



ADDENDUM TO AN ADOPTED ENVIRONMENTAL IMPACT REPORT

The City of Lincoln California, a municipal corporation, does hereby prepare, make declare, and publish the Addendum to an adopted environmental impact report (EIR) for the following described project:

Project Name: Lincoln Village 7 Amendment Project (PLN23-00034)

Original Project: Village 7 Specific Plan Project

The City of Lincoln has reviewed the proposed project and on the basis of the whole record before it, has determined that substantial evidence does not exist that the modified project, as identified in this Addendum, would have a significant effect on the environment beyond that which was previously evaluated in the EIR prepared for the Village 7 Specific Plan Project (SCH # 2005062001) in 2010. An additional EIR is not required pursuant to the California Environmental Quality Act of 1970 (Sections 21000, et. Seq., Public Resources Code of the State of California).

This Addendum to an adopted EIR has been prepared pursuant to Title 14, Section 15164 of the California Code of Regulations.

Mikaela Noble, Assistant Planner, City of Lincoln,
Community Development Department

By: March 11, 2024

Date: 

Village 7 Amendment Project Addendum to the Village 7 Specific Plan EIR

Project Location

The project site is located within the adopted Village 7 Specific Plan area of the City of Lincoln, California. The approximately 441-acre project site (portions of Assessor's Parcel Numbers [APNs] 021-283-010, 021-263-012, 021-263-014, and 021-263-018) consists of two separate portions of the Lewis Property (see Figure 1). The northern portion is located primarily north of the future extension of Ferrari Ranch Road, with a small area south of Ferrari Ranch Road, and the southern portion is located south of the South Ingram Slough. The northern portion of the project site is undeveloped and surrounding uses include undeveloped land within the Village 7 Specific Plan Area to the north and south; rural residences, the North Ingram Slough, and the Lincoln Crossing Subdivision to the east; and rural residences and undeveloped land to the west. The southern portion of the project site is similarly undeveloped and surrounding uses include the South Ingram Slough and undeveloped land within the Village 7 Specific Plan Area to the north; the Ingram Slough to the west; undeveloped land to the south; and undeveloped land and the Lincoln Crossing Subdivision to the east.

Existing Land Use and Zoning Designations

The Village 7 Specific Plan designates both portions of the project site as Village County Estates (VCE), Village Low Density Residential (VLDR), Village Medium Density Residential (VMDR), Village High Density Residential (VHDR), Village Mixed Use Commercial (VMU), Village Parks and Recreation (VPR), Village Open Space (VOS), Linear Parkway (LP), Major Paseo (MP), and Public (see Figure 2 and Figure 3). The project site is zoned Planned Unit Development (PD) per the Village 7 General Development Plan.

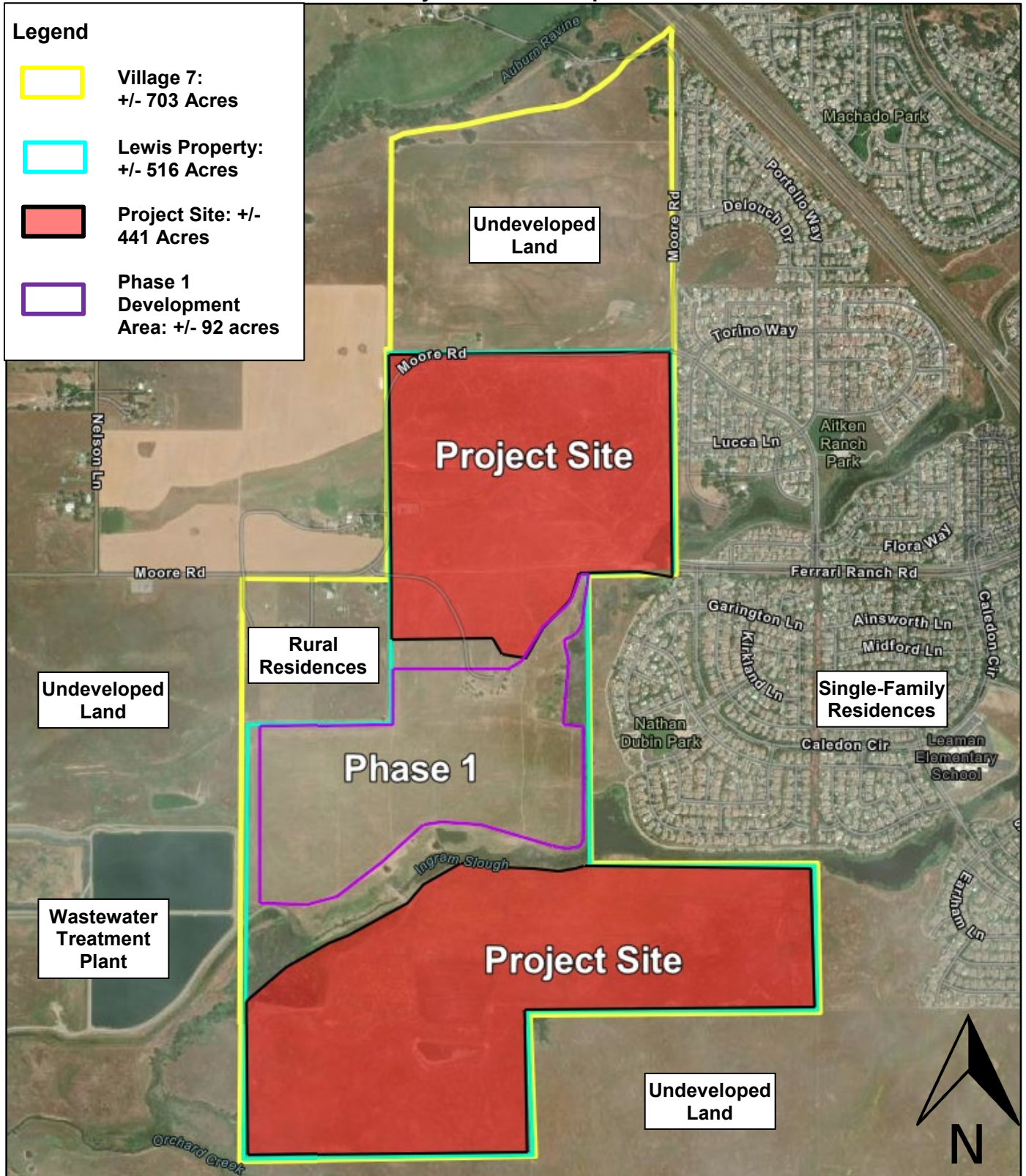
Project Background

In June 2010, the City of Lincoln adopted the Village 7 Specific Plan and certified the Village 7 Specific Plan EIR, which analyzed the project specific and cumulative physical impacts of development of 3,285 residential units and 125,000 square feet of commercial development in the approximately 703-acre Village 7 Specific Plan area. The Village 7 Specific Plan EIR is both a Program EIR and Project EIR, pursuant to CEQA Guidelines Sections 15168 and 15161. However, the portions of the Specific Plan area under consideration for the current amendments were addressed at a project level in the EIR. As part of the project approval, the City adopted a Mitigation Monitoring Plan (MMP), which includes all mitigation measures identified in the certified EIR. All subsequent projects within the Specific Plan area, including the proposed project, would be responsible for implementing all applicable mitigation contained in the MMP.

