

INDIVIDUAL COMMENTERS

To: Gail Furness de Pardo
City of Folsom Community Development Department
50 Natoma Street
Folsom, CA 95630

Concerning the Draft EIR on the SOI south of Hwy 50 development

Dear Gail,

I have reviewed the plans and the EIR concerning the proposed development south of highway 50. I found the proposed development and EIR to be quite distressing and I am stating clearly that I am against the proposed development of this property.

While I agree Folsom should have control over this land due to its proximity, I also believe that development of this land would be tragic. The EIR supports my concerns. We as the people of the State of California, and residents of Sacramento County, have put into place several laws, statutes and ordinances to protect this type of property.

This is the last undeveloped, unobstructed view of rolling hills grassland and oak tree groves in the area. This is a scenic route, a wetland/ waterway and protected oak grove.

As for me, my friends and family are long time residents of the area and no one I have explained this development to would agree to develop here. Most had not even heard of what Folsom is planning.

Our family has lived in the area for over 100 years and we should definitely have a say as to what happens here.

Please reconsider the plan to develop this area, and stick with finishing the Mall, take inventory of the already vacant business suites and unfinished or vacant homes in the area. We as a city are not under pressure at this time to build a project south of hwy 50 and the devastating effects will last forever.

Save our Scenery Now!!



Debbie Meier
Resident of Folsom

Letter
Meier-1
Response

Debbie Meier
No date

Meier-1-1

The comment expresses opposition to the project. The comment states that several laws, statutes, and ordinances are in place to protect the SPA. The comment further states that the SPA has unobstructed views of rolling hills, grassland, and oak tree groves, and that the SPA is a scenic route, a wetland/waterway, and a protected oak grove. The comment states that the Mall should be finished and that the City is not under pressure to develop south of U.S. 50.

See responses to comments Meier-2-1 through Meier-2-4.

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TAYLOR & WILEY

A PROFESSIONAL CORPORATION

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KATHLEEN R. MAKEL

July 15, 2010

Ms. Gail Furness de Pardo
City of Folsom Community Development Department
50 Natoma Street
Folsom, CA 95630
gdeparado@folsom.ca.us

Ms. Lisa Gibson
U.S. Army Corps of Engineers
1325 J Street, Room 1480
Sacramento, CA 95814-2922
Lisa.M.Gibson2@usace.army.mil

Re: Request that Folsom South of U.S. 50 Specific Plan Project DEIR and DEIS
Comment Period be Extended an Additional 180 Days. (SCH#2008092051)

Dear Ms. Furness de Pardo and Ms. Gibson:

On behalf of Teichert Aggregates Inc., we are hereby requesting that the City of Folsom and U.S. Army Corps of Engineers extend the comment period on the Folsom South of U.S. 50 Specific Plan Project DEIR and DEIS for an additional 180 days, that is, to March 9, 2011. Teichert Aggregates Inc. has a pending application for an aggregate quarry ("Teichert Quarry") on property located directly south of the proposed specific plan project. The comment period for the Teichert Quarry project DEIR was open for over twenty-two months in part due to the City of Folsom's request that the Sacramento County Planning Commission not close the comment period. In fact, as recently as July 12, 2010 a high ranking City official again, at a Planning Commission hearing, requested that the comment period remain open. That request was, however, denied, again after a twenty-two plus month comment period.

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Ms. Gail Furness de Pardo and
Ms. Lisa Gibson
July 15, 2010
Page 2 of 2

Given the magnitude of the specific plan project, its regional policy significance and the sheer size of the document, the City and Army Corps should provide adequate time for the public to review and comment on the document. Forty-five days for the DEIR and sixty days for the DEIS certainly is not a reasonable review period. Given the factors provided above, we would anticipate that the City and Army Corps will honor this request.

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Thank you for your attention to this matter.

Very truly yours,



John M. Taylor

cc: Everett Palmer
Bruce Cline
Paul Hahn
Joyce Horizumi
Michael Smith

- Teichert-1-1 *The comment requests an extension of the public review period for the DEIR/DEIS to March 9, 2011—an additional 180 days.*
- See response to comment Sac Cnty-1-1.
- Teichert-1-2 *The comment states that the comment period for the Teichert Quarry project DEIR in Sacramento County was held open for over 22 months, in part due to a request from the City of Folsom that the comment period not be closed.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- Teichert-1-3 *The comment requests additional time for public review of the DEIR/DEIS because the review period is not considered reasonable given the size of the project and the size of the document.*
- See response to comment Sac Cnty-1-1.

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From: hafta [mailto:hafta@sbcglobal.net]
Sent: Saturday, July 17, 2010 5:44 PM
To: Gail Furness De Pardo
Subject: Sphere of Influence - Draft EIR

Please consider building more narrow (or one-way) residential streets.

The benefits include:

1. vehicles drive more slowly on narrow roads
2. the trees have the ability to shade the road and to create a beautiful canopy
3. the neighbors are able to speak to eachother across the street
4. reducing pavement reduces summer heat, along with reduced street area to maintain

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Thank you.

Lynne Sperry

141 Dulverton Circle (Lexington Hills development)

Folsom, CA

Sperry-1

The comment states that the project should include more narrow or one-way residential streets to induce lower traffic speeds.

Circulation Objective 7.1 on page 7-5 of the FPASP (Appendix N of the DEIR/DEIS) states that the SPA is designed to be consistent with the policies of the California Complete Streets Act of 2008. One of the primary aspects of this law concerns narrower residential streets. Local streets in the SPA (see FPASP, Appendix N of the DEIR/DEIS) would be only 36 feet wide from curb-to-curb, which would be at least 4 feet narrower than the City's existing residential street width standard. This would provide sufficient width for vehicle travel while still allowing on-street parking and meeting minimum access clearance requirements for emergency vehicles, in addition to helping induce lower traffic speeds.

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July 17, 2010

Bagley

To Whom It May Concern:

I received the notice about developing the City of Folsom south of Hwy. 50.

Several months ago at a local church a gentleman gave us a briefing on the plan. I am very much in favor of the extension as long as there is adequate water, and also that the native trees are spared. The City of Folsom has much traffic congestion and can really no longer expand, except UP - and who wants that! Thank you very much for allowing citizens to express one's opinion.

Sincerely yours,
Beverly A. Bagley
334 Raymond Lane
Folsom, Ca. 95630

Bagley-1

The comment expresses general support for the project, provided that adequate water exists and native trees are spared.

Section 3A.18, “Water Supply,” of the DEIR/DEIS discusses water supply for the project, including alternative water supply sources as required under *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, and provides mitigation measures that would reduce impacts to a less-than-significant level. Impact 3A.3-5 (on pages 3A.3-75 through 3A.3-88 of the DEIR/DEIS) and Impact 3B.3-5 (on pages 3B.3-58 through 3B.3-60 of the DEIR/DEIS) discuss potential impacts to oak trees and determined the impacts to be significant and unavoidable for the “Land” portion of the project and less than significant for the “Water” portion of the project.

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From: charlady08@aol.com [mailto:charlady08@aol.com]
Sent: Sunday, July 18, 2010 5:09 PM
To: Gail Furness De Pardo; Racerhune@comcast.net; chapo@starstream.net;
chapo@starstream.net; davecorinne@yahoo.com; dcgokey@yahoo.com; Hardingz@aol.com;
highlife@cwnet.com; jancarpol@yahoo.com; joycezink@att.net; knrmichelson@sbcglobal.net;
ljostrom@surewest.net; MYRAROOKER@aol.com; Sandra_Michelson@comcast.net;
topcat4@sbcglobal.net; TaBoPhNo@sbcglobal.net; vascik@columbus.rr.com
Subject: (SOI) 3,510 acres

Why must we ruin forever mother nature. I don't care who pays for the cost of water, schools, and roadways. It is just more water gone, more electricity used, more gas and gasoline. This just makes us more dependent on foreign countries. The pollution would increase. Leave things alone they are doing just fine. Do we really want the hills and pastures to look like the area around the Purple place, that used to be beautiful, now just houses. Maybe a solar energy type construction, windmills or panels to help Folsom with energy to be more efficient, not less. Or plant more Oaks, they survived great for 60 -100 years with out our interference. They give off oxygen. Plants are taken to outer space, they cleans pollution and supply clean air. Let's think green and healthy for our younger generation, like my own grand children. They need pastures, critters and clean air. Don't do it. PLEASE. What a disgrace you will save 30% of 3,510, -----
-----NO !!!!!!!!!!!!! save it all.

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Charlene Michelson, Folsom resident,

Michelson-1

The comment states that depletion of resources (i.e., water, electricity, gas) increases pollution and makes the U.S. more dependent on foreign countries. The comment suggests that the project should help Folsom to be more energy efficient by using solar energy construction. The comment also states that rather than preserving 30% of the project site, all of the project site should be preserved.

