, respectively.⁴² The reallocation of residential units proposed by the Approved Lakeside project calculated an introduction of 10,479 residents to the project site.⁴³ Based on the 2009 EIR, this population projection would be consistent with development anticipated in the SPSP area under the proposed project, and would not represent a substantial change or increase in the severity of impacts previously disclosed in the 2009 EIR. The 2014 and 2020 Addendums to the EIR did not evaluate population and housing, as no inhabited structures or communities would be affected by either Amendment, and internal land uses would be compatible with the SPSP project. The Proposed Lakeside project would not displace existing residents or housing, as the proposed project site represents vacant, undeveloped land already designated for development under the SPSP.

The Lakeside project would also include the development of approximately 46.4 acres of employment and commercial retail uses on the proposed project site, generating approximately 683,021 sf of employment uses and 272,250 sf of commercial retail uses, as seen in **Table 4**.

TABLE 4
NON-RESIDENTIAL DEVELOPMENT

Land Use	Proposed Acres (ac)	Potential Maximum Square Footage Under 2009 EIR		Expected Square Footage Under 2009 EIR		Proposed Square Footage under Proposed Project	
		FAR	Square Footage	FAR	Square Footage	FAR ³	Square Footage
Employment (E1)	44.8	0.50 ¹	975,744	0.35	683,021	0.35	683,021
Commercial Retail (CR)	25.0	0.35 ²	381,150	0.25	272,250	0.25	272,250
Total	69.8		1,356,894		955,271		955,271

NOTES:

FAR = floor area ratio.

¹ FAR taken from Sutter Pointe Land Use and Development Code, Division 9, Employment Districts, Table 7.

² FAR taken from Sutter Pointe Land Use and Development Code, Division 8, Commercial Districts, Table 5.

³ FAR anticipated to be equal to the expected FAR analyzed in the 2009 EIR. See Table 2-1 of the DEIR. FAR would be within that allowable in the Sutter Pointe Land Use and Development Code.

SOURCE: Sutter County, 2008. Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157). Published December 2008.

The 2009 EIR determined that implementation of the SPSP would result in less-than-significant impacts to population and housing. While the changes proposed by the Lakeside project would

⁴² Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.14-6.

⁴³ ESA, 2020.

minimally alter the location of population and housing within the SPSP area by reallocating residential units, implementation of the Proposed Lakeside project would not alter the anticipated effects on population and housing associated with the proposed project as analyzed in the 2009 EIR. The project would not have more significant effects related to population and housing that were not discussed in the 2009 EIR or increase the severity of impacts discussed in that analysis.

Mitigation Measures

2008 DEIR Mitigation Measures

None.

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to population and housing that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Public Services

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
14. Public Services. Would the project:					
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	DEIR, pp. 3.8-11 to 3.8-13; FEIR, pp. 3-2 and 3.15-18	No	No	No	Yes
Police protection?	DEIR, pp. 3.8-13 to 3.8-14; FEIR, p. 3-2	No	No	No	Yes
Schools?	DEIR, pp. 3.8-14 to 3.8-16; FEIR, pp. 3-2, 3.L8-12 to 3.L8-16, 3.L10-10 to 3.L10-13	No	No	No	Yes
Parks?	DEIR, pp. 3.14-6 to 3.14-7; FEIR, pp. 3-1 to 3-2, 3-7, 3.L8-14, 3.L11-6,	No	No	No	Yes
Other public facilities?	DEIR, pp. 3.8-16 to 3.8-17	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Public Services

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside project and proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These land use types would be the same as those analyzed within the 2009 EIR, and the residential uses would generate demand for public services such as fire protection and emergency services, police protection, and school services. A thorough discussion of parks is included in the section discussing Environmental Issue Area 15, “Recreation.”

Relevant Changes to Environmental Setting

The project site has remained largely undeveloped since the certifications of the 2009 EIR and the 2014 and 2020 Addendums to the EIR. There have been no substantial changes to the underlying conditions on SPSP area or the project site that would result in the Proposed Lakeside project having new significant impacts to public services that were not considered in the prior environmental documents or that substantially increase the severity of previously identified impacts.

Comparative Impacts Discussion

The 2009 EIR identified three direct and significant impacts to public services. These impacts related to the temporary obstruction of roadways during construction, which may potentially block or slow emergency vehicle access; an increased demand for fire flow; and an increased demand for law enforcement protection facilities, services, and equipment. All of these impacts would be reduced to less-than-significant levels through the implementation of mitigation.

The 2009 EIR estimated that full buildout of the SPSP area, which allowed for a maximum of 17,500 dwelling units, could introduce approximately 46,818 new residents to the SPSP area.⁴⁴ The 2014 and 2020 Addendums to the EIR concluded that no changes to the demand for fire protection, law enforcement, and public schools would have resulted from the changes proposed by the 2014 and 2020 Amendments and the impacts of both Amendments were adequately addressed in the 2009 EIR.⁴⁵ The Approved Lakeside project represents a reallocation in the proposed number of units to be developed within the SPSP area, and subsequently represents a reallocation in the number of residents within the proposed project site compared to those impacts analyzed within the 2009 EIR. However, this introduction of approximately 10,479 new residents to the project site is within the scope of the population estimated for development of the proposed project area and represents a smaller population than that which could be introduced under total buildout of the SPSP project and was analyzed in the 2009 EIR.

Fire Protection

In Sutter County, fire protection and emergency services are provided by four county service areas (CSAs), which are governed by the Sutter County Board of Supervisors and directed by the fire chief. Two independent fire protection districts, the Meridian Fire Protection District and the Sutter Basin Fire Protection District, which have their own independent governing boards, also serve Sutter County. These districts also provide basic life support emergency medical aid, technical rescue capabilities, public education programs, fire safety promotion, and the mitigation of hazardous materials releases. The project site specifically lies within the Sutter County CSA-D service area. CSA-D has two fire stations staffed by volunteers. Pleasant Grove Fire Station 9 is located approximately 2.5 miles north of the project site, and Pleasant Grove Fire Station 9.2 is located in the northern portion of the project site. As the CSA-D firefighting staff consists predominantly of volunteers, average response times are not regularly calculated for the service area. Although Sutter County strives to provide a 6-minute response time 90 percent of the time and to provide an average service level of 1.02 sworn firefighters and 0.9 support personnel per

⁴⁴ Sutter County, 2008. Sutter Pointe Specific Plan Draft Environmental Impact Report. December 2008. Pp. 3.2-6.

⁴⁵ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*, August 2014. P. 6.

1,000 residents, these parameters serve as guidelines rather than officially adopted goals.⁴⁶ The SPSP strives to provide an average service level of 1.30 safety (firefighter) employees and 0.31 non-safety (support) employees per 1,000 residents.⁴⁷ In 2006, CSA-D received a total of 237 calls for service, which may perhaps be attributable to small population within the district. Given the residential population which will be introduced by buildout of the development, it is likely that the volume of these calls will increase as demand for fire protection and emergency services increases.

The County anticipates repurposing CSA-D to shrink its boundaries to coincide with the SPSP area for the purpose of overseeing urban services for the community. This action requires Sutter LAFCO approval before CSA boundaries can be altered. If approved, the remaining CSAs would be consolidated into one fire CSA.

However, three fire stations are proposed for the SPSP area – two substations consisting of 6,120 sf each and one master station consisting of 11,810 sf. Construction and staffing timing of these stations would be completed in a manner which maintains Sutter County Fire Services response standards and would be financed by project development without reducing current service levels. Temporary fire station facilities may be constructed to serve initial Lakeside development. Ultimately, one fire substation would be constructed within the project area along Riego Road. In addition, it is possible this fire substation could co-locate with police protection services. Further, it is possible this fire substation could expand and become a master fire station that would serve Lakeside and the larger SPSP area. Furthermore, the 2009 EIR analyzed demand for fire protection services under full buildout of the SPSP project, which could have introduced a maximum of approximately 46,818 new residents to the project area. The Proposed Lakeside project under buildout of expected dwelling units, would introduce approximately 10,479 residents to the project site, by comparison; the demand for fire protection services would be within that described in the 2009 EIR, and the conclusions of the 2009 EIR remain valid. With the construction of temporary fire facilities and ultimately a fire substation within the project area, adequate fire protection services would be provided. The preparation of a Wildfire Management Plan, as required by 2009 EIR Mitigation Measure 3.8-2 would address the risk of fire on the project site at the interface between developed and undeveloped lands.

Implementation of the Proposed Lakeside project could also contribute to an increased demand for fire flow due to the development of residential, commercial, school, and other uses which would require adequate available water flow for fire suppression. Fire flow requirements vary among different development types, and are established for the proposed project by the Sutter County Fire Code (Sutter County Code of Ordinances, Chapter 600). Based on the 2020 Domestic Water Supply Master Plan, the domestic water supply needed to meet emergency fire flow demand is 1,500 gallons per minute (GPM) for low- and medium-density residential development with a two-hour duration; 2,500 GPM for high-density residential development with a three-hour duration; and 3,000 GPM for commercial/office and school development, with a

⁴⁶ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.8-4 to 3.8-5.

⁴⁷ Sutter County, 2008. *Sutter Pointe Specific Plan*. Adopted June 30, 2009, Amended October 28, 2014. P. 8-6.

three-hour duration. Buildout of the Proposed Lakeside project must therefore be able to provide 3,000 of domestic water for three hours to be able to meet emergency fire flow standards.⁴⁸

However, the 2008 WSA concluded that the water supply system would have the capacity to provide adequate water supply during both normal and critically-dry years to meet the domestic and fire protection needs of the entire SPSP area.⁴⁹ As the Proposed Lakeside project is a subset of the project analyzed and approved under the 2008 WSA and buildout of the proposed project would not be as broad as full buildout of the SPSP project, adequate fire flow would therefore be available to meet the emergency fire protection needs of the project area. Further, the 2020 Supplemental WSA prepared for the Approved Lakeside project accounted for uses of water that occur on a systemwide basis, such fire hydrant use.⁵⁰ Sufficient surface water supplies will be available to meet all SPSP water demands, including those in the project area, even during critical years.⁵¹ Implementation of 2009 EIR Mitigation Measure 3.8-3 would ensure that fire flow requirements are incorporated into project design. The proposed project would not result in any new or more significant impacts than were previously considered in the 2009 EIR, as well as the 2014 and 2020 Addendums.