On August 27, 2013, a Development Agreement was executed between the City of Lincoln and Lincoln Land Holdings, LLC. for development of the 516-acre Lewis Property portion within the Village 7 Specific Plan area. The City Council determined that the Village 7 Specific Plan EIR was adequate and complete, and that further environmental documentation related to the Development Agreement was not necessary given that the conditions of the agreement were consistent with the scope of the EIR.

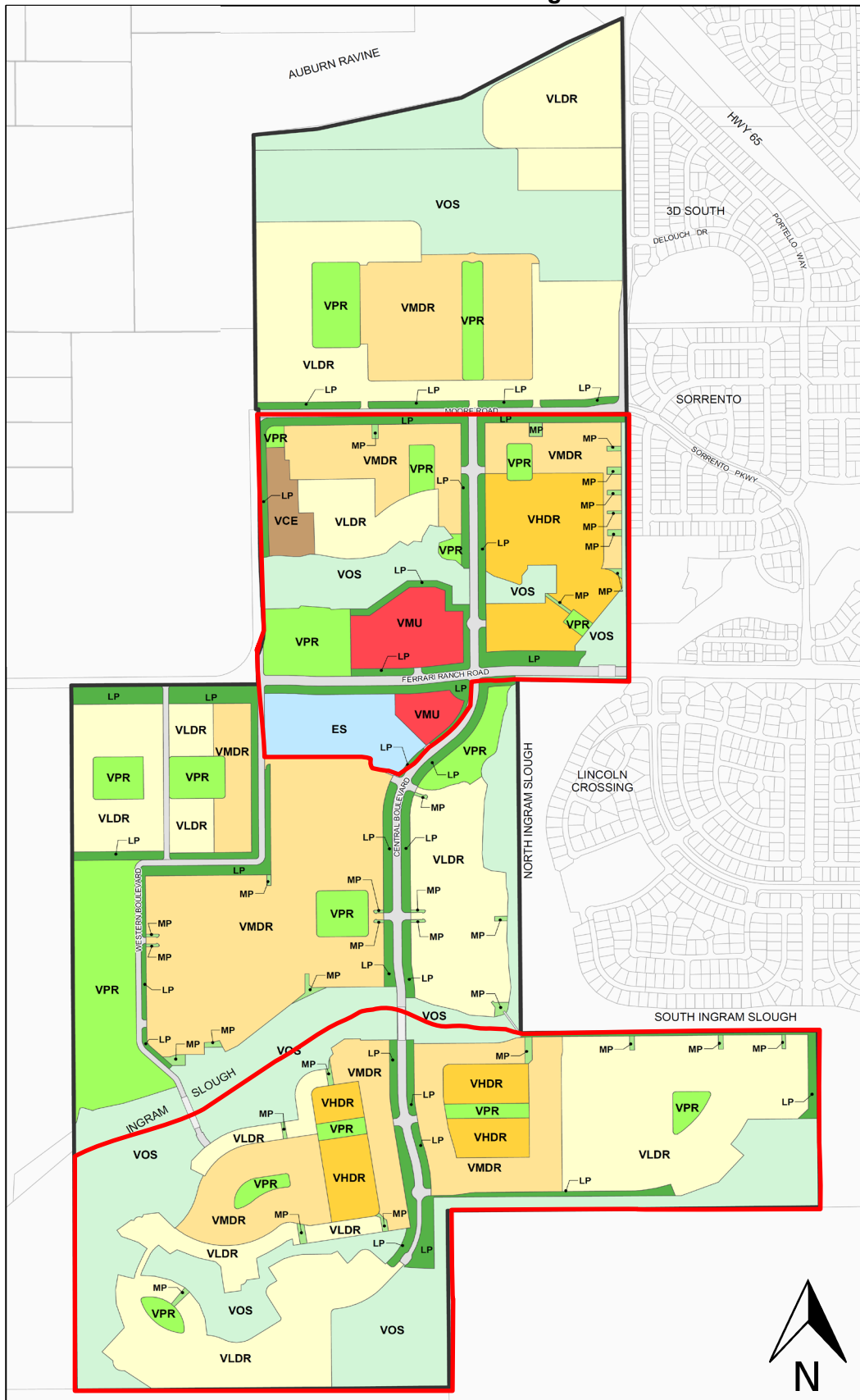
In 2016, Lewis Planned Communities requested amendments to the Specific Plan and approval of a Vesting Tentative Map for Phase 1 of the Specific Plan. In general, the requested amendments reconfigured land uses such as the residential lots and consolidated residential and park uses within Phase 1 of the project, while maintaining a consistent number of dwelling units in the Specific Plan.