Energy efficient features of the project are quantified in the Air Quality Mitigation Plan attached to the DEIR/DEIS as Appendix C2. The DEIR/DEIS evaluates six alternatives for development of the SPA, several of which would preserve more than 30% of the project site (i.e., No USACE Permit, Resource Impact Minimization, Centralized Development, and No Project). However, even under the No Project Alternative (where the project would not be developed), the SPA would remain under the jurisdiction of Sacramento County and since it is zoned Ag-80, up to 44 rural residences could be built (see DEIR/DEIS Chapter 2, "Alternatives," page 2-38). Therefore, even if the project were not built, it is unlikely that the entire site would be preserved.

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From: margaret.williams@edcgov.us [mailto:margaret.williams@edcgov.us]
Sent: Monday, July 19, 2010 10:30 AM
To: Gail Furness De Pardo
Subject: DEIR for SOI Annexation Project

Dear Ms. Furness de Pardo and Folsom City Leaders:

As a long-time residents of Folsom, I am writing to provide my feedback on the Folsom's draft plans for the Annexation of land south of Highway 50. I appreciate that open space is going to be incorporated into the plan. However, my concern is that the proposed plan has too much general commercial space planned along the freeway corridor.

Your plan should be broken up with more open space or with public-quasi public space (such as parks, nature areas or fountains) along the freeway. Too many general commercial buildings along the freeway corridor will be ugly and make us look too much like L.A. Already, there are too many commercial properties on the other side of the freeway and scattered throughout Folsom that remain empty and waiting for someone to lease them. We aren't lacking commercial office space in the city. I especially don't want to see a bunch of fast food restaurants along the freeway. Again, we already have plenty of those on the other side of the freeway. Fast food restaurants should be located more along East Bidwell and father south.

I also think more public art incorporated into public/quasi public areas would be nice, as well as a performing arts center or another community center possibly. The city's current community center is very old and outdated. The biking trails should also continue into the new areas. We want to maintain the character of Folsom and not just be another "big box" community. The north side the freeway is so heavily compacted already. Let's give the other side more breathing room to balance things out.

Thank you for your consideration.

Sincerely,

Margaret Williams
Folsom Resident
(916) 355-8533

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Williams-1-1

The comment suggests that the project should incorporate less commercial development along U.S. 50, citing concerns regarding aesthetics and a belief that too much commercial development already exists within the present-day city limits. The comment also suggests that the project should incorporate public art into public/quasi-public areas and consider possibly adding a performing arts center or community center. The comment also suggests that existing biking trails should continue into the new areas.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Commercial land uses are placed along freeway corridors for economic reasons (e.g., visibility and access). The FPASP provided in Appendix N of the DEIR/DEIS includes the City's aesthetics policies, and Section 3A.1, "Aesthetics" of the DEIR/DEIS provides mitigation measures (for example, Mitigation Measure 3A.1-1 on page 3A.1-25 of the DEIR/DEIS) that are designed to minimize adverse impacts arising from changed land uses along U.S. 50.

As discussed on page 1-9 of the DEIR/DEIS, the project is a specific plan, which is being analyzed at a program level of detail (See Master Response 10 – Programmatic Nature of EIR/EIS Analysis). Considerations such as the placement of public art and the construction of a performing arts center would be addressed at the time that specific tentative maps and/or improvement plans were brought forward.

The comment presumably is requesting that bicycle trails within the existing city limits be continued into the SPA. As shown in the "Bike Lane and Class 1 Trail Exhibit" on page 7-59 of the FPASP in Appendix N of the DEIR/DEIS, the proposed trail network in the SPA would connect with existing trails that are inside the city limits to the north, with existing trails in El Dorado Hills to the east, and with a proposed trail to the west in the proposed Glenborough development (along Alder Creek).

Finally, the bottom of the comment letter contains a confidentiality notice stating that the letter may contain confidential and/or privileged information. The City, however, notes that comment letters received from members of the public on the DEIR/DEIS are public records and are not privileged or confidential. Additionally, the City has a legal obligation to evaluate and provide written responses to any such comments on the DEIR raising environmental issues for inclusion in the FEIR. (See PRC Section 21091[d]; CEQA Guidelines CCR Section 15088[a].) Therefore, the City cannot maintain the confidentiality of this comment letter or its contents. However, the City will not use the letter or its contents in a manner not authorized by law.

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From: margaret.williams@edcgov.us [mailto:margaret.williams@edcgov.us]
Sent: Wednesday, July 21, 2010 12:42 PM
To: Gail Furness De Pardo
Subject: DEIR for SOI Annexation Project - Additional Feedback

Dear Ms. Furness de Pardo and Folsom City Leaders: I wanted to provide some additional feedback regarding the city's draft SOI annexation project.

As much as possible, I would like to see the land developed as a "walkable community". In other words, making things conveniently located for the individuals who live on that side of the freeway where they can walk to the grocery store, schools, parks or other places instead of having to get into their cars to do so. In this case, there would be plenty of walking trails, sidewalks and bike trails incorporated into the plan so that people feel safe to go by bike or foot to their destinations. Services and destinations are centrally located, not on the outer fringes of the community. There are many examples of these walkable communities in Europe, but we don't have enough of these in California. Since you are starting fresh, you can do anything and my hope is that you will take some time to really thoughtfully put this community together. I would like to see it be a model for other communities.

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I found a website with some good information on walkable communities. I am not trying to promote this person or their services, but rather to share the information as an FYI - <http://www.walkable.org/faqs.html> <<http://www.walkable.org/faqs.html>>

Thank you for your time and consideration of my input.

Margaret Williams
Folsom Resident

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Williams-2-1

The comment requests that the land be developed as a “walkable community” and provides an Internet website (i.e., “Walkable Communities.org”) as a suggested source of information.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The walkable character of the Proposed Project Alternative is discussed under the bullet point entitled “Compact Development” as part of Impact 3A.10-2, “Consistency with the SACOG Sacramento Region Blueprint,” on page 3A.10-38 of the DEIR/DEIS. Furthermore, Principle 5 of the FPASP (see DEIR/DEIS Appendix N) calls for compact development, including walkable neighborhoods.

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Kerry Shapiro
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July 27, 2010

VIA E-MAIL AND U.S. MAIL

Gail Furness de Pardo
City of Folsom Community Development Department
50 Natoma Street
Folsom, California 95630

Re: Folsom South of U.S. 50 Specific Plan Project DEIR--Request for Extension of Public Comment Period (SCH #2008092051)

Dear Ms. Furness de Pardo:

On behalf of our clients, Mr. Angelo G. Tsakopoulos and Katherine Tsakopoulos (collectively, "Tsakopoulos"), we hereby request a 180-day extension of the public comment period scheduled for the Folsom South of U.S. 50 Specific Plan Project ("Specific Plan Project") Draft EIR. The current deadline for public comments on the Draft EIR has recently been re-scheduled to September 10, 2010. **We request this comment period be extended to March 9, 2011.** Tsakopoulos owns the Wilson Ranch property located directly south the Specific Plan Project, and Tsakopoulos' lessee, Granite Construction, currently seeks entitlements for the Walltown Quarry project, to mine and produce construction aggregates at the Wilson Ranch property.

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The current September 10, 2010 deadline provides inadequate time for the public and affected parties to comment on the voluminous document prepared by the City of Folsom in coordination with the U.S. Army Corps of Engineers. Given the sheer volume of materials, as well as the regional significance and scope of the Specific Plan Project, we believe that this extension is necessary to allow Tsakopoulos and members of the public adequate opportunity to review, digest, and comment on this massive Draft EIR and supporting materials.

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We believe this requested extension is reasonable, and we note other affected members of the community have made similar requests. Accordingly, we are hopeful that it will be granted. Please call me at the above number if you have questions or would like to discuss this further.

4

Sincerely,



KERRY SHAPIRO of
Jeffer, Mangels, Butler & Marmaro LLP

cc: Mr. Angelo G. Tsakopoulos

- Tsakopoulos-1-1 *The comment requests an extension of the public review period for the DEIR/DEIS to March 9, 2011.*
- See response to comment Sac Cnty-1-1.
- Tsakopoulos-1-2 *The comment, made on behalf of client Tsakopoulos, states that Tsakopoulos owns land adjacent to the SPA and that the owner's lessee, Granite Construction, is seeking entitlements to operate a mining and aggregate production facility, known as the Walltown Quarry, on the property.*
- The comment is noted. The Walltown Quarry project is discussed in Section 4.1.5, "List of Related Projects," on pages 4-15 and 4-16 of the DEIR/DEIS. Furthermore, the Walltown Quarry project is addressed in numerous impact discussions throughout the DEIR/DEIS. The City and USACE note that the Walltown Quarry project would be located approximately 1.2 miles south of the SPA.
- Tsakopoulos-1-3 *The comment states that the review period deadline provided inadequate time for comment on the DEIR/DEIS because of its massive volume and amount of supporting materials.*
- See response to comment Sac Cnty-1-1.
- Tsakopoulos-1-4 *The comment states that the request for an extension of the DEIR/DEIS review period is reasonable and notes that others have made similar requests.*
- See response to comment Sac Cnty-1-1.