Police Protection

Law enforcement services for the unincorporated portions of Sutter County are provided by the Sutter County Sheriff's Department (Sheriff's Department), with the California Highway Patrol (CHP) providing traffic enforcement on all highways and roadways in the unincorporated area. Additional law enforcement services are provided to the county through the District Attorney's office. One Sheriff's Department dispatch center and one substation serve the unincorporated county area, with the dispatch center housing the Sheriff's department headquarters and serving as the dispatch center for both law enforcement and fire protection services in Sutter County. The Sheriff's Department has four main divisions (Patrol, Detective, Support Services, and Jail), and an adopted officer-to-citizen ratio of 1.1 sworn officers and 0.06 support personnel per 1,000 residents. The SPSP project site falls within the south end of Sheriff's Beat 10,⁵² and at the time the 2009 EIR was published, response time to the SPSP project site fluctuated between 5-20 minutes, depending on workload considerations, and response time to the SPSP project site from the main office was at least 25 minutes.⁵³

The residential development and subsequent residential population introduced by implementation of the Proposed Lakeside project would result in an increased demand for law enforcement services, which could in turn result in the need for additional law enforcement protection facilities and personnel. Following construction of the Lakeside project, the County would continue to

⁴⁸ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. P. 9.

⁴⁹ Tully & Young, 2008. *Sutter Pointe Specific Plan DB 610 Water Supply Assessment*. November 2008. P. 65.

⁵⁰ Golden State Water Company, 2020. Holland & Knight and Wood Rodgers. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*. May 17, 2020. P. 43.

⁵¹ Golden State Water Company, 2020. Holland & Knight and Wood Rodgers. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*. May 17, 2020. P. 83.

⁵² Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.8-6 to 3.8-7.

⁵³ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report*. Published December 2008. P. 3.8-13.

provide law enforcement services to the project area through the establishment of a dependent or independent special district. The cost to provide any necessary police protection facilities and equipment to the proposed project site would be paid for by project development, without reducing current levels.⁵⁴ It is possible for an interim Sheriff facility to co-locate with the interim fire facility. Interim Sheriff facilities may also co-locate with the fire substation constructed along Riego Road within the project area. It is also possible that in the future, that substation facility could be expanded and made a master public safety facility. As concluded in the 2009 EIR, with implementation of 2009 EIR Mitigation Measure 3.8-4, which would incorporate the recommendations of applicable law enforcement agencies into project design, the impact to increased demand for law enforcement facilities, services, and equipment would be reduced to a less-than-significant level. Further, the location of interim and permanent law enforcement facilities in the project area would provide adequate police protection. The proposed project would not result in any new or more significant impacts than were previously considered in the 2009 EIR and the 2014 and 2020 Addendums.

Schools

The SPSP project area is located within the Pleasant Grove Joint Union School District and the East Nicolaus Joint Union High School District, with the former providing education services for kindergarten through eighth-grade (K-8) students and the latter providing education services for high school students.⁵⁵ The Approved Lakeside project proposes the development of up to two K-8 schools on the project site, for which the project applicant(s) would be required to pay school impact fees to be allocated to the aforementioned school districts. Although school impact fees are often insufficient to fund 100 percent of the construction and operation of a new school facility, the California State Legislature has declared them to be full and adequate mitigation under CEQA. As the 2009 EIR concluded, the payment of these fees would reduce potential impacts to schools to a less-than-significant level. Nonetheless, for purposes of disclosure, the Tier 1 Development Agreement and associated School Mitigation Agreements with the aforementioned school districts contemplates Supplemental Mitigation Agreements to fully address school facilities needed to students from the Lakeside project.

Although up to two schools could be constructed in the project area, only one school is proposed as part of the Lakeside project. A portion of the project area would be an active adult community, which is not anticipated to generate any students. As a result, student generation would be less than that anticipated in the 2009 EIR and the 2014 and 2020 Addendums. There would only be enough student generation to require one school within the Lakeside project area.

The proposed project would not result in any new or more significant impacts than were previously considered in the 2009 EIR, as well as the 2014 and 2020 Addendums.

⁵⁴ Sutter County, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report*. Published December 2008. P. 3.8-13 to 3.8-14.

⁵⁵ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report*. Published September 2010. Pp. 3.8-7.

Other Public Facilities

The 2009 EIR also considered potential impacts to demand for library, judicial, public health, mental health, and social services. Although buildout of the SPSP project broadly and the Proposed Lakeside project specifically may increase demand for these services, funding for these services is provided by a variety of federal, state, and county resources, including fees and property and other taxes generated within the county, and may also be provided by individuals utilizing those services. The 2009 EIR concluded that Sutter County would continue to maintain those services, and impacts to those services as a result of implementation of the SPSP project were less than significant.⁵⁶ Furthermore, no facilities explicitly intended for use by the services mentioned above are planned for development under the Proposed Lakeside project. Because there are no changed circumstances resulting in new impacts or new information requiring additional analysis related to other public resources as a result of the proposed project, the conclusions regarding impacts to other public facilities within the 2009 EIR remain valid, and no further analysis is required.

The 2009 EIR concluded that, with mitigation, impacts to fire protection, law enforcement, and school services would be less than significant and would not result in the need for the construction of additional law enforcement, fire protection, or school facilities. Therefore, although implementation of the proposed project would introduce additional units and residents to the proposed project site through the reallocation of units and could result in an increased demand for law enforcement, fire protection, and school services, those impacts are within the scope of impacts considered in the 2009 EIR. Impacts to public services would remain less than significant with appropriate mitigation (Mitigation Measures 3.8-1 through 3.8-4) as analyzed in the 2009 EIR. Changes proposed by the Proposed Lakeside project would not, as compared to the 2009 EIR or the 2014 and 2020 Addendums to the EIR, result in new significant impacts or significant impacts that are substantially more severe than previously disclosed significant impacts, and no new mitigation measures would be required. The conclusions of the 2009 EIR regarding public services remain valid and are unchanged, and there are no new circumstances that would result in substantially more severe impacts or new information that would require additional analysis with respect to public services.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.8-1: Prepare and Implement Construction Traffic Control Plans
- Mitigation Measure 3.8-2: Prepare and Implement a Wildfire Management Plan
- Mitigation Measure 3.8-3: Incorporate Fire Flow Requirements into Project Design

⁵⁶ Sutter County, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report*. Published December 2008. P. 3.8-17.

- Mitigation Measure 3.8-4: Incorporate Recommendations of Applicable Law Enforcement Agencies into Project Design

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and the 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to public services that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Recreation

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
15. Recreation. Would the project:					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	DEIR, pp. 3.14-6 to 3.14-7; FEIR, pp. 3.L8-14, 3.L11-6	No	No	No	Yes
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	DEIR, p. 3.14-7	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Recreation

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP; the 2014 Addendum anticipated that 1,341.9 acres, a subset of the SPSP, would be developed. Under the Approved Lakeside project and Proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These land uses would be similar to those analyzed within the 2009 EIR and the 2014 and 2020 Addendums to the EIR. Although open space use would be reduced from 109.4 acres to 54.8 acres, the amount of open space provided under the proposed project continues to meet the SPSP requirements for parks and open space.

Relevant Changes to Environmental Setting

The project site has remained largely vacant and undeveloped since the certification of the 2009 EIR and approval of the 2014 and 2020 Addendums to the EIR. There have been no substantial changes to the underlying conditions on SPSP area or the project site that would result in the Proposed Lakeside project having new significant impacts to recreation that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impacts.

Comparative Impacts Discussion

The proposed project site represents vacant, undeveloped land within the SPSP area. No local or regional parks or bikeways are currently existing on the proposed project site, which includes undeveloped land that supports agricultural uses. The Lakeside project is anticipated to introduce approximately 10,477 new residents to the site at full buildout, with average household sizes ranging from 2.93 persons per unit for low-density residential development, 2.77 persons per unit in

medium-density residential development, and 2.3 persons per unit for high-density and mixed-use residential development.⁵⁷ The Quimby Act (California Government Code Section 66477), established in 1965 to preserve open space and parkland in urbanizing areas of California, creates standards for the dedication of land use as parkland, including the dedication of five acres of parkland per 1,000 residents. Policy 4.1-2 of the SPSP establishes a parks standard of minimum of 5.0 acres per 1,000 residents of parks, including regional, community, and neighborhood parks, and 10 acres per 1,000 residents of total parkland and open space which, in addition to the preceding parks, may also include greenbelts, pedestrian and bicycle trails, lakes, basins, golf courses, open space buffers, and other similar features.⁵⁸ The Proposed Lakeside project complies with this policy.

The Lakeside project proposes 59.1 acres of land dedicated as parkland, as well as 54.8 acres of manmade open space land for a total of 113.9 acres of parkland and open space. The Proposed Lakeside project would accommodate a population of 10,479 residents, which would create a need for approximately 52.4 acres of parkland and 52.4 acres of open space for a total of 104.8 acres (see **Table 5**). Dedicated parkland projected for the project site, in addition to other parkland dedicated as open space, would create 113.9 acres of parkland as a result of the Proposed Lakeside project, resulting in a surplus of 6.7 acres of parkland and a surplus of 2.4 acres of open space for a total surplus of 9.1 acres of parkland and open space needed on the project site to meet the standard thresholds established in the Quimby Act and the SPSP.