Figure 1
Project Location Map

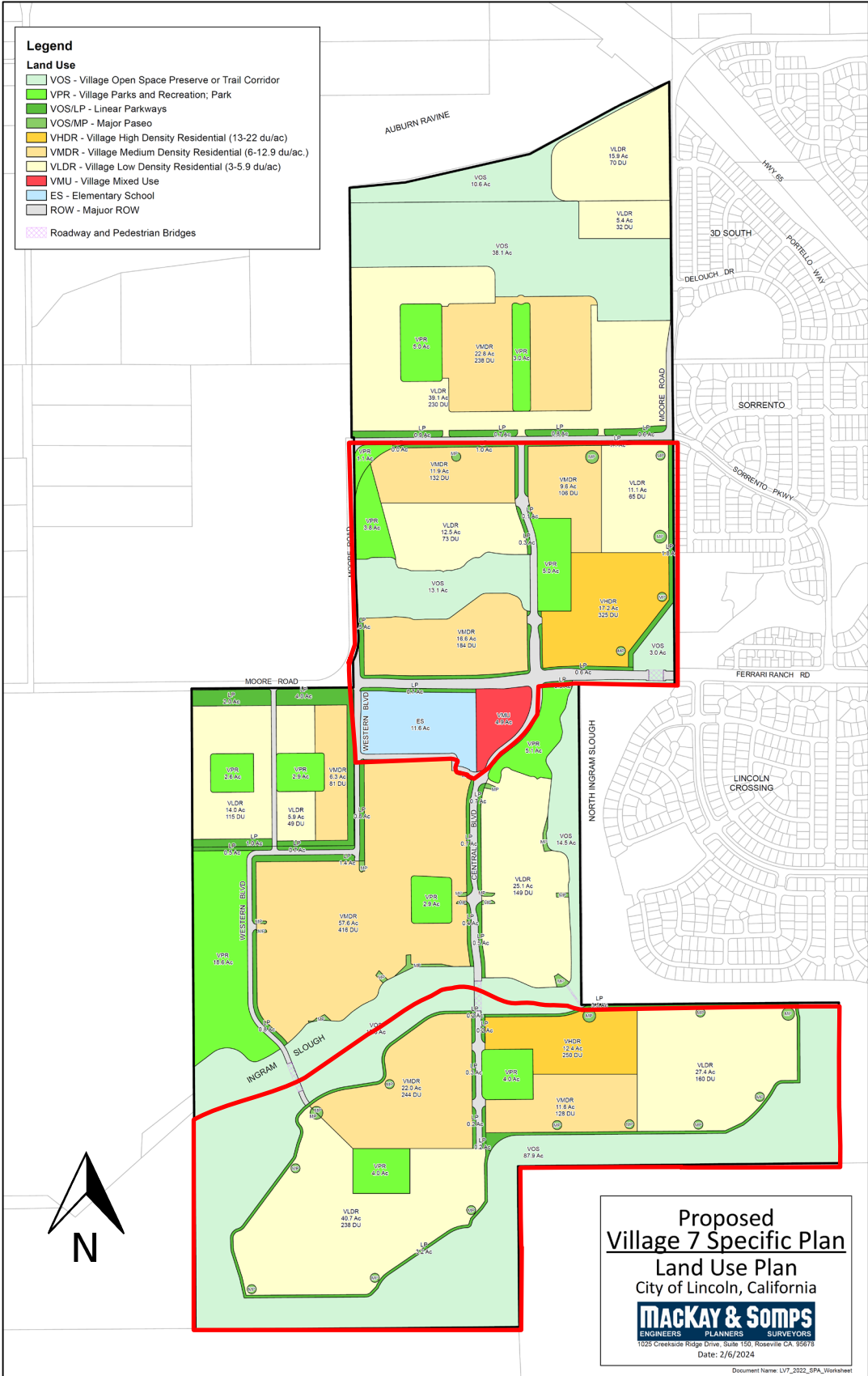


Note: Project site boundaries are approximate.

Figure 2
Previous Site Land Use Designations



**Figure 3
Proposed Land Use Designations**



Consequently, the 2013 Development Agreement was amended to reflect the proposed changes and was approved on January 10, 2017. Subsequent environmental documentation was completed in September 2016 which determined that the amendments would not result in any new significant impacts or increase the severity of any significant impacts identified in the Village 7 Specific Plan EIR.

In 2022, an Addendum to the Village 7 Specific Plan EIR was prepared which evaluated amendments to the previously approved 2016 Phase 1 Vesting Tentative Map and other related entitlements in order to incorporate new single-family residential lot sizes and reduce the number of residential lots per unit/village to be developed within the Phase 1 Development Area, while maintaining the previously approved land uses and residential density types, and the locations and sizes of the parks and major residential paseos. The total unit count to be developed within the Phase 1 development area was increased from 539 to 565. The proposed amendment to the Phase 1 Vesting Tentative Map also required an amendment to the previously approved Village 7 General Development Plan and Development Agreement between the City of Lincoln and Lincoln Land Holdings LLC (Lewis Communities). The City of Lincoln approved the requested entitlements and the associated Addendum on August 9, 2022.

Project Description

The Village 7 Amendment Project (proposed project) would include a request to amend the Village 7 General Development Plan and the Village 7 Specific Plan. The proposed General Development Plan Amendment and Specific Plan Amendment would not change the total unit count; however, the density mix of the residential units, as well as the acreage of the commercial, open space and parks, and public uses would change. The requested land use amendments are presented in Table 1.

Land Use Designation	Existing/Approved Acreage	Proposed Acreage	Difference as a result of the Proposed Project
Village Country Estates	4.5 acres	0 acres	-4.5 acres
Village Low Density Residential	191.8 acres	197.1 acres	+ 5.3 acres
Village Medium Density Residential	144.3 acres	158.4 acres	+14.1 acres
Village High Density Residential	37.4 acres	29.6 acres	-7.8 acres
Village Mixed Use Commercial	12.2 acres	4.9 acres	-7.3 acres
Village Parks and Recreation/Linear Parkway	101.8 acres	89.7 acres	-12.1 acres
Village Open Space/Major Paseo	176.8 acres	188.9 acres	+12.1 acres
Public	34.6 acres	34.8 acres	+0.2 acres
Total	703.4 acres	703.4 acres	+/- 0 acres

It should be noted that Table 1 presents the total acreage for the entire Village 7 Specific Plan Area. As discussed above, the project site consists of approximately 441 acres of the total Village 7 Specific Plan Area. Nonetheless, all requested land use changes presented in Table 1 would occur within the project site. The existing/approved land uses in the remaining areas of the Specific Plan Area would remain as is. The proposed project would include the removal of 4.5 acres of Village County Estates, an increase of 5.3 acres in Village Low Density Residential, an increase of 14.1 acres in Village Medium Density Residential, a decrease of 7.8 acres in Village High Density Residential, a decrease of 7.3 acres in Village Mixed Use Commercial, a decrease of 12.1 acres in Village Parks and Recreation/Linear Parkway, an increase of 12.1 acres in Village Open Space/Major Paseo and an increase of 0.2 acres in Public. The overall density type distribution of residential units will change; however, the overall number of units in the Plan Area would not change. As such, the proposed General Development Plan Amendment and Specific Plan Amendment would not substantially modify or increase the potential development of the

site from what was previously anticipated and analyzed. In addition, the proposed project would remain consistent with the City of Lincoln General Plan.

Overall, the proposed General Development Plan Amendment and Specific Plan Amendment are intended to:

1. Reflect the open space areas and conservation easement boundaries now approved by the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), California Department of Water Resources (DWR), and California Department of Fish and Wildlife (CDFW). The changes to the open space land use configurations require other land uses to be adjusted and rebalanced to ensure that the full development potential for the project can be achieved and that the infrastructure in the finance plan can be fully funded and implemented.
2. Inform the land use development phases to better respond to the current and anticipated future residential market.
3. Remove the large commercial site north of Ferrari Ranch Road to avoid competition and to empower current retail plans within the nearby Special Use District B (SUD-B) and Village 5 Specific Plans at the intersection of State Route (SR) 65/Nelson Road.
4. Provide simplification in the review process. Many of the support exhibits contained in the Specific Plan and General Development Plan documents reflected an overly emphasized detailed land use/street pattern plan for illustrative purposes only and such exhibits have been streamlined or removed if no longer applicable and to provide flexibility in designing future development within each phase.
5. Improve efficiency and cost for development and maintenance by consolidating some of the park sites into fewer and larger parks while offering enhanced programming and amenities.
6. Improve efficiency and cost for development and ongoing City maintenance of public lands by narrowing the wide landscape corridors to traditional widths while offering the same aesthetic benefit to the community.
7. Provide flexibility and Community Development Director discretion in implementing the Specific Plan and General Development Plan.
8. Reflect simplicity in the document format and ease of implementation of the concepts.

Overall, the proposed project will require the following approvals:

- Adopt the Addendum to the 2010 Village 7 Specific Plan EIR, as amended;
- Amend the Village 7 Specific Plan to reflect the amended land uses requested by the applicant; and
- Amend the Village 7 General Development Plan to reflect the amended land uses requested by the applicant.

Rationale for Preparation of the Addendum

An Addendum to a certified EIR may be prepared if only minor technical changes or additions are required, and none of the conditions identified in CEQA Guidelines Section 15162 are present. The following identifies the standards set forth in Section 15162(a) as they relate to the project:

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 [or negative declaration];
 - 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.

Section 15162 provides that the lead agency's role in project approval is completed upon certification of the EIR and approval of the project, unless further discretionary action is required. The approvals requested as part of the proposed project are considered discretionary actions, and CEQA review, is therefore required.

This addendum and attached documents constitute substantial evidence supporting the conclusion that preparation of an additional supplemental or subsequent EIR is not required prior to approval of the proposed entitlements, and provides the required documentation under CEQA.