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From: Keith Faust [mailto:skeeterfaust@comcast.net]
Sent: Wednesday, July 28, 2010 8:29 PM
To: Gail Furness De Pardo
Subject: Growth

As a resident of Folsom since 1986 Helen and I are totally against new development or expansion South of highway 50. We moved to Folsom in 1986 because of the small town atmosphere, population in 1986 was around 17,000 today its around sixty thousand. I could not vote for anyone who went against the wished of the community. I don't know who you have been talking to but those that I have talked to, do not want development south of 50. We currently avoid Bidwell Street as the traffic is terrible, can you imagine what traffic would be like if you opened development south of 50.

Faust-1

The comment describes changes in population in Folsom since 1986. The comment states that numerous people are opposed to development south of U.S. 50. The comment further states that traffic on Bidwell Street is terrible and that development south of U.S. 50 would exacerbate the traffic conditions.

Cumulative traffic impacts are discussed in Section 3A.15, "Traffic and Transportation," of the DEIR/DEIS (pages 3A.15-79 through 3A.15-158).

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From: Phillip Gardner [mailto:pgardner@sbcglobal.net]
Sent: Thursday, July 29, 2010 8:13 PM
To: Gail Furness De Pardo
Subject: Comment re: South of Hwy 50 Development

My primary concern is Water.

The new development will require a lot of Water and I doubt it is coming from new sources. A decision to proceed with the planned development will most likely have an adverse impact on the current Folsom population in future years.

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I vote NO to the development for this reason.

Phillip Gardner

100 Burrill Drive

pgardner@sbcglobal.net

Gardner-1

The comment states that the new development would require a lot of water and that as a result, planned development would likely have an adverse impact on the current Folsom population.

Impacts related to water supply for the project are discussed in Section 3B.16, “Utilities and Service Systems – Water,” Section 3B.17, “Groundwater Resources – Water,” and Section 3A.18, “Water Supply – Land” of the DEIR/DEIS. The project has been designed to be consistent with Measure W (passed by 69% of the Folsom voters), which requires that the city: “Identify and secure the sources of water supply to serve the SPA without reducing the existing water supply currently serving users to the north of U.S. 50, and at no cost to existing City residents.” (See DEIR/DEIS page 2-5.) The project has also been designed to be consistent with the LAFCo MOU for annexation of the project site, which requires the city to:

Demonstrate that [the City] has a sufficient water supply to serve existing customers, future customers within the existing service area, and all proposed uses within the project site in compliance with the terms and conditions of the Water Forum Agreement. This demonstration must be sufficient for LAFCo to determine water availability per California Government Code section 56668(k). [DEIR/DEIS pages 2-3 through 2-5.]

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From: Guy Knapp [mailto:gknapp@prowestins.com]
Sent: Thursday, July 29, 2010 3:07 PM
To: Gail Furness De Pardo; Rona Knapp
Cc: donc
Subject: Annexation Plan

Ms Gail Furness de Pardo

I find one item in this plan which is both detrimental to the environment and adds unneeded cost. It is the highway 50 crossing for Oak Avenue Park Way.

Environmental:

This bridge will destroy the natural habit of the area surrounding the creek that flows through the area. To put this in will require a major fill that will bury the area and/or a number of bridges that will also change the environment.

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Why do we need this crossing? Oak Ave. Parkway currently dead ends at Iron Point and less than a mile past Blue Ravine. It's function is served as a collector street for the immediate communities and not as a major through fare. Those of us who live "north of 50" have done quite well without an on or off ramp to 50 on Oak Ave. All this does is encourage more vehicle traffic with its resulting pollution. I though the idea of the south of 50 plan was a self service community and the current 50 crossings lead directly to retail & service areas. A crossing at Oak Av will not.

2

Cost:

As I said above there is no need to spend the money to build this overcrossing. Those of us north of 50 do not need it and I do not see why those who will be south of 50 will need or want to pay for it.

3

Regards

Guy Knapp, CPCU, ASLI, ARM, AAI
President

Prowest Insurance Services, Inc.
950 Glenn ST #270
Folsom
Ph 916-673-2000, Ext #127
Fax 916-673-2010
gknapp@prowestins.com

Knapp-1

The comment suggests that the U.S. 50 crossing at the Oak Avenue Parkway would destroy the natural habitat of the creek in the area of the crossing because of the major fill and/or number of bridges that would be required to construct the crossing.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. An evaluation of the impacts to habitat from the Oak Avenue Parkway overcrossing is evaluated as part of the project in Section 3A.3, "Biological Resources," of the DEIR/DEIS.

Knapp-2

The comment questions the need for the Oak Avenue Parkway overcrossing of U.S. 50 because the commenter's understanding is that the roadway is intended to serve as a local collector street, not a major thoroughfare. The comment states that construction of the Oak Avenue Parkway on- and off-ramp would encourage more vehicle traffic with resulting pollution.

The Oak Avenue overcrossing with U.S. 50 is a planned Caltrans improvement and is necessary in order to improve SPA connectivity with the City of Folsom north of U.S. 50 and to allow SPA residents additional access to U.S. 50. Vehicular traffic impacts associated with development of the SPA are evaluated in Section 3A.15, "Traffic and Transportation." Air quality impacts associated with development of the SPA are evaluated in Section 3A.2, "Air Quality."

Knapp-3

The comment states that the residents north of the U.S. 50 do not need the Oak Avenue Parkway overcrossing or want to pay for it.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City believes the overcrossing is necessary in order to provide increased connectivity north and south of U.S. 50. The City notes that pursuant to Measure W, the existing City residents would not be responsible for paying for any improvements required for this project.

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From: Jim & Shirley Watkins [mailto:jim_watkins@att.net]
Sent: Thursday, July 29, 2010 3:30 PM
To: Gail Furness De Pardo
Subject: Potential annexation by Folsom of area south of US 50.

To Whom It May Concern:

I have lived in Folsom for 22+ years and have seen the quality of life deteriorate due to the City's bent on annexation. We don't have enough water for the current residents. We don't have enough money to support the city's activities at a level equal to prior years. The annexation of the area where the auto mall is located has turned into a boondoggle, since so many car dealerships have moved out, taking the sales and transit tax revenue with them. The city is so crowded now, it takes 15 minutes to get to Highway 50, whereas it only used to take 5 minutes. More congestion without enough money does not sound like a prudent idea to me. How about taking the limited amount of funds available and make the quality of life better for the current residents? I know that is in opposition to the way politicians operate, but I think that it is time for some common sense and also time to listen to the current residents.

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Thank you,

Jim Watkins

210 Bittercreek Drive

Folsom, CA

Phone: (916) 983-1617 (H) / (916) 817-7571 (C)

"And whoever welcomes a little child like this in my name welcomes me" (Mt. 18:5)

Please consider raising a child up out of poverty or saving an infant @ www.compassion.com
<<http://www.compassion.com/>>

Watkins-1

The comment states that Folsom does not have sufficient water for current residents and does not have enough money to support City activities. The comment also states that many auto dealerships have left the auto mall area. The comment further states that Folsom faces increased traffic congestion, which will be made worse by implementing the project. Finally, the comment suggests that the City use funds to improve quality of life for existing residents rather than move forward with the project.

Water supply for the project is discussed in Section 3B.16, “Utilities and Service Systems – Water,” Section 3B.17, “Groundwater Resources – Water,” and Section 3A.18, “Water Supply – Land” of the DEIR/DEIS. Project-related traffic impacts are discussed in Section 3A.15, “Traffic and Transportation,” of the DEIR/DEIS. Measure W requires that the city “identify and secure the sources of water supply to serve the SPA without reducing the existing water supply currently serving users to the north of U.S. 50, and at no cost to existing City residents.” (See DEIR/DEIS page 2-5.) The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. The project is also required to be consistent with the requirements of the LAFCo MOU, which is intended to serve as a guide for sound regional long-range planning efforts relative to the annexation of the SPA. The MOU outlines a comprehensive planning process for the project site, including public participation with various stakeholders and the general public. It also addresses a number of issues including water supply, transportation, air quality, schools, and open space that were later incorporated into language found in Measure W (see DEIR/DEIS pages 2-3 through 2-5.)

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Borrego

From: Borrego, Karen [mailto:Karen.Borrek@va.gov]
Sent: Friday, July 30, 2010 12:24 PM
To: Gail Furness De Pardo
Subject: Comment Request

I absolutely do NOT want residents in that area.