TABLE 5
PARKLAND AND OPEN SPACE REQUIREMENTS FOR LAKESIDE AT SUTTER POINTE

	Residents Introduced by Proposed Project	Required Acreage (ac)	Proposed Acreage (ac)	Surplus/Deficit (ac)
Parkland	N/A	52.4	59.1	6.7
Open Space	N/A	52.4	54.8	2.4
Total	10,479	104.8	113.9	9.1

The 2009 EIR determined that developed park and open space acreage under full buildout of the SPSP project would exceed the acreage required to meet the Quimby Act and Sutter County General Plan standards.⁵⁹ The 2020 Addendum, similar to the 2014 Addendum, concluded that no changes to the demand for parks would result from the changes proposed by the 2014 and 2020 Amendments, given the relatively slight fluctuation in allocation of parks and open space uses from the SPSP project. The same conclusion may be drawn for buildout of the Proposed Lakeside project because developed park and open space acreage under full buildout of the proposed project would exceed the acreage required to meet the Quimby Act and SPSP policy.

⁵⁷ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.14-6.

⁵⁸ Sutter County, 2014. *Sutter Pointe Specific Plan*. Adopted June 30, 2009. Amended October 28, 2014. P. 4-3.

⁵⁹ Sutter County, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.14-6.

The SPSP project analyzed in the 2009 EIR concluded that project buildout would result in a less-than-significant impact to increased use and potential physical deterioration of existing off-site local and regional parks, as the analysis concluded that increased usage of these venues would also result in increased revenues from use charges and admission fees, which could subsequently be utilized to support increased maintenance.⁶⁰ The proposed project would not alter this conclusion. The Proposed Lakeside project would therefore not introduce new or more substantially severe effects than those previously disclosed in the 2009 EIR or the 2014 and 2020 Addendums to the EIR, and no new mitigation measures would be required.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measure referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.14-3: Require Compliance with the Parkland Standards through a Combination of Parkland Dedication and the Payment of In-lieu Fees

2009 FEIR Mitigation Measures

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to recreation that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

⁶⁰ Sutter County, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.14-7.

Transportation/Traffic

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
16. Transportation/Traffic. Would the project:					
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	DEIR, pp. 3.3-65, 3.3-77, FEIR, pp. 3.8 to 3-10, 3.S1-2 to 3.S1-3, 3.S2-5 to 3.S2-6, 3.L1-4 to 3.L1-6, 3.L5-4 to 3.L5-6, 3.L7-10 to 3.L7-12, 3.L9-4 to 3.L9-5, 3.L11-6 to 3.L11-11, 3.L17-3 to 3.L17-4, 3.I4-7 to 3.I4-9, 3.I5-24 to 3.I5-25, 3.I11-10 to 3.I11-12, 4-5 to 4-31	No	No	No	Yes
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	DEIR, pp. 3.3-65 to 3.3-94	No	No	No	Yes
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	DEIR, 3.3-99	No	No	No	Yes
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	DEIR, pp. 3.3-80	No	No	No	Yes
e. Result in inadequate emergency access?	DEIR, pp. 3.8-10 to 3.8-11	No	No	No	Yes
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	DEIR, pp. 3.3-94 to 3.3-95; FEIR, pp. 3.I11-12 to 3.I11-13	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Transportation/Traffic

The 2009 EIR evaluated development of the SPSP for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. The 2014 Addendum to the EIR anticipated that, although the residential acreage developed on the project site under the 2014 Amendment would remain the same as in the SPSP, high-density residential uses would be redistributed to a larger number of smaller parcels, and would be redistributed from the southern edge to the northeastern corner of the Phase 1 development area. This reallocation allowed for a more disaggregated housing layout in the Phase 1 development area and would allow traffic volumes to be spread more evenly throughout the project area. Compared to the SPSP project, the Specific Plan Amendment modified internal east-west connections within the Specific Plan Amendment area, providing more access to the northeast corner of the site and allowing for effective internal site circulation.⁶¹

Under the Approved Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These land uses would be the same as those analyzed within the 2009 EIR and the 2014 Addendum to the EIR, although the residential and non-residential land use acreages would be reallocated on the Lakeside project site. In order to support a future interchange at the intersection of Sankey Road and Placer Parkway consistent with SPSP Policy 3.2-9, the Approved Lakeside project proposed the relocation of 16.1 acres of Commercial uses, 18.0 acres of Employment Center uses, and 11.1 acres of High-Density Residential uses from the East Activity Center to the North Activity Center. The Approved Lakeside project retained existing vehicular connections to Riego Road as initially proposed, while introducing new north-south connections to the northern boundary of the project site and additional connections to Riego Road. It also made adjustments to internal east-west connections to enhance north-south connectivity within the project site and with the rest of the SPSP area north of Riego Road.

SPSP Policy 6.7-11 requires that right-of-way along Riego Road be preserved for future bus rapid transit (BRT) and/or light rail (LRT) service. Although not explicitly stated in the policy, the County envisioned this right-of-way would be dedicated lanes for BRT and/or LRT. The Approved Lakeside project proposes to eliminate dedicated rights-of-way for BRT and/or LRT and narrow Riego Road. However, Riego Road could still accommodate future BRT and/or LRT service through shared rights-of-way with mixed-flow automobile traffic.

Under the Proposed Lakeside Project, 92.3 acres designated as Low Density Residential would be converted to 87.9 acres of Medium Density Residential, 4.0 acres of schools, 0.3 acres of recreational uses, and 0.1 acres of roadway. The Proposed Lakeside Project would maintain the same vehicular connections as was proposed in the SPSP project, the 2014 Amendment, and the 2020 Amendment. No changes would be made to the total number of dwelling units or to the roadway boundaries of the SPSP area.

⁶¹ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*. Published August 2014. Pp. 8-9.

Relevant Changes to Environmental Setting

The Lakeside project site has remained largely vacant and undeveloped since the certifications of the 2009 EIR and the 2014 and 2020 Addendums to the EIR. The vicinity of the proposed project site consists of a regional network of freeways, highways, and arterials, including State Route (SR) 70/99 and Interstate 5 (I-5). Major country roads provide primary access to the proposed project site, including Riego Road, an east-west rural arterial road south of the project site, and Natomas Road, a north-south narrow two-lane road, which functions as but is not technically defined as a rural collector.

The SR 99/Riego Road interchange is constructed and fully operational. This interchange provides easy vehicular access to/from SR 99 to the Lakeside project site.

Relevant Changes to Regulatory Setting

Pursuant to California Senate Bill 743 (SB 743), LOS has been replaced by the vehicle miles traveled (VMT) standard as the applicable standard for measuring transportation impacts under CEQA. However, the Sutter County General Plan includes policies that apply an LOS standard to County roads (M 2.5), requires new development projects to analyze and mitigate for their impacts to roadway capacity (M 2.6), and to analyze traffic impacts to the regional transportation system and provide fair share contributions to regional transportation system improvements (M 2.7). Under current the CEQA standard, a project must not conflict with applicable policies related to the transportation system. Therefore, the Proposed Lakeside project remains subject to the same standards as were applied in the 2009 EIR and 2014 and 2020 Addendums, with the difference that a significant impact would result if the project were to conflict with the County's policies related to LOS and local and regional transportation impacts.

Comparative Impacts Discussion

Existing traffic operations were analyzed in 2020 based on field-collected data that included consideration of roadway, freeway, and intersection operations, daily traffic counts, and volume-to-capacity ratios for 20 roadway segments under study.⁶² Analysis was also conducted for existing plus project conditions, wherein the internalization of trips within the Approved Lakeside project site was estimated using a Mixed-Use Trip Generation Model (MXD). This analysis estimated that 67.5 percent of trips would travel to or from destinations south of the project site, while 21 percent would travel to or from destinations east of the project site and 11 percent would travel to or from locations north of the project site. Only a small percentage (0.5 percent) would travel to or from locations west of the site (i.e., west of SR 99).

Trip generation for full buildout under the SPSP was estimated at about 491,500 daily trips, with 31,500 trips occurring in the AM peak hour and 45,700 trips occurring during the PM peak hour.⁶³ As shown in **Table 6**, the Approved Lakeside project represents 11 percent of the daily trips of the entire SPSP area, which is proportional to the amount of development of the SPSP area (12 percent).

⁶² Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. Pp. 8.

⁶³ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. Pp. 56.

**TABLE 6
TRIP GENERATION COMPARISON**

Scenario	Vehicle Trip Generation		
	Daily	AM Peak Hour	PM Peak Hour
2009 EIR (SPSP Buildout)	491,500	31,500	45,700
Lakeside at Sutter Pointe	54,200	4,600	5,700
Difference	437,300	26,900	40,000
Percent of Buildout	11.0%	14.6%	12.5%

SOURCE: Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 56. Table 20.

The Proposed Lakeside project would be consistent with the trip generation analysis performed for the Approved Lakeside Project as listed in Table 6 above. There would be a minor increase in the overall acreage of Medium Density Residential uses, but this change would generate a negligible increase in daily trips. As described previously, there would be no change in the total number of dwelling units, and impacts related to trip generation would remain consistent with previous analyses.