Use of a Prior Environmental Document

In *Friends of College of San Mateo Gardens v. San Mateo County Community College District* (2016) 1 Cal.5th 937, 951, the California Supreme Court held that a lead agency, in considering a proposed change to a previously-approved project, has the responsibility for deciding whether the environmental document for the original project retains "some relevance" to the decision-making process for the proposed change. "Whether an initial environmental document remains relevant despite changed plans or circumstances—like the question whether an initial environmental document requires major revisions due to changed plans or circumstances—is a predominantly factual question. It is thus a question for the agency to answer in the first instance, drawing on its particular expertise." (*Id.* at p. 952.) On this factual issue, lead agencies are entitled to considerable deference from reviewing courts: "a court should tread with extraordinary care' before reversing an agency's determination, whether implicit or explicit, that its initial environmental document retains some relevance to the decision-making process." (*Id.* at p. 953.)

Here, considering the quality of the certified Final EIR, the nature of the underlying project approved in 2010 and the very limited nature of the proposed changes to that approved project, the City of Lincoln has determined that the EIR certified for the Village 7 Specific Plan Project, as amended (hereafter referred to as the 2010 EIR) remains relevant to the proposal at hand. While the proposed project would

change the land use of associated areas, the proposed project would not include construction or development of any kind. The City has also concluded that the proposed project change will not trigger the need for either a subsequent EIR or a supplement to the previously-certified 2010 Final EIR. For these reasons, the City has prepared this addendum to the 2010 EIR in order to evaluate the proposed project. The proposed amendments to the Specific Development Plan and General Development Plan would result in impacts similar to those identified in the 2010 EIR.

Discussion and Mitigation Sections

The proposed modifications to the approved project may result in a limited potential to impact the physical environment beyond what has been previously analyzed for the project site in the 2010 EIR. Therefore, the majority of environmental analysis in this Addendum will focus on the CEQA topics for which impacts may be triggered as a result of the proposed modifications.

It should be noted that the CEQA Guidelines have been updated since the certification of the 2010 EIR. As part of the updates, Appendix G, Environmental Checklist Form, of the CEQA Guidelines has been amended. The majority of changes represent consolidated or deleted questions to avoid redundancy, whereas a smaller subset represents additions based on current, often overlooked legal requirements (e.g., Energy), and legislation passed in recent years (e.g., Wildfire – Senate Bill 1241). However, CEQA Guidelines section 15007, subdivision (b), provides that “[a]mendments to the Guidelines apply prospectively only. New requirements in amendments will apply to steps in the CEQA process not yet undertaken by the date when agencies must comply with the amendments.” Subdivision (c) adds that “[i]f a document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved.” As such, topics which were not discussed in the 2010 EIR are not required to be addressed in this Addendum for the sole purpose of conforming with the new content requirements of Appendix G of the CEQA Guidelines.

The discussion presented herein focuses on the following CEQA issue areas: air quality, greenhouse gas emissions, and energy; biological resources; and transportation. Remaining CEQA topics for which new impacts clearly would not occur as a result of the proposed project (e.g., aesthetics, geology and soils, etc.) are summarily addressed in the section entitled “Remaining CEQA Topics.”

Applicable mitigation measures from the previous environmental documents that apply to the changes or new information are referenced under each environmental category.

Air Quality, Greenhouse Gas Emissions, and Energy

Background

The 2010 EIR analyzed the air quality effects caused by stationary, mobile, and area sources related to construction and operation of the project and the project’s location relative to off-site sources of odors such as the City of Lincoln Wastewater Treatment and Reclamation Facility (WWTRF) and Western Regional Sanitary Landfill (WRSL). The 2010 EIR concluded that emissions resulting from construction and operation of the Specific Plan area would exceed applicable air quality standards and result in significant and unavoidable impacts. Thus, a Statement of Overriding Conditions was adopted by the City. However, the 2010 EIR concluded the project would have a less than significant impact related to increasing CO emissions at nearby intersections; exposing residents to odors from the WWTRF and WRSL; and exposing residents to toxic air contaminants (TACs).

A discussion of GHG emissions was included as part of the Climate Change section of the 2010 EIR, as amended. The 2010 EIR determined that build-out of the Specific Plan area would cause a significant increase in GHG emissions relative to existing conditions and the resulting impacts would be significant and unavoidable. Consequently, a Statement of Overriding Conditions was adopted by the City. The City of Lincoln General Plan includes policies designed to minimize vehicle miles traveled (VMT), a major source of GHG emissions. In addition, the 2008 General Plan EIR implemented additional policies such as the Energy Efficient Buildings Policy, Alternative Fuels Vehicle Parking Policy, Passive and Active Solar Devices Policy, and Energy Efficient Master Planning Policy. However, the 2010 EIR concluded that GHG impacts would remain significant and unavoidable even with implementation of General Plan policies and mitigation measures identified in the 2010 EIR, as amended.

As discussed above, Appendix G of the CEQA Guidelines has been amended since the certification of the 2010 EIR, as amended. As such, a discussion of energy related impacts was not required, nor included in the 2010 EIR, as amended. Nonetheless, a discussion of energy conservation standards was included in both the Air Quality and Climate Change sections of the 2010 EIR, as amended. As noted therein, the Village 7 General Development Plan includes project-level strategies for future development within each planning area, including approaches such as green building design that encourages energy-efficient homes, and the use of recycled and renewable products. The City of Lincoln General Plan also includes General Plan policies related to energy conservation.

Discussion

The proposed project would incorporate changes to the land uses of the site, including removal of the Village Country Estates acreage, reduction of Village Mixed Use Commercial, reduction of total acreage of Village Parks and Recreation/Linear Parkway, and clustering of open space areas into more contiguous areas resulting in an increase in acreage of the Village Open Space/Major Paseo land use designation. The total unit count to be developed within the project site would not increase and the proposed project would not introduce new residential lots. Therefore, the area of disturbance associated with the proposed project would not extend beyond what was already approved and the boundaries of the Village 7 Specific Plan area analyzed in the 2010 EIR, as amended. Thus, the intensity and duration of project construction would remain similar to what was previously analyzed for the site and would not constitute a significant increase in construction emissions, due to the number of proposed units staying the same.

An increase in residential units within the project site, beyond what was previously approved, would not occur as a result of the proposed project. Therefore, an increase in operational emissions, including emissions generated by vehicular sources, as well as area source emissions such as heating and air conditioning use and landscaping, and indirect sources of emissions associated with operational energy consumption, would not occur. The 2010 EIR included an analysis of full buildout of the Village 7 Specific Plan area, including the project site, and determined that impacts related to the generation of criteria pollutants during both project construction and operations, as well as the project's incremental contribution to the significant cumulative impact of global climate change through the project's generation of GHG emissions, would be significant and unavoidable.

Considering that the proposed project would not result in an increase in residential units beyond what was previously anticipated, construction and operational emissions related to implementation of the amended Village 7 Specific Plan are anticipated to continue to exceed the Placer County Air Pollution Control District's (PCAPCD's) updated thresholds, and the proposed project would be anticipated to result in similar impacts as was previously analyzed in the 2010 EIR, as amended. Therefore, the proposed project would not result in new significant impacts or substantially more severe impacts related to contributing to the region's nonattainment status for ozone or particulate matter (PM) or contributing substantially to the violation of an air quality standard, or contributing to the significant cumulative impact

of global climate change. It should be noted that since the preparation of the 2010 EIR regulations pertaining to air quality emissions are much more stringent. Therefore, the operational emissions from buildout of the overall Village 7 project (especially related to energy) would be less than what was anticipated in the 2010 EIR, as amended. Nonetheless, applicable mitigation measures from the 2010 EIR related to criteria pollutant emissions and GHG emissions would still apply to the proposed project.