--Karen

Karen Borrego

760 Morningside Dr

Folsom, CA 95630

Borrego-1

The comment expresses opposition to the project.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted. The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022.

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From: John Gladding [mailto:jgladding@gmail.com]
Sent: Wednesday, June 30, 2010 9:47 AM
To: Gail Furness De Pardo
Subject: South of 50 Annexation

Hi Gail -

I just wanted to pass some feedback on the Annexation team...

We lost quite a bit of history some years back when the historical city of Prairie City was razed... Prairie City Road and a historical marker are all that's left. Back then people didn't think much of it and just bulldozed the area. I have even heard from some of the old-timers that a chinese cemetery lies under Highway 50; no real thought was put in to it at the time, which is understandable. It was a different time. However no pictures were taken, and everything from that city was just hauled off.

Anyway, my point...

There is likely a decent amount of artifacts still floating around in the area around Prairie City Road, south of 50 in the undeveloped area. Now I'm not saying we should halt construction when the time comes... I'm just saying that we should at least document what's found, ship whatever is discovered to the Folsom History Museum, and move any graves to the Mormon Island cemetery by the dam. If we don't, we lose the context of this old city forever. Even if it's something as simple as GPS coordinates it helps us re-create maps of this old town, which we don't have much of

thanks for your consideration -

John Gladding

Folsom resident and historical advocate

--

Folsom's most popular website
<http://www.myfolsom.com>

Gladding-1-1

The comment states that the potential exists to encounter historic-era cultural resources in the SPA, especially in the vicinity of Prairie City Road.

Known on-site resources were identified during record searches performed for the analysis of impacts on cultural resources (see DEIR/DEIS Section 3A.5, “Cultural Resources”). The potential for impacts on the identified resources and the magnitude of impacts on historic-era resources are described in Impact 3A.5-1 (DEIR/DEIS page 3A.5-17). These resources would be subject to Mitigation Measures 3A.5-1a and 3A.5-1b. Mitigation Measure 3A.5-1a requires that USACE implement a PA that controls identification and management of cultural resources as required under Section 106 of the NHPA (DEIR/DEIS page 3A.5-17). Mitigation Measure 3A.5-1b requires the CEQA lead agency and the project applicants for particular development phases to identify resources that may be eligible for the CRHR and to avoid impacts to eligible resources where possible (DEIR/DEIS page 3A.5-19). DEIR/DEIS Section 3A.5, “Cultural Resources” also considered potential impacts to previously unidentified and currently unknown cultural resources (Impact 3A.5-2, page 3A.5-21) and provides mitigation to conduct construction personnel education, conduct on-site monitoring if required, stop work if cultural resources are discovered, assess the significance of the find, and perform treatment or avoidance as required (Mitigation Measure 3A.5-2, pages 3A.5-21 and 3A.5-22).

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From: C Barreras [mailto:cmb2007@sbcglobal.net]
Sent: Saturday, July 31, 2010 9:07 AM
To: Gail Furness De Pardo
Subject: Folsom's SOI

Hello -

I have been a Folsom resident for over 20 years and this is probably the first time I have a conviction to write about something happening in our city. In response to the mailer I received...

This is NOT the time or place to start plans to develop more. Sure, you might say you're only in the planning stages, but can we first put ALL our attention on reassessing the city as a whole? Every corner at every strip mall has vacancies. There are empty office buildings, empty lots, and empty homes. We need a plan to use what we have.

We DO NOT have a need to build more. We DO have a need to use what we have and make sure everything - resources, time and manpower - are working constantly to make this city vibrant and debt-free.

It's NOT time to discard what we have in the north and move onto the south. The initial proposal was during a healthy economic time. That time is past.

Please reconsider this. The people in Folsom do not need any more empty buildings.

Sincerely,
Connie Barreras
916-983-0812

Barreras-1

The comment expresses opposition to the project. The comment states that Folsom has many vacant homes, lots, and buildings. The comment suggests that Folsom use the resources it already has instead of building new facilities.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted. The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022.

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August 1, 2010

my newspaper smeared the full spelling - sorry

Attention: Gail F. de Prado

City of Folsom
Community Development Department
50 Natoma Street
Folsom CA 95630

Subject: South of 50

Ladies and Gentlemen:

I hope FOR the proposed expansion and development south of highway 50.

I find myself driving either to Citrus Heights, Roseville, or Sacramento for my shopping needs. What a shame to waste the gas and divert revenue from Folsom.

I live in El Dorado Hills. You will see me and my friends shopping at Costco, Kaiser, and Home Depot in Folsom. Oh yes, Wal Mart too! We would all like to keep the money more local. It's not as if we are all rich, but there are many of us. El Dorado Hills is mostly seniors. A shorter drive to a nice store or two would save us traffic, time, and gas money.

More jobs and revenue makes common sense. So do all of us, including Folsom residents, a favor and expand south of 50.

Thank you for considering my thoughts.

Sincerely,



Judy Clark
120 Murray Court
El Dorado Hills, CA 95762

P.S. a few years ago residents up here didn't want Safeway going in at Green Valley & Francisco. Now they love it.

Clark-1

The comment expresses support for the project.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

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Folsom SOI Open House & Public Workshop

Draft Specific Plan & Draft Environmental Impact Report (DEIR)
AUGUST 2, 2010

COMMENT CARD

Comments regarding (circle one): Draft Specific Plan Draft EIR

Comments: ① Inconsistency population and business employees will greatly increase traffic to the planned development area. This will increase exhaust fumes in the area and along routes used to and from the new development. - Traffic backups, stop + start driving will further increase exhaust fumes - damaging the air we breathe and the ecology of the area. COVER (question 2) →

1

Thank you for sharing your comments. They will be forwarded to the appropriate project consultants and City staff.

Name (please print) Evelyn M. Cooke



FOLSOM

② Would the land used for the proposed watershed for the new development be in any way affected by the Toxic Condition of the Aerojet / Gen Cor land close by?

2

Cooke-1

The comment states that increased population and business employees would increase traffic, cause congestion, and increase air pollution (fumes) associated with more stops, starts, idling, and driving to the SPA. The comment further states that the increased air pollution would damage the air and ecology of the area.

This comment generally summarizes the transportation-related, health-based air quality impacts of the project that have been addressed in detail in the DEIR/DEIS. See Section 3A.2, "Air Quality" (pages 3A.2-23 through 3A.2-63) and Section 4.1.7, "Analysis of Cumulative Impacts: Air Quality" (pages 4-22 through 4-28).

With regard to the commenter's statement that increased air pollution would damage the ecology of the area, the Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings.

As explained in the DEIR/DEIS, SMAQMD sets operational pollutant thresholds for the regional ozone precursors reactive organic gasses (ROG) and nitrogen oxides (NO_x), so that the cumulative effects of projects in a region that is in nonattainment for national secondary ozone standards do not interfere with regional air quality and transportation plans designed to achieve the NAAQS (see pages 3A.2-2 through 3A.2-14). Because the project exceeds SMAQMD's thresholds for operational emissions of ROG and NO_x (Impact 3A.2-2, pages 3A.2-42 through 3A.2-43), even after mitigation (i.e., implementation of the Air Quality Mitigation Plan), the project would have a significant and unavoidable impact on regional air quality, including secondary NAAQS for ozone (page 3A.2-43 and Appendix C2).

Cooke-2

The comment asks whether the conveyance infrastructure for the Off-site Water Facility Alternatives would be affected by the presence of pre-existing contamination at the Aerojet and GenCorp properties.

This issue is analyzed in Impact 3B.8-5 on pages 3B.8-21 through 3B.8-22 of the DEIR/DEIS and is identified as potentially significant. Implementation of Mitigation Measures 3B.8-5a and 3B.8-5b (beginning on page 3B.8-16 of the DEIR/DEIS) would reduce this impact to a less-than-significant level.

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Folsom SOI Open House & Public Workshop

Draft Specific Plan & Draft Environmental Impact Report (DEIR)
AUGUST 2, 2010

COMMENT CARD

Comments regarding (circle one): Draft Specific Plan Draft EIR

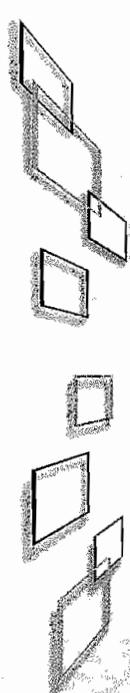
Comments: PAGE 2-3 SECTION 2.4 SURROUNDING USES
DOES NOT NAME OR ADDRESS PRAIRIE CITY SVRA
PRAIRIE CITY SVRA IS AN ESTABLISHED OHV PARK
AND IS WORTH ADDRESSING FOR IMPACTS.