Roadway Segments

Consistent with the findings presented in the 2009 EIR and the 2014 Addendum (see Impact 3.3-2), it was determined that the Approved Lakeside project would cause significant impacts to the following Sutter County roadways, related to Level of Service (LOS) under existing plus project conditions:

1. Riego Road (SR 99 NB Ramps to Pacific Avenue) – (LOS D to LOS F);
2. Riego Road (Pacific Avenue to Westerly Project Driveway) – (LOS D to LOS F);
3. Riego Road (Street 2 to Natomas Road) – (LOS D to LOS F); and
4. Riego Road (Natomas Road to Pleasant Grove Road (S)) – (LOS D to LOS F).⁶⁴

Implementation of 2009 EIR Mitigation Measure 3.3-1, as well as compliance with General Plan Policy M 2.7, requires the project applicant to participate in funding improvements to the regional roadway network. Mitigation Measure 3.3-2, as well as compliance with General Plan Policy M 2.6, requires the project applicant to widen Riego Road from two to four lanes between Natomas Road and Pleasant Grove Road. Further, Lakeside Mitigation Measure TRANS-1, as well as compliance with General Plan Policy M 2.6, would ensure Sutter County roadways are widened appropriately to accommodate trips generated by the Approved Lakeside project and other surrounding development. Specifically, Riego Road would be widened from two lanes to four lanes between 99 NB Ramps to Street 2 and payment of a fair share would be required to widen Riego Road from two to four lanes between Street 2 to Pleasant Grove Road (S). Implementation of Lakeside Mitigation Measure TRANS-1 would reduce LOS on these Sutter County roadway segments to less than significant in the long term, from LOS F to LOS C, an acceptable level.

⁶⁴ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 36-37.

However, consistent with the analysis in the 2009 EIR and 2014 and 2020 Addendums, the Approved Lakeside project as well as the Proposed Lakeside project would not be consistent with the County's LOS policy (M 2.5) in the short term because the timing of the improvement cannot be guaranteed relative to when the impact may occur.

The Proposed Lakeside Project would introduce minor changes in travel patterns related to the number of vehicles using Riego Road, but this would not impact the conclusions related to LOS discussed above. Therefore, the project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Similar to the analysis in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-3), the Proposed Lakeside project would perform below the County's LOS standard on the following Placer County roadways under existing plus project conditions:

1. Baseline Road (Pleasant Grove Road (S) to Locust Road) – (LOS D to LOS F);
2. Baseline Road (Locust Road to Watt Avenue) – (LOS C to LOS F);
3. Baseline Road (Watt Avenue to Fiddymment Road/Walerga Road) – (Worsen LOS F conditions); and
4. Walerga Road (Baseline Road to Sacramento County) – (Worsen LOS F conditions).⁶⁵

Implementation of 2009 EIR Mitigation Measure 3.3-1, which complies with General Plan Policy M 2.7, requires the project applicant to participate in funding improvements to the regional roadway network. Mitigation Measure 3.3-3, which implements General Plan Policy M 2.6, requires the project applicant to participate in funding improvements to Placer County roadways. Lakeside Mitigation Measure TRANS-2, which also implements General Plan Policy M 2.6, would require payment of a fair share to ensure Placer County roadways are widened appropriately to accommodate trips generated by the Proposed Lakeside project and other surrounding development. Specifically, Baseline Road and Walerga Road would be widened from two lanes to four lanes along the identified segments. Implementation of Mitigation Measure TRANS-2 would improve LOS on these segments to within allowable County standards, from LOS F to LOS D or LOS B. However, consistent with the analysis in the 2009 EIR and 2014 and 2020 Addendums, because Sutter County cannot guarantee the completion of the regional and local transportation system improvements described above in time to address declining LOS with buildout of the SPSP and cumulative development, the project would conflict with the County's LOS standard, which would be a significant and unavoidable impact. As the conditions of this significant unavoidable impact are the same as were determined to be significant unavoidable impacts under the prior CEQA LOS standard in the 2009 EIR and 2014 and 2020 Addendums, the Proposed Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Intersections

Consistent with the analysis presented in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-6), implementation of the Proposed Lakeside project would cause delay conditions at

⁶⁵ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 38.

the following Sutter County intersections, that would exceed the County’s LOS standard and conflict with General Plan Policy M 2.5:

1. SR 99/Sankey Road – (Worsen unacceptable LOS F operations during the AM and PM peak hours and peak hour signal warrant met);
2. Riego Road/Pacific Avenue – (LOS C to LOS F during the AM and PM peak hours and peak hour signal warrant met);
3. Riego Road/Natomas Road – (LOS D to LOS F during the AM and PM peak hours and signal warrant met); and
4. Riego Road/Pleasant Grove Road (N) – (LOS E to LOS F during the AM and PM peak hours and signal warrant met).⁶⁶

These impacts are similar to those disclosed in the 2009 EIR and 2014 Addendum. Implementation of 2009 EIR Mitigation Measure 3.3-1, which complies with General Plan Policy M 2.7 would provide fair share funding to the regional roadway network. Mitigation Measure 3.3-6, which complies with General Plan Policy M 2.6, would provide specific intersection improvements to onsite intersections. Implementation of Lakeside Mitigation Measure TRANS-3, which also complies with General Plan Policy M 2.6, would implement specific intersection improvements to ensure that LOS is improved to comply with the County’s LOS policy, resulting in a less than significant impact with mitigation. Therefore, the project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Consistent with the analysis presented in the 2009 EIR and the 2014 and 2020 Addendum (see Impact 3.3-7), implementation of the Proposed Lakeside project would cause LOS-related impacts that would exceed the County LOS standard under existing plus project conditions at the following Placer County intersections:

1. Baseline Road/Pleasant Grove Road (S) – (Worsen unacceptable LOS E or F operations during the AM and PM peak hours and peak hour signal warrant met);
2. Baseline Road/Locust Road – (Worsen unacceptable LOS E operations during the AM and LOS F operations during the PM peak hours and peak hour signal warrant met);
3. Baseline Road/Brewer Road – (LOS C to LOS F during the AM and PM peak hours);
4. Baseline Road/Watt Avenue – (LOS C to LOS F during the AM and PM peak hours); and
5. Baseline Road/Fiddymont Road – (LOS D to LOS E during the AM and worsen unacceptable LOS F operations during the PM peak hour).⁶⁷

These effects are similar to those disclosed in the 2009 EIR and 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.3-1, which would be consistent with the requirements of General Plan Policy M 2.7, would provide fair share funding to the regional roadway network. Mitigation Measure 3.3-7, which is consistent with the requirements of

⁶⁶ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 32.

⁶⁷ Fehr & Peers, 2020. Memorandum: Lakeside at Sutter Pointe: Impact Analysis. March 6, 2020. P. 34.

General Plan Policy M 2.6, would provide specific intersection improvements to Placer County intersections. Implementation of Lakeside Mitigation Measure TRANS-4, which would also be consistent with the requirements of General Plan Policy M 2.6, would require payment of a fair share to implement specific intersection improvements to ensure that LOS is improved from unacceptable to acceptable conditions. However, consistent with the conclusions in the 2009 EIR and 2014 and 2020 Addendums, because Sutter County cannot guarantee these improvements can be implemented, the Proposed Lakeside project would have the potential to conflict with General Plan Policy M 2.5, which would be a significant and unavoidable impact. As the conditions of this impact are the same as were identified in the 2009 EIR and 2014 and 2020 Addendums, the Proposed Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Freeways

Consistent with the analysis presented in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-9), implementation of the Proposed Lakeside project would worsen unacceptable operations on the following Caltrans roadways:

1. NB SR 99 Elkhorn Blvd loop on-ramp merge – (Worsen LOS F conditions during the PM peak hour)
2. NB SR 99 Elkhorn Blvd slip on-ramp merge – (Worsen LOS F conditions during the PM peak hour)
3. NB SR 99 Elkhorn Blvd to lane add basic segment – (Worsen LOS F conditions during the PM peak hour)
4. NB SR 99 Riego Road off-ramp basic segment – (LOS D to LOS F)
5. SB SR 99 Elverta Road off-ramp diverge – Worsen LOS F conditions during the AM peak hour)
6. SB SR 99 Elkhorn Blvd off-ramp diverge – Worsen LOS F conditions during the AM peak hour)

These impacts are similar to those disclosed in the 2009 EIR and 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.3-1, which would be consistent with the requirements of General Plan Policy M 2.7, would provide fair share funding to improvements to the regional roadway network. Mitigation Measure 3.3-9, which is consistent with the requirements of General Plan Policy M 2.6, would provide specific improvements to Caltrans facilities. Implementation of Lakeside Mitigation Measure TRANS-5, which would also be consistent with the requirements of General Plan Policy M 2.7, would require payment of a fair share to implement specific freeway improvements to ensure that LOS is improved from unacceptable to acceptable conditions. However, consistent with the conclusions in the 2009 EIR and 2014 and 2020 Addendums, because Sutter County cannot guarantee these measures can be implemented, the Proposed Lakeside project would conflict with County General Plan policies related to transportation, which would be a significant and unavoidable impact. However, The Proposed Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Cumulative Conditions

Consistent with the analysis presented in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-14), implementation of the Proposed Lakeside project would exacerbate unacceptable operations under cumulative plus project conditions at the following Sutter County intersections:

1. SR 99/Sankey Road – (Worsen unacceptable LOS F operations during the AM and PM peak hours and peak hour signal warrant met);
2. Riego Road/Pacific Avenue – (Worsen LOS F operations during the AM and PM peak hours and peak hour signal warrant met).

These impacts are similar to those disclosed in the 2009 EIR and 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.3-1, which would be consistent with the requirements of General Plan Policy M 2.7, would provide fair share funding to the regional roadway network. Implementation of 2009 EIR Mitigation Measure 3.3-6.A, which would be consistent with the requirements of General Plan Policy M 2.6, would require construction of a grade-separated locally-serving interchange at Sankey Road/SR 99. Lakeside Mitigation Measure TRANS-6, which would be consistent with the requirements of General Plan Policy M 2.6 would require payment of a fair share to implement specific intersection improvements to ensure that LOS is improved from unacceptable to acceptable conditions. Consistent with the conclusions in the 2009 EIR and 2014 and 2020 Addendums, implementation of these measures would reduce cumulative LOS on these segments to within acceptable County standards, resulting in a less than significant cumulative impact. The Approved Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 Addendum.