Furthermore, the proposed project would be required to comply with Policies under Goal HS-3 of the 2050 General Plan which are designed to reduce the generation of air pollutants to minimize impacts to human health. Policy HS-3.1 ensures compliance with local, regional, and State agencies to achieve Federal Air Quality Standards and requires development projects to incorporate programs developed by the Sacramento Area Council of Governments (SACOG) and the PCAPCD.

Mitigation Measure(s)

Mitigation Measures from the Previous CEQA Documents

The following Mitigation Measures from the 2010 EIR would still apply to the proposed project.

- Mitigation Measure 4.4-1(A);
- Mitigation Measure 4.4-2(A);
- Mitigation Measure 4.4-3(A);
- Mitigation Measure 4.4-5(A);
- Mitigation Measure 4.4-7(A);
- Mitigation Measure 4.4-8(A);
- Mitigation Measure 4.4-9(A);
- Mitigation Measure 4.4-11(A); and
- Mitigation Measure 4.11-1(A).

Modified Mitigation Measures

None required.

Additional Project-Specific Mitigation Measures

None required.

Biological Resources

Background

The 2010 EIR determined that development of the Lewis Property, which encompasses the proposed project's area, would disturb a net acreage of approximately 6.87 acres of wetland habitats, including 0.08-acre of vernal pools, 0.50-acre of seasonal wetlands, 0.38-acre of drainage swale, 0.36-acre of irrigated swale, 0.78-acre of Ingram Slough, 1.38 acres of farmed wetlands, 0.01-acre of intermittent drainage, and the 3.38-acre jurisdictional stock pond. However, the 2010 EIR concluded that compliance with the provisions of a Biological Opinion issued by the U.S. Fish and Wildlife Service (USFWS) for the Lewis Property in March of 2006, as well as the provisions of a Section 404 permit issued by the U.S. Army Corps of Engineers (USACE), which would include mitigation for the loss of wetlands at a minimum 2:1 ratio, impacts would be less than significant. However, according to the 2010 EIR development of the Lewis Property would result in the modification to Ingram Slough, disrupting the associated habitat.

Therefore, Mitigation Measure 4.8-8(A) would require the applicant to obtain all necessary permits to alter Ingram Slough.

According to the 2010 EIR approximately 17.91 acres of potential habitat for vernal pool crustaceans and western spadefoot are present on the Lewis Property. While 15.21 acres would be preserved as open space, the 2010 EIR determined that the remaining wetlands would be lost due to filling, grading, or other development activities. Nonetheless, the 2010 EIR concluded that with compliance with the provisions of the USFWS Biological Opinion and the USACE Section 404 permit, impacts to vernal pool crustacean habitat would be less than significant.

The 2010 EIR determined that special-status plant species, such as dwarf downingia, legenera, Boggs Lake hedge-hyssop, and Sacramento orcutt grass, as well as special-status wildlife species, such as the western pond turtle, could potentially occur within the Lewis Property. In addition, the 2010 EIR, as amended concluded that the removal of trees and on-site grading activities could result in the disruption of migratory nesting birds or protected raptor nests, resulting in the abandonment of active nests or the loss of active nests through structure removal, as well as the loss of foraging habitat. As such, mitigation measures that require the project site be surveyed for special-status species, as well as pre-construction surveys during the breeding season, and the acquisition and preservation of suitable foraging habitat, were prescribed to reduce the associated impacts to a less-than-significant level.

The 2010 EIR concluded that development of the Lewis Property would result in less-than-significant impacts related to habitat fragmentation and wildlife population isolation. The proposed changes in land use of this project will not change the disturbance area of overall the Village 7 project. Therefore, all the same Mitigation Measures included in the 2010 EIR regarding Biological Resources are applicable to the proposed project.

Discussion

The existing setting of the project site area is comprised primarily of non-native annual grassland, irrigated pasture, and an area that is dry farmed for livestock forage crops. The proposed project would include an amendment to the Village 7 Specific Plan and an amendment to the General Development Plan. The amendments would incorporate new land use designations and zoning designations but would not include any changes to the total unit count or construction activities. In addition, because the proposed project would not include construction beyond what was previously anticipated, the area of disturbance associated with the future buildout of the Village 7 project would not differ from the overall Village 7 Specific Plan area analyzed in the 2010 EIR, as amended. As such, the proposed project would not be expected to result in any new or significantly more severe impacts related to biological resources relative to what has been previously analyzed for the project site in the 2010 EIR, as amended.

Since the preparation of the 2010 EIR, a USACE Section 404 Permit, Central Valley Regional Water Quality Control Board (CVRWQCB) Section 401 Water Quality Certification, and a 1602 Streambed Alteration Agreement were acquired for the Lewis Property. As such, in addition to the Mitigation Measures included in the 2010 EIR and described below, the proposed project would be required to comply with all measures included in the aforementioned documents.

Changes in circumstances that would affect the analysis of biological resource impacts presented in the 2010 EIR have not occurred. Accordingly, new circumstances that would involve new significant impacts or substantially more severe impacts do not exist. New information of substantial importance to analysis of biological resource impacts has not been introduced since the certification of the EIR in 2010.

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to

biological resources from what has been anticipated for the project site in the 2010 EIR, as amended. Implementation of the mitigation measures in the 2010 EIR would continue to ensure impacts would be less than significant.

Mitigation Measure(s)

Mitigation Measures from the Previous CEQA Documents

The following Mitigation Measures from the 2010 EIR would still apply to the proposed project.

- Mitigation Measure 4.8-3(A);
- Mitigation Measure 4.8-4(A);
- Mitigation Measure 4.8-5(A);
- Mitigation Measure 4.8-6(A);
- Mitigation Measure 4.8-7(A); and
- Mitigation Measure Biological Resources – 1 (Specific Plan EIR Addendum 1, August 2021)

Modified Mitigation Measures

None required.

Additional Project-Specific Mitigation Measures

None required.

Transportation

Background

The 2010 EIR performed a level of service (LOS) analysis for several roadway segments and intersections within the project vicinity. The 2010 EIR determined that the project would have less than significant impacts related to worsening, to a significant level, unacceptable operations at City of Lincoln intersections (excluding those in downtown on SR 65 under existing plus project conditions); causing operations at any intersections in Roseville to worsen to an unacceptable level under existing plus project conditions; resulting in unacceptable levels of service at any intersections in Placer County under existing plus project conditions; providing adequate facilities to accommodate planned transit demand and to support walking and bicycling; conflicting with planned transportation improvements; and causing any cumulative impacts on the City of Lincoln roadway system.

However, the 2010 EIR concluded that the project would add significant levels of traffic to Moore Road between the project site and Fiddymont Road, and to Fiddymont Road from Moore Road to the south City limits, which were not constructed to current design standards at the time the 2010 EIR was written. Mitigation Measure 4.3-6 was included to reduce this impact to a less-than-significant level.