Thank you for sharing your comments. They will be forwarded to the appropriate project consultants and City staff.

Name (please print) JASON DEWALL



FOLSOM
SUNSHINE BY DAY



Dewall-1

The comment states that page 2-3 Section 2.4 “Surrounding Uses” does not recognize the Prairie City State Vehicular Recreation Area (SVRA). The comment further suggests that the Prairie City SVRA should be addressed regarding impacts.

The City assumes that this comment pertains to the FPASP (DEIR/DEIS Appendix N). Although the Prairie City SVRA is not specifically mentioned in the FPASP, the SVRA is discussed in Section 3A.12, “Parks and Recreation,” of the DEIR/DEIS as part of the regional environment (see also edits to this section contained in Chapter 5, “Errata” of this FEIR/FEIS). The SVRA is also discussed, and potential environmental impacts to the SPA as a result of proposed placement of on-site noise-sensitive receptors in the vicinity of the SVRA are evaluated, in DEIR/DEIS Section 3A.11, “Noise.”

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From: Leah [mailto:cadancer@sbcglobal.net]
Sent: Monday, August 02, 2010 6:46 PM
To: Gail Furness De Pardo
Subject: Folsom annexing 3500 acres South of Hwy 50

Dear Gail,

I was unable to attend the public meeting this evening, so I'm taking this opportunity to contact you as a member of Folsom's Planning Commission.

I'm very concerned why Folsom would want to expand to the South side of Hwy 50 when they can't even complete the construction on the North side of Hwy 50 on East Bidwell Street.

- * Palladio isn't even near completion.
- * The Senior housing planned hasn't even started to be built. T
- * The land above Costco is supposed to be developed, but it hasn't been.

Without Palladio and some upscale stores coming to Folsom, why would anyone want to buy South of Hwy 50?

What are the chances that construction would be completed there when it can't be completed elsewhere?

Thank you very much for your courtesy and attention to this matter.

Leah Emery

Emery-1

The comment states concern regarding expansion south of U.S. 50 because the Palladio project has not been completed, construction has not yet begun on planned senior housing, and land above Costco has not been developed as planned.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City is planning ahead for future growth that it anticipates will occur over the next 15-20 years. Development of the SPA would be market-driven and would be based on economics, and therefore would not occur until the market would support a demand for the project.

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From: John Gladding [mailto:jgladding@gmail.com]
Sent: Monday, August 02, 2010 9:27 AM
To: Gail Furness De Pardo
Subject: Street Names

I would like to formally comment on future street names for the Folsom annexation... I think the unnamed "Street 'A'" should be named after the late Johnny Cash - Johnny Cash Parkway. We had a great opportunity with the bridge and fumbled it. I would not like to see this happen again. I would also suggest we not leave it in the hands of city council.

1

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Folsom's most popular website
<http://www.myfolsom.com>

Gladding-2-1

The comment suggests that the unnamed street "A" should be named after the late singer Johnny Cash.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

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Folsom SOI Open House & Public Workshop

Draft Specific Plan & Draft Environmental Impact Report (DEIR)
AUGUST 2, 2010

COMMENT CARD

Comments regarding (circle one): Draft Specific Plan Draft EIR

Comments:

As a long-time Folsom resident, I appreciate the extensive and thoughtful planning effort. The city staff and elected members should be complimented on their vision. Our great neighborhoods are due to your professional planning efforts. Well done.

Morissette-1

The comment compliments City staff and officials for professional planning efforts.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

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Public
Hearing 1

D-1 cont.

1 We love Folsom. We want to stay here. I
 2 am hoping they will do something like a Four
 3 Seasons or small mini Del Webb community. Folsom
 4 has nothing.
 5 We didn't move to Sun City, Roseville, or
 6 Lincoln or Four Seasons, El Dorado County because
 7 we can't take our tax base with us. And we were
 8 told -- I was told I was -- with the tax base we
 9 need something for the seniors. Kaiser is right
 10 here. Our homes are here. We're -- our families
 11 -- we want to stay here.
 12 How can I add to that? You know, if
 13 you're going to plan a community, you know, the
 14 grandparents, they want to live where their
 15 families are. We don't want to be -- we are not
 16 ready for -- we are living longer. They're not
 17 ready for assisted living. We just want our own
 18 small Del Webb community without having to move
 19 to Arizona or Roseville or those kinds of places.
 20 And that's going to go to City Counsel?
 21 Phone is (916) 539-8896, and Security
 22 Pacific Real Estate. A lot of our seniors are
 23 ready to make this move. We want to stay in
 24 Folsom. There's a small retirement community on
 25 Sibley Street. That's very small, not many

5

1 to the grading ordinances and hillside guidelines.
 2 That the roadways to the best percentages
 3 possible be laid out to go along with the contour
 4 of the land.
 5 And that there be an established
 6 retaining wall ordinances, which recent retaining
 7 wall ordinances that would limit the height of the
 8 retaining wall to no more than eight feet for a
 9 setback ratio to be -- is there a one to three or
 10 three to one -- three to one. And the materials
 11 for the retaining walls to be a color to be
 12 natural to blend with the surrounding landscape.
 13 On the Highway 50 corridor, closest to
 14 Empire Ranch Road interchange -- proposed
 15 interchange -- that the large commercial lot that
 16 is now there to be something other than so that
 17 excessive grading is to be avoided.
 18 The corridor that the -- the area in
 19 between Scott Road and Empire Ranch Road that
 20 parallels Highway 50 for there to be sensitivity
 21 to the land use so that excessive grading is to
 22 be avoided for the purpose so that we do not
 23 duplicate the Costco project on the other side of
 24 the freeway.
 25 Contact me via e-mail at canuhike@aol.com

7

F-1 cont.

E-1

1 amenities.
 2 Philip Rose, R-O-S-E.
 3 The two roads that we're talking about
 4 that cross Placerville road -- Old Placerville
 5 Road, they will also cross a JPA transportation
 6 corridor for the railroad which seems to me that
 7 not much thought was given to -- to what -- how
 8 the roads are going to cross the railroad
 9 right-of-way.
 10 Now, if they cross a grade, then the
 11 value of the transportation corridor is much
 12 reduced because whether it be a trail or a
 13 railroad you're going to have to cross busy
 14 roads. Those two new roads need to be planned
 15 with "overbridges," you know, even if it ends up
 16 to being a class-one bike trail you would still
 17 need to cross over that bike trail. So that's
 18 why I want those bridges. I want two bridges
 19 over the railroad JPA right-of-way.
 20 psrose@att.net.
 21
 22 Wendy Campbell.
 23 So let me put it out there. Could there
 24 be a condition of approval by the environmental
 25 impact report that the City of Folsom must adhere

6

1 C-A-N-U-H-I-K-E, at A-O-L dot com.
 2 (Proceedings adjourned at 7:11 p.m.)
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F-1

1 STATE OF CALIFORNIA,)
2)
3 COUNTY OF CALAVERAS.)
4 I, SUSANA R. ABEYTA, a Certified
5 Shorthand Reporter in and for the County of
6 Calaveras, State of California, do hereby
7 certify:
8 That on August 2, 2010, thereof, at the
9 Folsom public hearing/meeting on the Folsom South
10 of U.S. 50 Specific Plan Project. Public comment
11 participants appeared before me for the purposes
12 of giving oral comments; I took down all the oral
13 comments of the Folsom public hearing
14 participants in shorthand notes given to me at
15 the time; I thereafter transcribed my shorthand
16 notes of such comments by computer-aided
17 transcription, the above and foregoing being a
18 full, true, and correct transcript of all
19 proceedings had and oral comments given.
20
21
22 SUSANA R. ABEYTA, CSR #13372
23 Certified Shorthand Reporter
24
25