Consistent with the findings presented in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-15), implementation of the Proposed Lakeside project would exacerbate unacceptable operations under cumulative plus project conditions at the following Placer County intersections:

1. Baseline Road/Brewer Road – (Worsen LOS F during the AM and PM peak hours);
2. Baseline Road/Watt Avenue – (Worsen LOS E during the AM and PM peak hours);
3. Baseline Road/Fiddymont Road – (Worsen LOS F during the AM and PM peak hours).

These impacts are similar to those disclosed in the 2009 EIR and 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.3-1, which is consistent with the requirements of General Plan Policy M 2.7, would provide fair share funding to the regional roadway network. Implementation of Lakeside Mitigation Measure TRANS-7, which is consistent with the requirements of General Plan Policy M 2.6, would provide fair share funding to implement specific intersection improvements to ensure that LOS is improved from unacceptable to acceptable conditions. However, consistent with the conclusions in the 2009 EIR and 2014 and 2020 Addendums, because Sutter County cannot guarantee these improvement projects can be implemented, the Proposed Lakeside project would have a cumulatively considerable contribution to the significant and unavoidable cumulative impact related to conflict with the County LOS policy. The Proposed Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Consistent with the findings presented in the 2009 EIR and the 2014 and 2020 Addendums (see Impact 3.3-16), implementation of the Proposed Lakeside project was determined to exacerbate unacceptable operations under cumulative plus project conditions at the following Sacramento County intersections:

1. Elverta Road/E. Levee Road– (Worsen LOS F during the AM and PM peak hours);
2. Elverta Road/Sorento Road – (Worsen LOS F during the AM and PM peak hours and peak hour signal warrant met);
3. Elverta Road/Palladay Road – (Worsen LOS F during the AM and PM peak hours);
4. Elverta Road/16th Street – (Worsen LOS F during the AM and PM peak hours and peak hour signal warrant met)
5. Elverta Road/Watt Avenue – (Worsen LOS F during the AM and PM peak hours).

These impacts are similar to those disclosed in the 2009 EIR and 2014 and 2020 Addendums. Implementation of 2009 EIR Mitigation Measure 3.3-1 and Lakeside Mitigation Measure TRANS-8, which is consistent with the requirements of General Plan Policy M 2.7, would provide fair share funding to the regional roadway network. Implementation of measures would contribute to the implementation of specific intersection improvements to ensure that LOS is improved from unacceptable to acceptable conditions. However, consistent with the conclusions in the 2009 EIR and 2014 and 2020 Addendums, because Sutter County cannot guarantee these measures can be implemented, the Proposed Lakeside project would have a cumulatively considerable contribution to the significant and unavoidable cumulative impact related to conflict with the County LOS policy. The Proposed Lakeside project would not result in new or substantially more severe impacts than those identified in the 2009 EIR and 2014 and 2020 Addendums.

Vehicle Miles Traveled

CEQA Guidelines section 15162 provides that no subsequent EIR is required when an EIR has previously been certified for a project, unless there are substantial changes to the project or its circumstances that will require major revisions to the existing EIR. (CEQA Guidelines, section 15162, subd. (a); see also Pub. Resources Code section 21166.) “An agency that proposes project changes thus must determine whether the previous environmental document retains any relevance in light of the proposed changes and, if so, whether major revisions to the previous environmental document are nevertheless required due to the involvement of new, previously unstudied significant environmental impacts.” (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 944.) However, new regulations or methodologies for studying impacts, such as updated VMT requirements, do not necessitate the preparation of a subsequent EIR if they are prospective only and do not introduce new, previously unstudied significant impacts. For example, the court in *IBC Business Owners for Sensible Development v. City of Irvine* (2023) 88 Cal.App.5th 100 directly held that VMT requirements are prospective and that an addendum did not need to comply with new VMT requirements if they did not result in new significant impacts. This principle aligns with the general understanding that the adoption of new guidelines or methodologies, such as those for analyzing VMT, does not automatically constitute new significant information. (*Concerned Dublin Citizens*

v. City of Dublin (2013) 214 Cal.App.4th 1301, 1319-1320; *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal. App. 4th 515, 532; *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 808.)

Just as information about GHG emissions has been widely known for decades, information about transportation impacts as well as the potential use of vehicle miles traveled as a tool for evaluating environmental impacts has been known for decades. (See, e.g., *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1029, fn. 4 [demonstrating that an EIR released over three decades ago included a discussion of impacts associated with vehicle miles traveled].) The fact that CEQA Guidelines section 15064.3, which establishes guidance for evaluating transportation impacts using VMT, was adopted in late 2018 (and is effective statewide as of July 1, 2020) does not require the traffic impact analysis for previous EIR to be redone in consideration of a vehicle miles traveled analysis. For example, in *A Local & Regional Monitor v. City of Los Angeles* (1993) 12 Cal.App.4th 1773, the petitioner argued that, Public Resources Code section 21092.4 – which was enacted after the EIR at issue in that case was certified and requires lead agencies to consult with local traffic agencies and analyze regional freeway impacts – required the city to conduct a further traffic analysis to comply with CEQA. (Id. at p. 1801, fn. 10.) The court disagreed because the “statute did not exist when the EIR was certified, and its subsequent enactment did not retroactively invalidate all previous EIR traffic analyses, such as the analysis done in the Project EIR.” (Ibid.) In other words, for the purposes of subsequent CEQA review, the critical question is whether there are changes in physical impacts and not changes in the legal characterization of those impacts. (See, e.g., *Fort Mojave Indian Tribe v. Department of Health Services* (1995) 38 Cal.App.4th 1574, 1605-1606 [holding a new regulation designating critical habitat for an endangered species, the tortoise, was not significant new information because, “however legally characterized, the habitat would be affected the same as before”].)

The 2020 Addendum included a VMT analysis for informational purposes. The analysis noted that the Approved Lakeside project would generate approximately 11.7 percent of the VMT projection for the entirety of the SPSP area at full buildout of the SPSP. This level of VMT aligns closely with the proportion of Lakeside trip generation relative to the entire area, estimated at around 11.0 percent. Therefore, in the context of project-generated VMT, it was determined that the Approved Lakeside project would not result in a substantial increase in the severity of the previously analyzed VMT impacts.

The Proposed Lakeside project would not lead to an increase in model-wide VMT, as it would involve increasing residential density across 87.9 acres from Low Density Residential to Medium Density Residential. However, there would also be no increase in dwelling units. Additionally, the Proposed Lakeside project would result in a reduction of VMT for trips related to recreational uses within the project area and schools, whereas the Approved Lakeside project would entail the addition of 4.0 acres for schools and 0.3 acres for new parks. Therefore, in the context of VMT, the project changes would not have the potential to result in a substantial increase in the severity of the previously analyzed transportation impacts.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.3-1: Participate in Funding Improvement to the Regional Roadway Network
- Mitigation Measure 3.3-2: Construct Improvements to Sutter County Roadways
- Mitigation Measure 3.3-3: Participate in Funding Improvements to Placer County Roadways
- Mitigation Measure 3.3-4: Participate in Funding Improvements to Sacramento County Roadways
- Mitigation Measure 3.3-5: Participate in Funding Improvements to Caltrans Roadways
- Mitigation Measure 3.3-6: Construct Improvements to Sutter County Intersections
- Mitigation Measure 3.3-7: Participate in Funding Improvements to Placer County Intersections
- Mitigation Measure 3.3-8: Participate in Funding Improvements to Sacramento County Intersections
- Mitigation Measure 3.3-9: Participate in Funding Improvements to Caltrans Facilities
- Mitigation Measure 3.3-10: Participate in Funding Improvements to Sutter County Roadways
- Mitigation Measure 3.3-11: Participate in Funding Improvements to Placer County Roadways
- Mitigation Measure 3.3-12: Participate in Funding Improvements to Sacramento County Roadways
- Mitigation Measure 3.3-13: Participate in Funding Improvements to Caltrans Roadways
- Mitigation Measure 3.3-14: Participate in Funding Improvements to Sutter County Intersections
- Mitigation Measure 3.3-15: Participate in Funding Improvements to Placer County Intersections
- Mitigation Measure 3.3-16: Participate in Funding Improvements to Sacramento County Intersections
- Mitigation Measure 3.3-17: Participate in Funding Improvements to Caltrans Facilities
- Mitigation Measure 3.3-18: Participate in Funding Interim Commuter Bus Service
- Mitigation Measure 3.3-19: Modify Design Elements of the Riego Road and SR 70/SR 99 Interchange
- Mitigation Measure 3.3-20: Participate in Funding Improvements to Provide Alternative Connections to Sacramento County and to SR 70/99

- Mitigation Measure 3.3-21: Coordinate Jurisdictions and Agencies on Mitigation for the Proposed Project
- Mitigation Measure 3.3-24: Construct Improvements to Sutter County Roadways
- Mitigation Measure 3.3-25: Participate in Funding Improvements to Placer County Roadways
- Mitigation Measure 3.3-26: Participate in Funding Improvements to Sacramento County Roadways
- Mitigation Measure 3.3-27: Participate in Funding Improvements to Caltrans Roadways
- Mitigation Measure 3.3-28: Construct Improvements to Sutter County Intersections
- Mitigation Measure 3.3-29: Participate in Funding Improvements to Placer County Intersections
- Mitigation Measure 3.3-30: Participate in Funding Improvements to Sacramento County Intersections
- Mitigation Measure 3.3-31: Participate in Funding Improvements to Sutter County Roadways
- Mitigation Measure 3.3-32: Participate in Funding Improvements to Placer County Roadways
- Mitigation Measure 3.3-33: Participate in Funding Improvements to Sacramento County Roadways
- Mitigation Measure 3.3-34: Participate in Funding Improvements to Caltrans Roadways
- Mitigation Measure 3.3-35: Participate in Funding Improvements to Sutter County Intersections
- Mitigation Measure 3.3-36: Participate in Funding Improvements to Placer County Intersections
- Mitigation Measure 3.3-37: Participate in Funding Improvements to Sacramento County Intersections
- Mitigation Measure 3.3-38: Participate in Funding Improvements to Caltrans Facilities
- Mitigation Measure 3.3-39: Participate in Funding Interim Commuter Bus Service
- Mitigation Measure 3.3-40: Modify Design Elements of the Riego Road and SR 70/SR 99 Interchange
- Mitigation Measure 3.3-41: Coordinate Jurisdictions and Agencies on Mitigation for the Proposed Project

2009 FEIR Mitigation Measures

The following text changes to mitigation measures referenced in the DEIR were implemented in the 2009 FEIR and would continue to remain applicable if the proposed project is approved.