The 2010 EIR determined that significant and unavoidable impacts would occur with buildout of the project regarding temporarily worsening unacceptable operations on SR 65 in downtown Lincoln under existing plus project conditions (until the SR 65 Bypass is completed); worsening to an unacceptable level or further worsening already unacceptable operations at three locations on SR 65 south of Lincoln under existing plus project conditions; adding significant levels of traffic to a portion of Nelson Lane, which

was not constructed to current design standards at the time the EIR was written; and causing temporary impacts along Moore Road during construction. In addition, the 2010 EIR concluded that the project would result in a significant and avoidable cumulative impact related to worsening to an unacceptable level or further worsening cumulatively unacceptable operations (to a significant degree) on segments of the Placer County roadway system; worsening cumulatively unacceptable operations (to a significant degree) on SR 193 and SR 65 through Placer County, Rocklin, and Roseville; and causing significant cumulative impacts at one City of Roseville intersection. Thus, a Statement of Overriding Conditions was adopted by the City.

Discussion

Since the release of the 2010 EIR, the law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used LOS to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. LOS represents a qualitative description of the traffic operations experienced by the driver along a roadway segment or at an intersection and ranges from LOS A, which represents the absence of congestion and little delay, to LOS F, which signifies excessive congestion and delays. Mitigation measures typically took the form of capacity-increasing improvements, which often had their own environmental impacts (e.g., to biological resources). Depending on circumstances, and an agency's tolerance for congestion (e.g., as reflected in its general plan), LOS D, E, or F often represented significant environmental effects. In 2013, the Legislature passed legislation with the intention of ultimately removing LOS in most instances as a basis for environmental analysis under CEQA. However, pursuant to the conclusions of *Olen Properties Corp. v. City of Newport Beach* (2023) (93 Cal.App.5th 270), when evaluating a project's consistency with a previously certified EIR, a document "may properly analyze traffic impacts under the old LOS methodology, and need not employ the newly mandated VMT methodology, when the previously certified EIR used the LOS methodology."¹ Therefore, the following discussion addresses impacts related to LOS, as opposed to VMT.

Considering that the proposed project would not change the total number of residential units and the total acreage of Village Mixed Use Commercial would decrease, the proposed project would generate fewer vehicle trips than what could occur under the approved project. Thus, the roadways in the project vicinity would be subject to less traffic associated with buildout of the project site compared to what was previously anticipated, and further degradation of LOS would not occur as a result of the proposed project.

In addition, the proposed project would maintain the two vehicular access points from Ferrari Ranch Road, the main road of Central Boulevard, and the Ferrari Ranch Road/Central Boulevard/Moore Road intersection. While the proposed project would change the land use designations, the proposed project would not alter the roadways. As such, the proposed project would not impede access.

Based on the above, the proposed project would be expected to slightly reduce the overall transportation impacts as compared to what was previously analyzed. Therefore, the proposed project would not result in any new or substantially more severe impacts to transportation relative to the approved project.

¹ Miller Star Regalia. *Fourth District Belatedly Publishes CEQA Opinion Upholding City of Newport Beach's Approval of Multifamily-Housing Development Pursuant To Addendum To 2006 EIR For Larger Mixed-Use Development*. Available at: <https://www.ceqadevelopments.com/2023/08/08/fourth-district-belatedly-publishes-ceqa-opinion-upholding-city-of-newport-beachs-approval-of-multifamily-housing-development-pursuant-to-addendum-to-2006-eir-for-larger-mixed-use-development/>. Accessed November 2023.

Mitigation Measure(s)

Mitigation Measures from the Previous CEQA Documents

The following Mitigation Measures from the 2010 EIR would still apply to the proposed project.

- Mitigation Measure 4.3-5;
- Mitigation Measure 4.3-6;
- Mitigation Measure 4.3-13; and
- Mitigation Measure 4.3-14.

Modified Mitigation Measures

None required.

Additional Project-Specific Mitigation Measures

None required.

Tribal and Cultural Resources

Background

The 2010 EIR analyzed potential impacts to cultural resources and concluded that impacts to prehistoric and historic cultural resources associated with the Specific Plan and General Development Plan would be less than significant. Changes in circumstances that would affect the analysis of cultural resource impacts have not occurred. At the time it was prepared, the 2010 EIR was not required to perform a tribal cultural analysis. It is important to note that the CEQA guidelines have been updated since certification of the 2010 EIR, as amended. As part of the updates, Appendix G, Environmental Checklist Form, of the CEQA Guidelines, has been amended to include Section XVII, Tribal Cultural Resources. The newly added section includes the following checklist questions regarding whether the project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a Local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California native American tribe.

These added checklist questions reflect the type of tribal cultural analysis required under CEQA (see Pub. Resources Code § 21100(b)(3) and Appendix F of the CEQA Guidelines). Thus, a project impact analysis of tribal cultural resources has been provided as part of this Addendum. Staff is working now with the applicant, the City, and the United Auburn Indian Community (UAIC) to conduct an analysis of the proposed project's potential impacts to tribal cultural resources.

When the Specific Plan was originally adopted, only SB 18 was in place regarding tribal consultation. SB 18 requires that prior to adoption of (or amendments to) a General Plan or Specific Plan, the lead agency must contact the local tribe(s) to determine if the tribe(s) would like to consult on the potential impacts to, and mitigation for, cultural resources. SB 18 consultation was conducted prior to adoption of the 2012 Specific Plan. Since that time, the State has enacted a second tribal consultation law - Assembly Bill 52 (AB) 52. Under AB 52, anytime a Negative Declaration or Environmental Impact Report is prepared, the lead agency must notify any tribe (that has requested such notification) and enter consultation if requested by the tribe(s). However, for the proposed project, where little change is proposed through the adoption of the amendments to the Village 7 Specific Plan and Village 7 General Development Plan, only SB 18 would be required.

With regard to tribal cultural resources, the City of Lincoln 2050 General Plan puts forth Policy OSC-6.7, which requires that, in the event that archaeological/paleontological resources are discovered during ground-disturbing activities, the City shall require all construction work to stop within a 100-foot area surrounding the find until the significance of the features can be determined by a qualified professional. In addition, Policy OSC-6.9 requires that the City discuss concerns regarding potential impacts to cultural resources and identify locations of importance to Native Americans by consulting with American Indian tribes, including appointed representatives from UAIC.

The overall disturbance area associated with the proposed project would be identical to what was previously anticipated for the site. As such, the proposed project would result in the same potential for unearthing previously undiscovered subsurface cultural resources and would not result in any new or substantially more severe impacts to cultural resources relative to what was analyzed in the 2010 EIR, as amended. The proposed project would be required to implement Mitigation Measures 2 through 4 from the 2010 EIR, as amended, which would reduce potential impacts by requiring a 100-foot non-construction buffer around any uncovered cultural resources, the appropriate Native American representative be contacted if uncovered resources are determined to be Native American in origin, and the Placer County Coroner be contacted in the event that human remains are discovered.

As discussed in the 2010 EIR, the Village 7 project would be required to comply with a Programmatic Agreement among the Army Corps of Engineers, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation.² Accordingly, the 2010 EIR, as amended concluded that impacts to prehistoric and historic resources associated with the approved project were less than significant. Construction activities associated with the approved project, particularly grading and excavation, could result in damage to previously unknown subsurface cultural resources. Impacts related to such activities were reduced with implementation of Mitigation Measures 2 through 4 from the 2010 EIR, as amended.