Public Hearing 1

<p style="text-align: center;">A</p> <p>ABEYTA 1:20 9:4,21 acres 4:18 activity 3:10 add 5:12 adhere 6:25 adjourned 8:2 ago 4:16 allow 3:19 amenities 6:1 amount 3:17 appeared 9:11 approval 6:24 area 3:18 4:17 7:18 Arizona 5:19 assisted 5:17 ASSOCIATES 1:22 attention 3:4 August 1:8 3:1 9:8 AVAILABILITY 1:4 avoided 7:17,22 A-O-L 8:1</p> <hr/> <p style="text-align: center;">B</p> <p>balanced 3:8 base 4:25 5:7,8 Batellan 2:9 4:5 Battery 1:24 Benedict 2:3 3:3,12 best 7:2 bike 3:23 6:16,17 blend 7:12 bridges 6:18,18 bring 3:4 BROWN 1:22 busy 6:13 B-A-T-E-L-L-A-N 4:6 B-E-N-E-D-I-C-T 3:3</p> <hr/> <p style="text-align: center;">C</p> <p>CA 1:13,24 2:10 Calaveras 9:2,6 California 1:1 9:1,6 called 3:10 CAMBELL 2:18 Campbell 6:22 cannbike@aol.com 2:19 7:25 CENTER 1:11 Certified 9:4,22 certify 9:7 Circle 2:10 4:6 city 1:2,11 3:9 5:5,20 6:25 class-one 6:16 class-two 3:22,23 closest 7:13 color 7:11</p>	<p>com 8:1 comment 9:10 comments 9:12,13,16 9:19 commercial 7:15 community 1:11 4:19 5:3,13,18,24 complete 3:24 4:2 computer-aided 9:16 condition 6:24 Contact 7:25 contour 7:3 correct 9:18 corridor 6:6,11 7:13,18 Costco 7:23 Council 5:20 county 4:24 5:6 9:2,5 cross 6:4,5,8,10,13,17 CSR 1:20 9:21 C-A-N-U-H-I-K-E 8:1</p> <hr/> <p style="text-align: center;">D</p> <p>Davis 4:15 Del 4:19 5:3,18 DEPOSITION 1:23 develop 4:12 developed 4:17 disc 3:5,11 disgolfrevolution@... 2:4 Dorado 5:6 dot 8:1 DRAFT 1:4 duplicate 7:23</p> <hr/> <p style="text-align: center;">E</p> <p>eight 7:8 El 5:6 Empire 7:14,19 ends 6:15 environmental 1:4 6:24 Espanol 2:10 4:6 established 7:5 Estate 2:13 5:22 excessive 7:17,21 e-mail 7:25</p> <hr/> <p style="text-align: center;">F</p> <p>families 5:10,15 feet 7:8 fields 4:11 first 4:17 Floor 1:24 Folsom 1:2,6,11,13 2:6 2:10 3:6,15 4:6 5:1,3 5:24 6:25 9:9,13 foregoing 9:17 Four 4:19 5:2,6</p>	<p>Francisco 1:24 freeway 7:24 Friends 2:6 3:15 full 4:11 9:18</p> <hr/> <p style="text-align: center;">G</p> <p>general 3:6,11,16 given 6:7 9:14,19 giving 9:12 go 3:19,20 4:8 5:20 7:3 going 5:13,20 6:8,13 golf 3:5,11 good 4:11 grade 6:10 grading 7:1,17,21 grandparents 5:14 guidelines 7:1</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 9:13 hearing/meeting 9:9 height 7:7 Highway 7:13,20 hillside 7:1 homes 4:23 5:10 hoping 5:2 hyphen 4:15</p> <hr/> <p style="text-align: center;">I</p> <p>idea 4:11,12 impact 1:5 6:25 include 3:10 included 3:5 influence 3:7,12 initial 4:1 interchange 7:14,15 interest 3:7</p> <hr/> <p style="text-align: center;">J</p> <p>JAN 1:22 Jessica 2:12 4:14 Jim 2:6 3:14 jinkirstein@earthlin... 2:7 4:4 JPA 6:5,19</p> <hr/> <p style="text-align: center;">K</p> <p>Kaiser 5:9 kinds 5:19 Kirstein 2:6 3:14 know 5:12,13 6:15 K-I-R-S-T-E-I-N 3:14</p> <hr/> <p style="text-align: center;">L</p> <p>laid 7:3 land 7:4,21 landscape 7:12 lanes 3:23</p>	<p>large 7:15 limit 7:7 Lincoln 5:6 live 4:8 5:14 living 5:16,17 LOCATION 1:11 longer 5:16 look 3:25 4:9 lot 5:22 7:15 love 5:1</p> <hr/> <p style="text-align: center;">M</p> <p>maintain 4:23 master 3:6,11 materials 7:10 MEETING/HEARL... 1:5 mini 5:3 move 4:24 5:5,18,23</p> <hr/> <p style="text-align: center;">N</p> <p>NATOMA 1:12 natural 7:12 need 3:5,21,24 5:9 6:14 6:17 needs 4:10 new 3:6,11 6:14 notes 9:14,16 NOTICE 1:4</p> <hr/> <p style="text-align: center;">O</p> <p>Old 6:4 opportunities 3:8 oral 9:12,12,19 ordnances 7:1,6,7 outdoor 3:10 overbridges 6:15 o0o 3:2 8:3</p> <hr/> <p style="text-align: center;">P</p> <p>Pacific 2:13 5:22 parallels 7:20 PARK 2:6 Parkways 3:15 participants 2:1 9:11 9:14 people 3:19 4:22 percentages 7:2 Philip 2:15 6:2 Phone 5:21 Plaererville 6:4,4 places 5:19 plan 1:6 3:6,11 5:13 9:10 planned 6:14 population 3:18 possible 7:3 president 2:6 3:15</p>	<p>proceedings 8:2 9:19 project 1:6 7:23 9:10 proposed 7:14 provisions 4:18 psrose@att.net 2:16 6:20 public 1:5 2:1 9:9,10,13 public's 3:7 purpose 7:22 purposes 9:11 put 6:23 p.m 1:9 3:1 8:2</p> <hr/> <p style="text-align: center;">R</p> <p>R 1:20 9:4,21 railroad 6:6,8,13,19 Railsback-Davis 2:12 4:14 Ranch 7:14,19 ratio 7:9 Raymond 2:9 4:5 reaction 3:16 ready 5:16,17,23 Real 2:13 5:22 recreational 3:8,10 reduced 6:12 report 1:5 6:25 Reported 1:19 Reporter 9:5,22 requirements 4:2 retaining 7:6,6,8,11 retired 4:22 retirement 5:24 right 5:9 right-of-way 6:9,19 road 6:4,5 7:14,19,19 roads 6:3,8,14,14 roadways 7:2 Rose 2:15 6:2 Roseville 5:5,19 R-A-I-L-S-B-A-C-K 4:15 R-A-Y-M-O-N-D 4:5 R-O-S-E 6:2</p> <hr/> <p style="text-align: center;">S</p> <p>San 1:24 satisfying 4:1 Scott 7:19 Seasons 4:19 5:3,6 Security 2:13 5:21 seniors 4:20 5:9,22 sensitivity 7:20 SERVICES 1:23 setback 7:9 shorthand 9:5,14,15,22 Sibley 5:25 side 7:23</p>
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**Public
Hearing 1**

Sincerely 3:12	<u>Z</u>		
small 4:19 5:3,18,24,25	zip 4:7		
socially 3:8			
South 1:6 9:9	<u>#</u>		
Specific 1:6 9:10	#13372 1:20 9:21		
sphere 3:6,12			
State 1:1 9:1,6	<u>2</u>		
stay 5:1,11,23	2 1:8 3:1 9:8		
stop 3:20	2010 1:8 3:1 9:8		
Street 1:12,24 5:25			
streets 3:25 4:2	<u>3</u>		
Sun 5:5	3rd 1:24		
surrounding 7:12	32 4:21		
SUSANA 1:20 9:4,21	320 2:10 4:6		
	3500 4:18		
<u>T</u>			
take 4:24 5:7	<u>4</u>		
talking 6:3	4:52 3:1		
task-one 3:17	415 1:25		
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Public Hearing 1-A-1 *The comment, made by Terry Benedict, states that disc golf should be included in the general master plan for the SPA because it would be in the public interest to have socially balanced recreational opportunities within the city.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. As shown in the land use plan for the Proposed Project Alternative (DEIR/DEIS Exhibit 2-3, page 2-15), numerous parks are planned in the SPA. Recreational uses in those parks, such as disc golf, would be decided by the city's Parks and Recreation Commission after annexation of the SPA occurs, when specific project-level development proposals were brought forward. The commenter's request is noted.

Public Hearing 1-B-1 *The comment, made by Jim Kirstein, suggests that the project should incorporate additional Class 1 and Class 2 bicycle trails, that such trails should provide connectivity off the SPA, and that the project should incorporate the concept of "complete streets."*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment states a preference for a revised design of the SPA that would include additional Class 1 and 2 bicycle trails, but the comment does not indicate any significant environmental impacts that would be mitigated by such a revised plan. The FPASP (attached as Appendix N of the DEIR/DEIS) includes more than 10 miles of Class 1 and 2 bicycle trails and has been specifically designed to incorporate "complete streets" (see Appendix N pages Summary-7, and 7-55 through 7-59). As shown in the "Bike Lane and Class 1 Trail Exhibit" (Appendix N, page 7-59), the proposed trail network would connect with existing trails to the north and east, and with a proposed trail to the west in the Glenborough development (along Alder Creek).