- Mitigation Measure 3.3-4: Participate in Funding Improvements to Sacramento County Roadways

On-Site and Off-Site Elements

The project applicant shall pay its fair share of costs as defined in Mitigation Measure 3.3-1 to widen Powerline Road from the Sacramento County line to Elverta Road, to improve the pavement condition of E. Levee Road (Sacramento County Line to Elverta Road), to improve the pavement condition of Sorento Road (Sacramento County Line to Elverta Road) to meet Sacramento County design standards including minimum width travel lanes and usable shoulders.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

The following mitigation measures developed as part of the preparation this Addendum to the EIR would be applicable if the proposed project is approved. For purposes of analysis, active adult units are counted as 0.3 dwelling unit equivalents.

- **TRANS-1 (Sutter County Roadways):** The applicant shall implement the following subject to DEIR MM 3.3-1:
 - a) Prior to issuance of the 3,201st dwelling unit building permit, widen Riego Road from two to four lanes along the following segments:
 1. SR 99 north bound ramps to Pacific Avenue
 2. Pacific Avenue to Street 2
 - b) Prior to issuance of the 3,401st dwelling unit building permit, pay a fair share towards the widening of Riego Road from two to four lanes along the following segments:
 1. Street 2 to Natomas Road
 2. Natomas Road to Pleasant Grove Road (South)
- **TRANS-2 (Placer County Roadways):** The applicant shall pay a fair share toward the cost of the following improvements subject to DEIR MM 3.3-1:
 - a) Prior to issuance of the 3,401st dwelling unit building permit, widen Baseline Road from two to four lanes from Pleasant Grove (South) to Watt Avenue, and Watt Avenue to Fiddymont Road/Walerga Road; and
 - b) Prior to issuance of the 3,501st dwelling unit building permit, widen Walerga Road from two to four lanes between Baseline Road and the Sacramento County line.
- **TRANS-3 (Sutter County Intersections):** The applicant shall implement the following subject to DEIR MM 3.3-1:
 - a) SR 99/Sankey Road: Prior to issuance of the 1,501st dwelling unit building permit, install directional signing on Sankey Road (in advance of Pacific Avenue) and on Pacific Avenue (in advance of Riego Road) directing drivers to use Pacific Avenue to Riego Road to access SB SR 99 and areas west of SR 99;
 - b) Riego Road/Pacific Avenue:

1. Prior to issuance of the 1,101st dwelling unit building permit, construct an eastbound left-turn lane and one through lane, construct a westbound right-turn lane and one through lane, and construct separate southbound left- and right-turn lanes; and
 2. Prior to issuance of the 2,801st dwelling unit building permit, install a traffic signal at the Riego Road / Pacific Avenue intersection with two eastbound and westbound through lanes;
- c) Riego Road/Natomas Road: Prior to issuance of the 101st dwelling unit building permit, remove all-way stop control, install a raised median to restrict access to Natomas Road to right-in/right-out only. Riego Road will be uncontrolled; and
 - d) Riego Road/Pleasant Grove Road (North): Prior to issuance of the 101st dwelling unit building permit, install a traffic signal and widen at the Riego Road/Pleasant Grove (North) intersection to provide a left-turn lane on the eastbound approach.
- **TRANS-4 (Placer County Intersections):** Subject to DEIR MM 3.3-1, the applicant shall pay a fair share toward the cost of the following improvements:
 - a) Baseline Road/Pleasant Grove Road (South): Prior to issuance of the 101st dwelling unit building permit, install a traffic signal at the Baseline Road/Peasant Grove Road intersection and construct a westbound left-turn lane;
 - b) Baseline Road/Locust Road: Prior to issuance of the 101st dwelling unit building permit, install a traffic signal at the Baseline Road/Locust Road intersection and construct eastbound and westbound left-turn lanes to allow for protected left-turn operations on eastbound and westbound Baseline Road;
 - c) Baseline Road/Brewer Road: Prior to issuance of the 3,401st dwelling unit building permit, construct eastbound left-turn lane;
 - d) Baseline Road/Watt Avenue: Prior to issuance of the 3,401st dwelling unit building permit, widen Watt Avenue at the intersection to provide a second northbound left-turn lane, OR construct a second westbound left-turn lane and an overlap phase for the eastbound right-turn lane.
 - e) Baseline Road/Fiddymment Road: Prior to issuance of the 1,201st dwelling unit building permit, widen Walerga Road to construct a second northbound left-turn lane, widen Fiddymment Road to construct a second southbound left-turn lane, and provide an overlap phase for the southbound right-turn lane.
 - **TRANS-5: (Caltrans Facilities):** Subject to DEIR MM 3.3-1 and consistent with DEIR MM 3.3-9, the applicant shall pay a fair share toward the cost of the following:

Construct HOV lanes northbound and southbound on SR 70/99 from north of Riego Road to I-5, and direct HOV connector ramps between SR 70/99 and I-5 HOV lanes.
 - **TRANS-6 (Sutter County Intersections Cumulative Plus Project):** Subject to DEIR MM 3.3-1, and as development occurs over time resulting in cumulative impacts, the applicant shall pay its fair share of the costs of the following: Riego Road/Pacific Avenue - Implement measure TRANS-3b.

- **TRANS-7 (Placer County Intersections Cumulative Plus Project):** Subject to DEIR MM 3.3-1, and as development occurs over time resulting in cumulative impacts, the applicant shall pay its fair share of the costs of the following:
 - a) Baseline Road/Brewer Road: Widen Baseline Road at the intersection to construct eastbound left-turn lane.
 - b) Baseline Road/Watt Avenue: Provide an overlap phase for the northbound right-turn movement.
 - c) Baseline Road/Fiddymont Road: Provide an overlap phase for the southbound right-turn movement.

- **TRANS-8 (Sacramento County Intersections Cumulative Plus Project):** Subject to DEIR MM 3.3-1, and as development occurs over time resulting in cumulative impacts, the applicant shall pay its fair share of the costs of the following:
 - a) Elverta Road/East Levee Road: Widen Elverta Road at the intersection to construct westbound left-turn lane.
 - b) Elverta Road/Sorento Road: Install traffic signal, widen Elverta Road at the intersection to construct eastbound and westbound left-turn pockets, and widen Sorento Road at the intersection to construct a southbound left-turn pocket.
 - c) Elverta Road/Palladay Road: Widen Elverta Road at the intersection to construct eastbound left-turn lane.
 - d) Elverta Road/16th Street: Install traffic signal, widen 16th Street at the intersection to construct one left-turn lane and a shared through/right-turn lane on the northbound and southbound approaches, widen Elverta Road at the intersection to construct one left-turn lane, one through lane, and a shared through/right-turn lane on the eastbound and westbound approaches.
 - e) Elverta Road/Watt Avenue: Restripe the westbound approach at the intersection to provide three through lanes.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to transportation/traffic that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.

Utilities and Service Systems

Environmental Issue Area	Where Impact Was Analyzed in Prior Environmental Documents.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?	Prior Environmental Documents Mitigations Implemented or Address Impacts?
17. Utilities and Service Systems. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	DEIR, pp. 3.10-11 to 3.10-15; Addendum, pp. 14 to 15	No	No	No	Yes
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	DEIR, pp. 3.10-11 to 3.10-18; FEIR, pp. 3-12 to 3-13; Addendum, pp. 14 to 15; RWCP EIR, p. 3.5-8	No	No	No	Yes
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	DEIR, pp. 3.7-30 to 3.7-31 and 3.7-55; Addendum, pp. 12 to 14	No	No	No	Yes
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	DEIR, pp. 3.9-18 to 3.9-22; Addendum, p. 14	No	No	No	Yes
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	DEIR, pp. 3.10-11 to 3.10-18; Addendum, pp. 14 to 15; RWCP EIR, pp. 3.5-8 to 3.5-9	No	No	No	Yes
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	DEIR, pp. 3.7-65, 3.10-18 to 3.10-19	No	No	No	Yes
g. Comply with federal, state, and local statutes and regulations related to solid waste?	DEIR, pp. 3.10-18 to 3.10-20; FEIR, pp. 3.10-101 to 3.10-102, 4-3 to 4-4	No	No	No	Yes
h. Use substantial amounts of fuel or energy, or result in a substantial increase in demand upon existing sources of energy or require the development of new sources of energy?	DEIR, pp. 3.10-24 to 3.10-26; FEIR, pp. 4-4 to 4-5	No	No	No	Yes
i. Result in the need for new, or substantial alteration to, electricity, natural gas, or communications systems?	DEIR, pp. 3.10-20 to 3.10-24; FEIR, pp. 3.10-24 to 3.10-30, 4-2 to 4-3; Addendum, p. 15	No	No	No	Yes

Discussion

Relevant Changes to Project Related to Utilities and Service Systems

The 2009 EIR anticipated 7,528 acres of land would be developed under the SPSP. The 2014 Addendum to the EIR anticipated relocation of certain utilities infrastructure serving the project area from the locations originally identified in the SPSP, including the relocation of drainage shed 7 detention basin and the creation of an artificial lake in the southern portion of the Specific Plan Amendment area,⁶⁸ similar to the southwest corner of the project area. Additionally, the 2014 EIR Addendum analyzed the impacts of minor land use acreage changes and their changed demand for sewer infrastructure and water demand. The 2014 Addendum also evaluated the environmental effects of slight realignments to dry utilities infrastructure under the Specific Plan Amendment as compared for the original SPSP project. The 2014 Addendum concluded that these changes would not result in new substantial significant impacts or substantial increases in the severity of impacts to utilities resources identified in the 2009 EIR. The layout of utility infrastructure through the project site would follow roadway rights-of-way to connect to main lines and ensure a distributed infrastructure system throughout the project site. Moreover, the 2020 Addendum concluded that amendment would not result in substantial changes to utilities or service systems identified in the 2009 EIR and 2014 Addendum. It is anticipated that these unaltered conditions underscore the reliability of the utility's infrastructure under the Specific Plan Amendment and suggests a consistent trajectory in utility management within the project area.