Discussion

Previous analysis associated with the 2010 EIR determined that the project site area does not contain prehistoric- or historic-period cultural resources. In addition, a broad search of the area surrounding the project site within 0.25-mile determined that six prehistoric-period resources and one historic-period resource are located in the project vicinity. It is noted that changes to the law were made since the approval of the 2010 EIR including the passage of AB 52 and SB 18 which regard Tribal Cultural Resources. Although new legislation has been adopted, the requirements included therein have been complied with and mitigation measures have been updated for the proposed project.

² City of Lincoln. *Addendum to the Revised Twelve Bridges Specific Plan Subsequent EIR*. September 2012.

Therefore, in November 2023, the City of Lincoln notified five tribes of the proposed amendments to the Village 7 Specific Plan and Village 7 General Development Plan pursuant to SB 18: the UAIC, Colfax-Todds Valley Consolidated Tribe, Nevada City Rancheria Nisenan Tribe, Tsi Akim Maidu, and Wilton Rancheria. Of the foregoing tribes, only the UAIC requested consultation. The UAIC responded with a request to conduct a formal consultation with the City. The UAIC representative provided suggested mitigation language, which have been incorporated as part of this Addendum, as presented in the Modified Mitigation Measure(s) section below. The measures were revised to better reflect current practice, including recognizing the role of the tribes that are traditionally and culturally affiliated with the project site and vicinity in determining the presence and significance of tribal cultural resources, and appropriate methods to treat such resources if they are present. The revisions are refinements to the mitigation measures included in the original 2010 EIR and do not alter the nature or significance of the impacts identified in the original 2010 EIR, as amended.

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to cultural and tribal cultural resources from what has been anticipated for the project site in the 2010 EIR, as amended. Implementation of the mitigation measures in the 2010 EIR would continue to ensure impacts would be less than significant.

Mitigation Measure(s)

Mitigation Measures from Previous CEQA Documents

The following Mitigation Measures from the 2010 EIR would still apply to the proposed project.

- Cultural Resources Mitigation Measure 2; and
- Cultural Resources Mitigation Measure 4.

Modified Mitigation Measures

Cultural Resources Mitigation Measure 3 from the 2010 EIR is still applicable to the proposed project. Minor modifications to the mitigation, which better reflect current practice related to tribal cultural resources and appropriate methods to treat such resources if they are present, are shown in ~~strike through~~ and double-underline format. Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

Cultural Resources Mitigation Measure 3

- a) Prior to any ground-disturbing activities, the consulting tribe(s) shall evaluate the resource identified as UAIC THRS 201608/CHRIS # P-31-2924 to determine if the resource is in an area that would be disturbed by project construction, which may include a site visit. If the consulting tribe(s) identify that the resource is significant and has the potential to be disturbed during project construction, the open space improvements shall be designed to avoid and preserve the resource. The City shall provide the tribe(s) the opportunity to survey for any additional tribal cultural resources, prior to any ground disturbing activities, and provide recommendations for avoidance and protection of the resources.

The City shall consult with the geographically and culturally affiliated tribe(s) regarding protection measures to be implemented. The protection measures shall be written in clear, enforceable language. The City shall provide the tribe(s) the opportunity to submit

comments and participate in consultation regarding the protection measures. The project applicant shall not implement the protection measures until the tribe(s) approval of such, or, if an agreement cannot be reached after a good-faith and reasonable effort, the City determines that any or all feasible measures have been implemented, and the resource is avoided and protected. The project applicant shall hire a certified tribal monitor to observe all initial ground-disturbing activities (e.g., initial grading and trenching) in the area determined by the consulting Tribe to be culturally sensitive. Additional tribal monitoring of ground-disturbing activities may be required, based on the sensitivity of the area.

- b) In the event any historic surface or subsurface archaeological features or deposits, including locally darkened soil (“midden”), that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during construction, work within 100 feet of the find shall cease and the City of Lincoln (the City) shall be notified. The project applicant shall consult with a qualified archaeologist, the consulting tribe(s), and the City shall be contacted to determine if the resource is significant. If the find is determined to be of significance (i.e., because the find is determined to constitute either an historical resource, unique archaeological resource, and/or a tribal cultural resource), then representatives of the City, the geographically and culturally affiliated tribal representative (for prehistoric and tribal cultural resources), the qualified archaeologist, and consulting tribe(s) shall meet to determine the appropriate course of action, with the City making the final decision. All significant cultural materials that cannot be avoided in place shall be collected by the Tribal Monitor and stored in a secure location on site, such as a lock box or conex. All materials shall be reburied in an area that is predetermined to not have future ground-disturbing activities. This area shall be recorded using GPS by the consulting tribe and the location kept confidential in the tribal database. resources (such as grinding stones and mano fragments) shall be donated to an appropriate cultural center.

~~—When Native American archaeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archaeologists who are either certified by the Society of Professional Archaeologists (SOPA) or meet the federal standards as stated in the Code of Federal Regulations (36 C.F.R. 61), and Native American representatives who are approved by the local Native American community as scholars of their cultural traditions.~~

- ~~c) In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. When historic archaeological sites or historic architectural features are involved, all identification and treatment is to be carried out by historical archaeologists or architectural historians. These individuals shall meet either SOPA or 36 C.F.R. 61 requirements.~~

- ~~d)c) _____~~ If human bone or bone of unknown origin is found during construction, all work shall stop within 100 feet of the find and the City of Lincoln and Placer County Coroner shall be contacted immediately. If the remains are determined by the County coroner to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, who shall notify the person it believes to be the most likely descendent. The most likely descendent may make recommendations to the project applicant and/or shall work with the contractor to for means of treating or disposing of, with

appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. The City shall be responsible for approval of recommended mitigation as it deems appropriate, taking into account the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98, develop a program for reinterment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the project applicant has implemented the approved mitigation, to be verified by the City ~~identified appropriate actions have been carried out.~~

Additional Project-Specific Mitigation Measures

None required.

Remaining CEQA Topics

In addition to the CEQA topics discussed in the previous sections of this Addendum, the 2010 EIR included analysis of the following issue areas:

- Land Use;
- Population, Employment, and Housing;
- Noise;
- Hazardous Materials and Public Safety;
- Hydrology and Water Quality;
- Public Services and Utilities; and
- Visual Resources.

The proposed project would require approval of amendments to the Village 7 General Development Plan and the Village 7 Specific Plan as amended. The existing land use designations would be minimally changed as a result of the proposed project. The land use changes as a result of the proposed project would allow for cohesive open space areas and larger parks rather than the previously proposed smaller park spaces within the two portions of the proposed project. These changes would result in the following acreage changes for the proposed land use designations of the overall project, as previously shown in Table 1: the removal of 4.5 acres of Village Estates, a 5.3-acre increase in Village Low Density Residential, a 14.1-acre increase in Village Medium Density Residential, a 7.8-acre decrease in Village High Density Residential, an 7.3-acre decrease in Village Mixed Use Commercial, a 12.1-acre decrease in Village Parks and Recreation/Linear Parkway, a 12.1-acre increase in Village Open Space/Major Paseo, and a 0.2-acre increase in Public.

