



# City of Elk Grove NOTICE OF DETERMINATION

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

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

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

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

**SUBJECT:** *Filing of Notice of Determination in compliance with Section 15075 of the CEQA Guidelines.*

**STATE CLEARINGHOUSE NUMBER:** SCH# 2022010079

**PROJECT TITLE:** Grant Line Road Construction Aggregate Production and Recycling Facility Amendment (PLNG24-016)

**PROJECT APPLICANT:** Vulcan Materials Company  
Terry Marshall  
40450 East Highway 145  
Madera, CA 93636  
(559) 770-7793

**PROJECT LOCATION:** Elk Grove California, Sacramento County

**ASSESSOR'S PARCEL NUMBER(S):** 134-0181-042

**PROJECT DESCRIPTION:** The proposed Grant Line Construction Production and Recycling Facility Amendment Project ("Project") consists of a Conditional Use Permit Amendment and Minor Design Review Amendment to the previously approved Grant Line Road Aggregate Production and Recycling Facility project (PLNG21-001) to revise the site plan to add additional truck parking and storage only in a gravel area on the northwest side of the property.

On the basis of the whole record, there is no substantial evidence that the Project as designed and mitigated will have a significant effect on the environment. An Addendum to the certified Grant Line Road Construction Aggregate Production and Recycling Facility project Environmental Impact Report (EIR) has been prepared and completed in accordance with the CEQA. All potentially significant effects have been adequately analyzed in the Grant Line Road Construction Aggregate Production and Recycling Facility EIR. The EIR and Addendum adequately address all environmental issues related to the development of the subject property, and there are no new subsequent significant environmental impacts as a result of this Project. None of the conditions calling for the preparation of a subsequent EIR or negative declaration are present. The Addendum reflects the independent judgment and analysis of the City;

Pursuant to Public Resources Code, Section 21081 and CEQA Guidelines, Section 15091, all the proposed mitigation measures described in the Addendum and the previously adopted EIR are feasible, and therefore shall become binding upon the City; and

To the extent that these findings conclude that various mitigation measures outlined in the Addendum and the certified EIR are feasible, the Planning Commission hereby binds itself and their assigns and successors in interest to implement those measures. These findings are not merely informational but constitute a binding set of obligations that will come into effect when the Project is constructed.

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

The Grant Line Road Construction Aggregate Production and Recycling Facility project (PLNG21-001) and an Environmental Impact Report (EIR) were approved by the Planning Commission on July 6, 2023 (State Clearinghouse No. 2022010079).

In conjunction with the adoption of the EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Project. The adopted Mitigation Measures remain feasible.

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

- (A) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the State CEQA Guidelines describes the situations when a Subsequent EIR (SEIR), or negative declaration should be prepared. These conditions include:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to

the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(a) The project will have one or more significant effects not discussed in the previous EIR;

(a) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or

(d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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

The Addendum determined that the proposed amendment would not result in any of the conditions described in the State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR. Since the certification of the EIR in 2023, the protection status of the western burrowing owl has changed from being designated a California Department of Fire and Wildlife (CDFW) species of Special Concern to a candidate species for listing under the California Endangered Species Act (CESA), which temporarily affords the species protections, such as prohibitions against "take" without permit authorization while CDFW conducts a review to confirm whether listing is warranted. The definition of take is to "hunt, pursue, catch, capture, or kill or attempt to hunt, pursue, catch, or kill". The corresponding western burrowing owl mitigation measure was updated to reflect this change (MM 3.3-2a and MM3.3-2B). It was determined that no other revisions to the mitigation measures are required. Therefore, implementation of the amendment is adequately addressed by the certified EIR and no new or substantially more adverse impacts would occur through implementation of the proposed amendment.

Based on the analysis provided through the attached Addendum, and the whole record, the Planning Commission finds the above conditions (A through E) are met, therefore the Addendum prepared to the Grant Line Road Construction Aggregate Production and Recycling Facility EIR is the appropriate environmental review document.

This is to certify that the Addendum and the adopted EIR are available to the General Public at:  
City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE  
Community Development -  
Planning

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Kyra Killingsworth  
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Date: May 16, 2025

**Figure 1 – Vicinity Map**