Under the 2020 Addendum and newly proposed Lakeside project, 873.5 acres of the SPSP area would be developed for residential, commercial retail, and employment uses, including schools, parks and open space, roads, and infrastructure and utilities. These are the same land uses analyzed within the 2009 EIR and 2014 and 2020 Addendums, although the residential and non-residential land use acreages would be reallocated within the Lakeside project area, while keeping the combined overall amount of those uses equal to that approved in the SPSP.

Relevant Changes to Environmental Setting

The Lakeside project site has remained largely vacant and undeveloped since the certifications of the 2009 EIR and the 2014 and 2020 Addendums to the EIR. The Sutter Pointe Regional Wastewater Conveyance Project has not yet been constructed. Other infrastructure systems such as water supply, wastewater conveyance, and electricity infrastructure has not been constructed on the project site.

Comparative Impacts Discussion

Water Supply

The Sutter Pointe Specific Plan SB 610 Water Supply Assessment (WSA) prepared in 2008 for the project analyzed under the 2009 EIR stated that water supplies for the project would consist of surface water obtained by the Natomas Central Mutual Water Company (NCMWC) and groundwater to be pumped from new wells to be constructed within the SPSP area. As Sutter County did not, at the time the 2008 WSA was prepared, operate a public water system consisting

⁶⁸ ESA, 2014. *Addendum to the Sutter Pointe Specific Plan EIR*. Published August 2014. Pp. 12-13.

of 3,000 or more connections, an urban water management plan for the area had never been prepared, and there was no entity serving domestic water supplies whose service area included the SPSP area.⁶⁹

The Lakeside at Sutter Pointe Domestic Water Supply Master Plan prepared in 2020 confirms that the water purveyor for the Lakeside project is Golden State Water Company (GSWC), which provides municipal and industrial (M&I) water service within the NCMWC service area.⁷⁰ At the time the 2008 WSA was prepared, it was uncertain whether GSWC would successfully obtain the required California Public Utilities Commission (PUC) approvals to serve the SPSP area.⁷¹ However, in 2010 the PUC prepared the Sutter Pointe Certificate of Public Convenience and Necessity Project EIR to address the environmental impacts associated with the construction and operation of new water supply infrastructure to support development of the SPSP area. It was determined that GSWC would provide water to the SPSP area.

As the Lakeside project falls within the jurisdiction of Sutter County, its water distribution system was designed to be consistent with the SPSP, as well as the standards established by the *Sutter County Improvement Standards* and the *Golden State Water Company Master Planning Criteria and Standards*.⁷² At present, the proposed project site is unserved, with the exception of irrigation water drawn from groundwater wells; however, the proposed project site will be supplied exclusively with groundwater drawn from two on-site wells situated on a one-acre lot. Additional changes to water resources in the Lakeside project include a two-acre water tank site. Although the water system for the Lakeside project is intended to operate independently to serve the needs of development within the proposed project site, future connections to Riego Road are anticipated.⁷³

Based on the findings of the 2008 WSA,⁷⁴ the 2009 EIR concluded that full buildout of the project analyzed under the 2009 EIR would result in water demands of 25,199 acre-feet per year during normal years, and of 22,049 acre-feet per year for single-dry and multiple-dry years.⁷⁵ Using unit demand factors obtained from the 2008 WSA, the Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe⁷⁶ determined that water demands for the Lakeside project are projected to be approximately 3,500 acre-feet per year (AFY).⁷⁷ During multiple dry years, those demands are expected to fall by approximately 25 percent each year, to 2,625 AFY at buildout of the Approved Lakeside project.⁷⁸ Because urban water demands have generally declined based on improvements in urban water efficiency, and thus the water demand factors in

⁶⁹ Tully & Young, 2008. *Sutter Pointe Specific Plan DB 610 Water Supply Assessment*. November 2008. P. 5.

⁷⁰ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. P. 4.

⁷¹ Tully & Young, 2008. *Sutter Pointe Specific Plan DB 610 Water Supply Assessment*. November 2008. P. 5.

⁷² Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. Pp. 4.

⁷³ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. P. 6.

⁷⁴ Tully & Young, 2008. *Sutter Pointe Specific Plan DB 610 Water Supply Assessment*. November 2008. P. 14.

⁷⁵ County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.9-17.

⁷⁶ Golden State Water Company (GSWC), 2020. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*, prepared by Holland & Knight and Wood Rodgers. August 25, 2020.

⁷⁷ Golden State Water Company (GSWC), 2020. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*, prepared by Holland & Knight and Wood Rodgers. August 25, 2020. P. 43.

⁷⁸ Golden State Water Company (GSWC), 2020. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*, prepared by Holland & Knight and Wood Rodgers. August 25, 2020. P. 93.

the Supplement to the WSA likely overestimate the water demands of the Proposed Lakeside project, the consequence of that overestimation is to make the Supplement to the WSA conservative for planning purposes.⁷⁹

Stored water for the Lakeside project would be allocated to one of three categories: operational storage, fire storage, and emergency storage. Stored volumes for the proposed project for these respective categories would be 759,180 gallons, 540,000 gallons, and 200,000 gallons, as calculated in the 2020 Domestic Water Supply Master Plan, with a cumulative storage requirement for ultimate conditions of 1.5 million gallons.⁸⁰

The water distribution system for the proposed project would be a typical looped layout that follows the distribution of the approved street layout. These wells have an assumed capacity of 2,000 GPM each for a total of 4,000 GPM of production. The operational storage required for the proposed project would be 2,943.75 GPM;⁸¹ therefore, the combined capacity of these wells meets and exceeds the PHD for the Lakeside project. A tank for water storage would also be included in the water distribution system, and the difference between the PHD and available supply of water would be delivered to the system via pump. The distribution system would adhere to system design criteria established by the Sutter County Improvement Standards and GSWC Criteria for Fire Flow Requirements and operating condition goals. The 2020 Domestic Water Supply Master Plan concluded that, as proposed, the distribution system for the Lakeside project would meet and/or exceed operation requirements of the County at project buildout. Mitigation Measure 3.10-1a requires submission of proof to Sutter County to demonstrate the construction or assurance of funding for adequate on- and off-site water conveyance facilities and infrastructure. The 2009 EIR concluded this mitigation would reduce the potentially significant impact to a less-than-significant level, and the proposed project will comply with this measure.

The groundwater analysis of the 2009 EIR concluded that pumped groundwater would be sufficient to meet the demands under full buildout of the proposed SPSP project over a 35-year model and that groundwater supplies are considered reliable and sustainable sources of potable water.⁸² The Lakeside project will be supplied with groundwater from the North American Subbasin that underlies the project site. Historical use of groundwater on project site for agricultural cultivation has been approximately 3,750 AFY, and groundwater has been the exclusive source of water supplies to meet agricultural demands. Production and use of groundwater at 3,750 AFY has not produced undesirable results, including chronic lowering of groundwater levels, reduction of groundwater storage, degraded water quality, land subsidence or depletion of interconnected surface waters. There is no substantial reason to believe that extraction of groundwater in a similar quantity to serve the Project would cause any undesirable result or injure any other user of groundwater. Based on the analysis in the WSA and the Supplement to the WSA, it is anticipated that 4,200 AFY of groundwater from the North

⁷⁹ Golden State Water Company (GSWC), 2020. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*, prepared by Holland & Knight and Wood Rodgers. August 25, 2020. P. 43.

⁸⁰ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. P. 9.

⁸¹ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Domestic Water Study*. April 22, 2020. P. 8.

⁸² County of Sutter, 2008. *Sutter Pointe Specific Plan Draft Environmental Impact Report (SCH #2009032157)*. Published December 2008. P. 3.9-32.

American Subbasin will be available to supply the Lakeside project in all hydrologic year categories (normal, single dry and multiple dry).⁸³ As the Proposed Lakeside project represents development of the same land uses but less acreage than those considered within the 2009 EIR, it can reasonably be concluded that sufficient groundwater supplies to serve the project area are available and that the water supply impacts of the Proposed Lakeside project were adequately analyzed and determined to be less than significant in the 2009 EIR.

The proposed project would comply with the standards and thresholds for water quality established by Title 22 of the California Code of Regulations (CCR), the Porter-Cologne Water Quality Act, the California State Nondegradation Policy, and National Pollutant Discharge Elimination System (NPDES) permit system and waste discharge requirements for construction. The 2009 EIR concluded that dewatering might be required during construction activities, which could result in short-term changes to the quantity of groundwater required, the direction or rate of flow of groundwater, and groundwater quality. However, potential dewatering activities for the Proposed Lakeside project would be less intensive than any potentially required under full buildout of the SPSP project, and would comply with requirements established by the Central Valley Regional Water Quality Control Board (CVRWQCB) to ensure that these activities would not result in adverse effects to groundwater.