The 2010 EIR determined that the previously approved Village 7 project would result in the conversion of Farmland to urban uses and concluded a significant and unavoidable impact for which the City of Lincoln adopted a Statement of Overriding Considerations. In addition, while the 2010 EIR determined that buildout of the Lewis Property within the Village 7 Specific Plan area, which includes the project site, could result in impacts related to internal land use incompatibilities and incompatibilities with adjacent land uses, Mitigation Measures 4.1-1(A), which would require the applicant to construct fencing and or post signs to inform the public of sensitive wetland/wildlife areas within the open space areas neat the Orchard creek wetlands preserve, and 4.1-2(A), which would require the record disclosure concerning all residential properties within the C1 and D zones regarding noise and safety issues. Implementation of the foregoing mitigation measures would ensure that the proposed project would not result in any new or

significantly more severe impacts related to land use relative to what has been previously analyzed for the site in the 2010 EIR, as amended.

The 2010 EIR determined that population growth rates associated with the approved project were consistent with the City of Lincoln's growth projections for the Specific Plan area. Thus, the 2010 EIR determined that the impact of the approved project on population and housing would be less than significant. Because the proposed project would not result in additional residences beyond what was anticipated in the 2010 EIR, the proposed project would not result in any new or substantially more severe impacts to population and housing relative to what has been previously analyzed in the 2010 EIR, as amended.

The proposed project would not include new land uses from what was previously anticipated. Although the proposed changes include the aforementioned acreage changes for the proposed land use designations of the overall project; the removal of 4.5-acres of Village Estates, a 5.3-acre increase in Village Low Density Residential, a 14.1-acre increase in village medium density residential, a 7.8-acre decrease in Village High Density Residential, an 7.3-acre decrease in Village Mixed Use Commercial, a 12.1-acre decrease in Village Parks and Recreation/Linear Parkway, a 12.1-acre increase in Village Open Space/Major Paseo, and a 0.2-acre increase in Public, the proposed changes do not involve new designations beyond what was previously anticipated. In addition, although the project includes these changes to land use designations, the total number of proposed residential units would not change. Therefore, future operation associated with the Village 7 Specific Plan would not be significantly different than previously anticipated. Thus, the proposed project would not result in any new or significantly more severe impacts related to operational noise from what has been previously analyzed for the approved project in the 2010 EIR, as amended. In addition, the proposed project would result in future buildout at a duration and intensity similar to what was previously analyzed in the 2010 EIR for the approved project. Therefore, the proposed project would not result in new or substantially more severe construction noise impacts. Mitigation Measure 4.5-1(A) from the 2010 EIR which would require contractors to comply with construction hour limitations, obtain equipment mufflers to mitigate noise, keep equipment as far away from existing residences as possible, and require construction operators to shut off equipment when not in use, would still apply to the proposed project.

As noted previously, the area of disturbance associated with the proposed project would not extend beyond the boundaries of the overall Village 7 Specific Plan area analyzed in the 2010 EIR or expand beyond any previous development. In addition, the proposed project would not contain new land use designations that would generate or transport hazardous materials. Thus, the proposed project would not substantially increase quantities of hazardous materials relative to the approved project and would not expose people to new or substantially more severe hazards. As a result, the proposed project would not result in any new or substantially more severe impacts related to hazards and hazardous materials relative to the approved project. Nonetheless, Mitigation Measure 4.6-2(A), which would require construction activities to halt if hazardous materials are found on site, would still be required to ensure the construction of the proposed project would not result in the generation or exposure of hazardous materials that could create a health or safety hazard to workers, the public, or the environment, or create a health hazard to workers, the public, and the environment due to previously unidentified contaminated soil and groundwater.

The 2010 EIR determined that the approved project would result in impacts related to Hydrology and Water Quality by increasing the amount (volume) of stormwater runoff discharged to Ingram Slough and Orchard Creek, as well as increasing the types and amounts of pollutants in stormwater runoff that could be discharged to Ingram Slough. Accordingly, the proposed project would be required to comply with Mitigation Measures 4.7-2(A), which would require the applicant to identify storage capacity in the watershed to accommodate increased stormwater runoff and cover its fair share of costs associated with

construction maintenance, etc. of regional retention facilities, and 4.7-4(A), which would require the conditions of approval to specify the Best Management Practices (BMPs), identify proposed water quality facilities, and incorporate long term maintenance provisions within the Stormwater Management Plan. With implementation of the above mitigation measures, the fact that the proposed project would include a similar amount of ground disturbance to what was previously analyzed, and that development beyond what has already been approved is not proposed; the proposed project would not result in new or significantly more severe impacts related to hydrology and water quality from what was previously analyzed in the 2010 EIR, as amended.

The 2010 EIR determined that the approved project, combined with other development in the City of Lincoln, could require the expansion or construction of a wastewater treatment facility, and the 2010 EIR, as amended concluded a significant and unavoidable impact for which the City adopted a Statement of Overriding Considerations. In addition, the 2010 EIR concluded that the approved project could increase demand on water supplies such that existing entitlements are not sufficient. Mitigation Measure 4.9-17(A), which would require that prior to recordation of a Final Map, the City of Lincoln shall obtain necessary entitlements demonstrating there will be adequate water supply, with which the project would be required to comply, would reduce impacts related to the project's demand on the existing water supply to less than significant. Thus, with implementation of the aforementioned mitigation measure, the proposed project would not result in any new or significantly more severe impacts related to land use relative to what has been previously analyzed for the site in the 2010 EIR, as amended.

The proposed project would include land use designation acreage changes resulting in the removal of 4.5 acres of Village Estates, a 5.3-acre increase in Village Low Density Residential, a 14.1-acre increase in Village Medium Density residential, a 7.8-acre decrease in Village High Density Residential, an 7.3-acre decrease in Village Mixed Use Commercial, a 12.1-acre decrease in Village Parks and Recreation/Linear Parkway, a 12.1-acre increase in Village Open Space/Major Paseo, and a 0.2-acre increase in Public. The proposed land uses would be generally consistent with the residential uses that were previously approved for the project site. As such, the proposed project would not have adverse effects related to Aesthetics beyond what was previously analyzed for the site in the 2010 EIR, as amended. Nonetheless, Mitigation Measure 4.10-2(A), which requires that all lighting be shielded and directed such that adjacent properties are not illuminated, would still be required of the proposed project.

Mitigation Measure(s)

Mitigation Measures from the Previous CEQA Documents

The following Mitigation Measures from the 2010 EIR would still apply to the proposed project.

- Mitigation Measure 4.1-1(A);
- Mitigation Measure 4.1-2(A);
- Mitigation Measure 4.5-1(A);
- Mitigation Measure 4.6-2(A);
- Mitigation Measure 4.7-2(A);
- Mitigation Measure 4.7-4(A);
- Mitigation Measure 4.9-17(A); and
- Mitigation Measure 4.10-2(A).

Modified Mitigation Measures

None required.

Additional Project-Specific Mitigation Measures

None required.

Conclusion

As established in the discussions above, although this Addendum includes minor modifications to mitigation measures set forth in the 2010 EIR related to cultural resources, the proposed project would not result in any new significant information of substantial importance, new impacts, new mitigation measures, new or revised alternatives, or an increase the severity of previously identified impacts that would require major revisions to the original 2010 EIR, as amended. As such, the proposed project would not result in any conditions identified in CEQA Guidelines Section 15162, and a subsequent EIR is not required.

Appendix

Updated Village 7 Specific Plan Mitigation Monitoring Plan

APPENDIX
UPDATED VILLAGE 7 SPECIFIC PLAN MITIGATION MONITORING
PLAN