Public Hearing 1-C-1 *The comment, made by Raymond Batellan, states that the project should be developed.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

Public Hearing 1-D-1 *The comment, made by Jessica Railsback-Davis, states that she was told about 10 years ago that there would be provisions in the SPA for a Four Seasons or a small Del Webb senior community.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. As shown in the land use plan for the Proposed Project Alternative (DEIR/DEIS Exhibit 2-3, page 2-15), the SPA includes a mix of residential uses as well as vertical mixed uses, which would provide ample land zoned to accommodate a variety of uses, including senior communities. The commenter's request is noted.

Public Hearing-1-E1 *The comment, made by Philip Rose, states that the two rail crossings at Placerville Road should be over bridges, regardless of the planned future use of the rail corridor, to avoid having busy street crossings.*

See responses to comments CPUC-2 through CPUC-8 for a discussion of rail safety at grade crossings.

Public Hearing 1-F-1 *The comment, made by Wendy Campbell, proposes that adherence to the City of Folsom's grading ordinance and hillside guidelines should be a condition of approval, and that this requirement should be included in the DEIR/DEIS.*

As stated in DEIR/DEIS Section 3A.7, "Geology, Soils, Minerals, and Paleontological Resources," page 3A.7-32:

"The specific policies that would govern grading in the SPA, as fully detailed in Section A4 of the FPASP, have been designed to comply with the City's Hillside Grading Ordinance. In some cases, policies in the Ordinance have been refined for use specifically within the SPA. As stated in Folsom Municipal Code Section 17.37.010:

The purpose of the SP, specific plan district is to provide a vehicle for implementing the city's general plan on an area-specific basis. A specific plan prepared in accordance with the standards set forth in this chapter is intended to serve as a regulatory document, consistent with the General Plan. In the event there is an inconsistency or conflict between an adopted specific plan and comparable regulations of this code, the specific plan will prevail."

Therefore, according to the Folsom Municipal Code, if there is an inconsistency or conflict between a specific plan and the Hillside Grading Ordinance, the specific plan governs. Thus, the new mitigation measure suggested by the commenter cannot be added to the DEIR/DEIS, because it could potentially result in a violation of the Folsom Municipal Code.

The comment also suggests that as much as possible, roadways should be laid out to follow the contour of the land; that retaining wall ordinances should be established to limit the height of the wall to no more than 8 feet on a 3:1 slope; that the materials used for the retaining walls should blend into the landscape; that the commercial center proposed near the near Empire Ranch interchange should be changed to some other land use so that excessive grading is avoided; and that the land uses in the area along U.S. 50 between Scott Road and Empire Ranch Road should avoid excessive grading.

With regards to the commenter's suggestions that roadways should be laid out to follow the contour of the land (see FPASP, Appendix A.4, Grading Standards, attached to the DEIR/DEIS as Appendix N); and that the materials used for the retaining walls blend into the landscape (see FPASP, Appendix A.4, Grading Standards, attached to the DEIR/DEIS as Appendix N). The commenter's suggestion that retaining wall ordinances be established to limit the height of walls to no more than 8 feet on a 3:1 slope pertains to City planning ordinances rather than to the environmental analysis prepared for the FPASP. In addition, the USACE notes that retaining walls with lower heights would not be permitted if that would entail additional impacts to waters of the U.S.

With regards to the commenter's suggestions that the commercial center proposed near the Empire Ranch interchange be changed to some other land use so that excessive grading is avoided, this is a land use planning decision. Such decisions are made in

consideration of numerous factors, including economics and the need for high visibility (i.e., along U.S. 50) of proposed commercial uses, and are not based solely on the amount of grading that would occur. The City's Hillside Grading Ordinance and development standards contained in the FPASP (DEIR/DEIS Appendix N) Appendix A-4, "Grading Standards," and Appendix A.5.3.1, "Hillside Grading Standards," all contain policies that are designed to reduce the secondary impacts of grading (i.e., erosion and sedimentation).

With regards to the commenter's suggestion that the land uses in the area along U.S. 50 between Scott Road and Empire Ranch Road avoid excessive grading, the City notes the commenter's concern. As discussed above, the City takes into account various factors when deciding where to place proposed land uses. The City's Hillside Grading Ordinance, and development standards contained in the FPASP (DEIR/DEIS Appendix N) Appendix A-4, "Grading Standards," and Appendix A.5.3.1, "Hillside Grading Standards," all contain policies that are designed to reduce the secondary impacts of grading (i.e., erosion and sedimentation).

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Folsom SOI Open House & Public Workshop

Draft Specific Plan & Draft Environmental Impact Report (DEIR)
AUGUST 2, 2010

COMMENT CARD

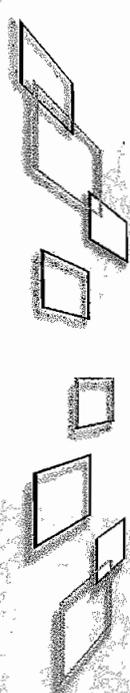
Comments regarding (circle one): Draft Specific Plan Draft EIR

Comments:

Oak Avenue Needs to extend
to Natomas & allow a left
or Rt Turn onto Natomas to
get across the Folsom Crossin

Thank you for sharing your comments. They will be forwarded to the appropriate project consultants and City staff.

Name (please print) Gayle Tanner gaylor@gayletanner.ca



Tanner-1

The comment states that “Oak Avenue needs to extend to Natomas and allow a left or right turn onto Natomas to get across the Folsom crossing.”

The City assumes that the commenter is requesting an extension of Oak Avenue Parkway between Blue Ravine Road and East Natoma Street, with new right and left turn lanes, so that traffic would be able to continue northwest around Folsom Lake and over the bridge crossing constructed below the Folsom Lake dam in 2009. The roadway extension requested by the commenter is located in an area approximately 3 miles northwest of the SPA, and appears to pertain to a concern by the commenter about existing traffic patterns inside the current Folsom city limits, as opposed to traffic-related impacts that would be generated by implementation of the project. In this regard, the comment is noted.

The analysis of potential circulation impacts associated with the SPA (see DEIR/DEIS Section 3A.15 “Traffic and Transportation”) did not indicate significant traffic volume or LOS impacts north of Blue Ravine Road and, therefore, implementation of the project does not support the need for an extension of Oak Avenue Parkway.

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From: Raphael Hitzke
381 Ellis Circle
Folsom, CA 95630

To: Gail Furness de Pardo
City of Folsom Community Development Department
50 Natoma St.
Folsom 95630

Folsom, August 3, 2010

Dear Mrs. Furness de Pardo,

I went to the SOI workshop on Monday. I am very disappointed with the project. The City's motto is "Distinctive by nature" but this plan doesn't reflect it. It lacks ambition and vision for the future. This project is already outdated. I am opposed to the project as it is outlined today.

We have a unique opportunity here to make a responsible and sustainable development that limits its impact on the other residents and on the environment.

Let's create an Eco-District like the city of Portland is doing!

The benefits are numerous:

- With an Eco-District, Folsom will become a magnet for leading "Green" Industries and it will create innovation and long term jobs here. Companies and people will want to be associated with Folsom.
- The SOI would be highly resource efficient as it would capture, manage and reuse most of its own energy, water and waste.
- We would not impact the air quality that is already one of the worst in the nation as we would encourage mass transit, biking and walking
- We would have a plan for a sustainable use of water which is vital for us, especially after 3 years of drought.
- We would create a healthy and happy community.
- We would provide diverse habitat for wildlife.

I am looking forward a positive response from the City of Folsom on making the SOI an Eco-District.

Thank you!
Best regards,



Raphael Hitzke

Hitzke-1

The comment expresses opposition to the project. The comment suggests that the City should create an “Eco District” similar to the City of Portland, and provides a list of suggested benefits that could occur from creation of such a district.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment does not provide any details as to how the proposed FPASP is lacking as compared to Portland’s “Eco District.” Furthermore, the comment does not provide any details regarding Portland’s “Eco District.” Therefore, a substantive response cannot be provided because it cannot be determined how Portland’s “Eco District” would be different from the project as proposed.

The SPA has been designed to be consistent with current trends related to urban development and the principles of smart growth. The project incorporates the policies contained in the SACOG Regional Blueprint (see Impact 3A.10-2 on pages 3A.10-38 and 3A.10-39 of the DEIR/DEIS), which are designed to encourage energy efficiency, a reduction in vehicle miles traveled, alternative modes of transportation, pedestrian-friendly communities, and preservation of habitat.

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From: Debbie Meier [mailto:dlmeier@comcast.net]
Sent: Wednesday, August 04, 2010 9:20 AM
To: Gail Furness De Pardo
Cc: Melanie Howard; Denise Richard; Trudy Lewis; debsfabpetcare@comcast.net
Subject: please forward to city council and tonight's meeting

Dear Gail Depardo,

I wanted to attend the meeting tonight regarding Folsom's SOI plan, I have a few comments.

Unfortunately I will be heading to Chicago before the meeting is scheduled, please forward my comments.