Sewer Infrastructure

The 2009 EIR analyzed the need for both onsite and offsite wastewater infrastructure, including the need for adequate treatment capacity at the Sacramento Regional Wastewater Treatment Plant (SRWTP) located south of the community of Freeport. The 2009 EIR determined that although infrastructure and SRWTP expansion were required to accommodate anticipated flows from the SPSP area, Mitigation Measures 3.10-1a and 3.10-1b would ensure the provision of adequate wastewater conveyance facilities and the execution of operations agreements with SRCSD (Regional San). Mitigation Measure 3.10-2 would ensure that the SRWTP has adequate capacity to serve the Proposed Lakeside project by requiring the project applicant to prepare a tentative map-level study and paying connection and capacity fees as identified by SRCSD. Approval of the final map and issuance of building permits would not be granted until the County verifies adequate SRWTP capacity is available for the amount of development identified in the tentative map.

Following approval of the SPSP, the County prepared the Sutter Pointe Regional Wastewater Conveyance Project EIR,⁸⁴ which was tiered from the 2009 EIR. The analysis evaluated the environmental impacts of extending sewer service from the Upper Northwest Interceptor (UNWI), operated by Regional San, to the SPSP area. The wastewater flows would be conveyed to the UNWI with the Regional San adjusting its operational strategy to divert flows at the UNWI 4/5 junction and reduce pumping at the New Natomas Pump Station to maintain sufficient capacity for flows from the SPSP. Regional San would then convey the SPSP flows, along with

⁸³ Golden State Water Company (GSWC), 2020. *Supplement to the Water Supply Assessment for Lakeside at Sutter Pointe*, prepared by Holland & Knight and Wood Rodgers. August 25, 2020. P. 93.

⁸⁴ County of Sutter, 2016. *Sutter Pointe Regional Wastewater Conveyance Project Draft Environmental Impact Report* (SCH # 2016012048). Published August 2016.

the flows from its Contributing Members and Contracting Agencies,⁸⁵ to the SRWTP for treatment. After treatment, SPSP flows are discharged into the Sacramento River just downstream of the Freeport Bridge. The Sutter Pointe Regional Wastewater Conveyance Project would include the construction of pumping facilities and parallel force mains from the SPSP to a point of connection with the UNWI in Rio Linda, an unincorporated community in Sacramento County. The Sacramento Area Sewer District (SASD) would provide wastewater system operation and maintenance services to the SPSP area. However, Sutter County or a future municipality could assume these duties in the future. SASD would provide sewer system operation and maintenance services to Sutter County until such time as the County assumes those duties and/or the SPSP is annexed to Regional San and SASD. Construction of proposed project facilities would be phased. Two initial pumping stations and one of two planned force mains that would connect the SPSP to the UNWI would be installed and operated first.⁸⁶

The project site is not currently served by any municipal collection and treatment systems; rather, existing development within the site is served by individual on-site wastewater disposal (septic tank) systems. The system proposed for the Lakeside project transports on-site sewer flows pumped via a sewer lift station along a force main approximately seven miles in length and would serve 386.2 acres, 345.9 acres of which would be producing flow acres.⁸⁷ The system would comply with the SPSP and Sacramento Area Sewer District design standards, and has been approved for Phases 1, 2, and 3 by the Sacramento Area Sewer District.⁸⁸⁻⁸⁹

Peak wet weather flow (PWWF) for the Lakeside project is projected to be 4.436 million gallons per day (MGD), which falls below the PWWF of 23.1 MGD flows agreed upon in Table 5.1 of the Wastewater Service by Contract and Operating Agreement Between the Sacramento Regional County Sanitation District, the Sacramento Area Sewer District, and Sutter County, Contract No. 50000124.⁹⁰ The relative location of the proposed sewer lift station designed to pump on-site flows to the elevations throughout the rest of the project site suggest that the entirety of the project would gravity flow to the lift station. The 24-inch trunk that would be installed to connection the project site system to the lift station has a maximum flow depth during PWWF (d/D) of 0.80, which would allow for the addition of substantial additional flow to the line in the future, if needed.⁹¹ The reduction in low-density residential land uses and the increase in medium-density residential land uses would result in changes to wastewater generation, though the total number of dwelling units remains unchanged. While there are minor fluctuations in other land use categories, including employment, commercial retail, parks, schools, and infrastructure and utilities, these would contribute to slight alterations in flow projections. Although the land use acreage changes proposed by the Lakeside project differ from those in the 2009 EIR, the

⁸⁵ Regional San provides service to the cities of Sacramento, West Sacramento, Citrus Heights, Elk Grove, Folsom, and Rancho Cordova; unincorporated Sacramento County; and the communities of Courtland and Walnut Grove. Contracting agencies include SASD and the cities of Folsom, Sacramento and West Sacramento.

⁸⁶ County of Sutter, 2016. *Sutter Pointe Regional Wastewater Conveyance Project Draft Environmental Impact Report* (SCH # 2016012048). Published August 2016. Pp. ES-2.

⁸⁷ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Phase 1: Level 3 Sewer Study*. Published February 22, 2020. Pp. 5-8.

⁸⁸ Lewis, Yadira, 2020. Subject: Lakeside at Sutter Pointe Phase 1_Level 3 Sewer Study. March 12, 2020.

⁸⁹ Lewis, Yadira, 2020. Subject: Lakeside at Sutter Pointe Phase 2 & 3_Level 2 Sewer Study. March 12, 2020.

⁹⁰ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Phase 1: Level 3 Sewer Study*. Published February 22, 2020. Pp. 6.

⁹¹ Wood Rodgers, 2020. *Lakeside at Sutter Pointe Phase 1: Level 3 Sewer Study*. Published February 22, 2020. Pp. 7.

Lakeside at Sutter Pointe Phase 1 Level 3 Sewer Study employed conservative equivalent dwelling unit assumptions for flow projections. Therefore, it is unlikely that adverse impacts to sewer infrastructure would result from project implementation.⁹² The Lakeside project would not result in new significant impacts or a substantial increase in the severity of impacts to wastewater as identified in the 2009 EIR or the 2014 and 2020 Addendums to the EIR.

The Lakeside project would not result in new significant impacts or a substantial increase in the severity of impacts to wastewater as identified in the 2009 EIR or the 2014 and 2020 Addendums to the EIR.

Solid Waste

Solid waste management for Sutter County is managed and operated by a joint powers agreement between Yuba County and the cities of Live Oak, Marysville, Wheatland, Yuba City, and the City of Gridley in Butte County. No solid waste management facilities or transfer stations are located within Sutter County. Rather, residential and commercial garbage collection, debris box service, green waste collection, and recycling services are provided to residents of unincorporated Sutter County by the Regional Waste Management Authority in conjunction with Recology, Yuba-Sutter. Ostrom Road Sanitary Landfill is located at 5900 Ostrom Road near Wheatland. As of 2002, the landfill had a remaining capacity of 41 million cubic yards and a closure date of 2066.⁹³ The 2009 EIR concluded that the Ostrom Road Sanitary Landfill had adequate permitted capacity to receive both short-term construction-related solid waste disposal and operational generation of solid waste under full buildout of the SPSP project. Development under the SPSP would be subject to a mandatory collection ordinance and to comply with all federal, state, and local regulations regarding solid waste reduction and recycling. Impacts to solid waste under the SPSP project were therefore determined to be less than significant. As the Lakeside project would not result in changes to the development footprint for both construction-related activities as well as operational activities, impacts to solid waste following implementation of the Proposed Lakeside project would also be less than significant.

Dry Utilities

The Proposed Lakeside project would not result in a substantial increased demand for dry utilities within the project area when compared to the SPSP project. The proposed land uses would have similar electrical, gas, and telecommunication requirements within the project area as those within the approved SPSP project. Adjustments to the placement and alignment of dry utility systems infrastructure may be required as a result of shifting land uses and roadway alignments compared to the SPSP project, including a proposed transmission line crossing Natomas Road, in the southeastern corner of the project site.⁹⁴ However, these changes would not result in a new significant impact or substantial increase in the severity of the impact to dry utilities demand or infrastructure identified in the 2009 EIR or the 2014 and 2020 Addendums to the EIR.

⁹² Wood Rodgers, 2020. *Lakeside at Sutter Pointe Phase 1: Level 3 Sewer Study*. Published February 22, 2020. Pp. 8.

⁹³ Sutter County, 2010. *Sutter County General Plan Draft Environmental Impact Report (SCH. #20100032074)*. Published September 2010. Pp. 3.10-8.

⁹⁴ Wood Rodgers, 2020. *Dry Utility Master Plan: Lakeside of Sutter Pointe*. Published March 2020.

Mitigation Measures

2008 DEIR Mitigation Measures

The following mitigation measures referenced in the DEIR would continue to remain applicable if the proposed project amendments are adopted.

- Mitigation Measure 3.10-1a: Submit Proof of Adequate Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured.
- Mitigation Measure 3.10-1b: Develop a Principles of Agreement, Wastewater Services Agreement, and an Operations Agreement with SRCSD and Operate On-Site and Off-Site Wastewater Facilities per These Agreements.
- Mitigation Measure 3.10-2: Demonstrate Adequate Wastewater Treatment Capacity.

Development of a Principles of Agreement, Wastewater Services Agreement, and an Operations Agreement, as required by Mitigation Measure 3.10-1b, was completed. The agreements between Regional San and the project applicant are in place and govern how the on-site wastewater facilities and off-site force mains will be operated by the CSA.

2009 FEIR Mitigation Measures

The following text changes to mitigation measures referenced in the DEIR were implemented in the 2009 FEIR and would continue to remain applicable if the proposed project amendments are adopted.

None.

2014 Addendum to the EIR Mitigation Measures

None.

2020 Addendum to the EIR Mitigation Measures

None.

Additional 2024 Mitigation Measures

None.

Conclusion

Changes introduced by the Proposed Lakeside project and/or new circumstances relevant to the project would not, as compared to the 2009 EIR and the 2014 and 2020 Addendums to the EIR, result in a new significant impact or significant impacts related to utilities and service systems that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the Proposed Lakeside project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous EIR or Addendums. Nor is there new information of substantial importance showing

that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.