I reviewed the plan and the reports EIP.

I found the plan distressing to say the least, and the Enviornmental reports, support my concerns.

While I agree we should have control over what happens with that land, and we should annex it, the plan to develop it are not at all

appealing.

The view of this property is hard to beat and I do not think the public at large knows what they are going to lose by putting any

1

buildings on that property. This is the last rolling hill, open space like it in the area.

Chances are, and this true of the people I have talked to, that they thought this area was protected by law, and did not know it could be buill on.

I believe the EIP tells it all:

Loss of 444 acres of Oaks (against the law)

Loss of spectacular view this affects everyone travelling HWY 50.(against the law)

2

Loss of grassland, wetland and habitat.(against the law)

1 cont.

Building on a Superfund sight where even though it is said water will be someone else's responsibility, we will end up

3

with that burden when the new development becomes severely polluted.

As a city, we have very few wide open view areas left and it would be a tragic to build on this view.

Now that being said, I have talked to several of my friends and family from Sacramento and El Dorado Hills, and they agree

with me. My family has lived in the area for over 100years and we value our land.

In order for the City to build on this property at least 3 or more statutes, ordinances, or Acts will have to be violated.

We voted for these laws for good reason and we do not want to lose all the beauty in this area.

Flat out development, just for the sake of money is the worst reason to build.

We have plenty of vacancies in housing and business, the mall is not even finished yet.

Putting in an new development will blight what is already existing.

This is a recession, and Folsom has not been immune to the effects.

We cannot trust the developers to do what they say, as they may be bankrupt right after breaking ground and leave us with an unsightly mess.

I think our views on this project have been made clear.

Thank you for forwarding these comments to everyone involved.

You will hear from us again after vacation.

Again, Thank you.

Debbie Meier, Family, friends and neighbors, numbering over 100 people.

Meier-2-1

The comment expresses concern that development of the SPA would result in the loss of the last rolling hill, open space in the area. The comment further states the belief that the public at large is unaware of the plan to put buildings on this property; the comment references people who may be under the assumption that this area was protected by law from being developed. The comment also states that the loss of 444 acres of oak as well as the loss of grassland, wetland, and habitat resulting from development of this property would be against the law.

The project history and planning context is described in detail in Chapter 1, “Introduction” of the DEIR/DEIS (pages 1-6). In summary, in 2004, the City launched a visioning process to seek community input about the future plans for the City’s sphere of influence area (i.e., the SPA). Approximately 200 residents of the City and nearby El Dorado County attended a series of meetings facilitated by a professional planning consultant. At those meetings, the participants addressed a range of issues including land use, open space, transportation, and financing. Their recommendations resulted in a series of five possible development scenarios, which were ultimately reviewed by the Folsom City Council. In November 2004, following the visioning workshops, Measure W (City Ordinance No. 1022) passed with support from 69% of the City voters. The requirements of Measure W, as well as the LAFCo MOU, are summarized on pages 1-4 through 1-6 of the DEIR/DEIS. The commenter does not specify any particular laws that she believes the project would violate. Development of the proposed project or other alternative would require compliance with all applicable Federal, state, and local laws. With regards to loss of grasslands, wetlands, and other habitats, pages 3A.3-23 through 3A.3-28 of the DEIR/DEIS present the Federal, state, and local policies, regulations, and laws that apply to biological resources in the region, and pages 3A.3-30 through 3A.3-96 of the DEIR/DEIS describe how the project would comply with these policies, regulations, and laws.

Meier-2-2

The comment states that the project would affect the loss of spectacular views for everyone traveling on U.S. 50, and this is against the law.

Development of the SPA would convert approximately 2,400 acres of rural open space (under the Proposed Project Alternative) to urban development; this is identified as a significant and unavoidable impact (see DEIR/DEIS Impact 3A.2-1 pages 3A.2-24 through 3A.2-26 and Impact 3A.1-3 on pages 3A.2-27 through 3A.2-29). As discussed in Impact 3A.2-2, U.S. 50 in the vicinity of the project site is not a State Designated Scenic Highway or a National Scenic Byway; therefore, there would be no impact related to damage to scenic resources within a state- or federally designated scenic corridor. Thus, the impacts to visual resources from project development would not violate any law.

Meier-2-3

The comment states that “[B]uilding on a Superfund site where even though it is said water will be someone else’s responsibility, we will end up with that burden when the new development becomes severely polluted.”

The City/USACE assume that this comment refers to cleanup of contaminated groundwater at the Aerojet Superfund site. A discussion of the investigation at the Aerojet Superfund site and how it might affect the project is found on pages 3A.8-23 through 3A.8-28 of the DEIR/DEIS. As stated on page 3A.8-26, LAFCo Resolution 1196 requires demonstration that cleanup at Area 40 is progressing in a manner acceptable to

Federal and state regulatory agencies before any annexation of the SPA. As stated on page 3A.8-26 of the DEIR/DEIS, ongoing regulatory review and approvals would ensure that any site-specific land use limitations would be identified and required when the land was made available for development. EPA, DTSC, and/or CVRWQCB would not release any land in the Aerojet Superfund Site for a use that would present a risk to future residents or users.

Aerojet, the responsible party for the cleanup, also would retain right of access to certain properties to operate and maintain the monitoring wells or to conduct other remediation activities. Because the City is not a responsible party in the cleanup, implementing the project would not result in the City being held responsible for cleanup costs.

Meier-2-4

The comment expresses opposition to the project, particularly because the project site is one of the few open places in the Folsom area. The comment also states that in order to implement the project, “at least 3 or more statutes, ordinances, or acts will have to be violated.” The comment states that putting in new development will cause blight at the existing development.

The commenter does not provide any specifics on which statutes, ordinances, or acts she believes would be violated. Implementation of the proposed project or any other alternative would require compliance with all applicable Federal, state, and local laws. The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. Development of the SPA would be market-driven, built in phases, and would be based on economics; therefore, development would not occur until the market would support a demand for it and therefore project implementation would not result in blight of existing city development.

The term “blight” has a specific meaning in California law. Health and Safety Code Sections 33030 et seq. define a “blighted area” as being characterized by certain conditions “causing a reduction of, or lack of, proper utilization of an area to such an extent that it constitutes a serious physical, social, or economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone.” For example, the types of conditions described for blight are buildings and structures “which are unfit or unsafe to occupy...and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime” because of certain enumerated factors. Since the SPA is undeveloped land, there is no “existing development” as the commenter suggests. The comment that the project might cause blight within the existing City limits, on the north side of U.S. 50, is speculative and without merit. The viability of businesses within the community, or the potential for new business, is an economic and not an environmental impact and there is no evidence to suggest that businesses would close as a result of the project, much less, to such a significant extent that it leads to blight. In conclusion, development of the project would not result in blight, and no evidence is presented otherwise.

CITY OF FOLSOM
JOINT MEETING OF THE HISTORIC DISTRICT AND PLANNING COMMISSIONS
MINUTES
August 4, 2010

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Chair Candy Miller, Vice Chair Daron Bracht, Commissioners: Dorothy Cormack, Lance Klug, Brian Martell, Susan Mehring, Mark Roberts

CALL TO ORDER PLANNING COMMISSION: Chair Greg Eldridge; Vice Chair Lance Klug; Commissioners: Pat Dunbar, Dave Benevento, Christopher Bulman, Ross Jackson, Brian Martell

Commissioner Benevento arrived at 6:34 p.m.

NEW BUSINESS:

1. **Folsom Sphere of Influence Annexation Project Specific Plan Environmental Impact Report and Environmental Impact Statement Workshop and Public Comment**

Director Miller introduced this item, stating that the presentation would be on the Specific Plan, the annexation proposal, and the EIR/EIS for the 3,600-acre annexation. The workshop will consist of a PowerPoint presentation on the project; there will be an opportunity for the Historic District and Planning Commissioners to comment on the project. Following that the Public Hearing will be opened for public comments. Tonight's comments, as well as comments gathered throughout the comment period, will be given to the environmental consultants and responses will be documented in the final environmental documents. Questions would not be responded to at this meeting.

Mayor Jeff Starsky, Councilmember Steve Miklos, Director David Miller and Planning Manager Gail Furness de Pardo discussed the annexation process and development of the Sphere of Influence.

Commissioner Martell left at 7:30 p.m.

Chair Eldridge stated that Measure W locked the City in to much more stringent requirements relative to open space and water supply than State law requires. Staff and the consultants have done an excellent job getting the project to where it is today.

Commissioner Klug stated that he appreciated the opportunity to be a part of this process and that the City of Folsom would do a much better job at developing this property.

Historic District Commission Chair Candy Miller stated that she participated in the Blue Print process and was thrilled to see that their comments were listened to. She stated that there was a railroad right of way that goes through this property that is being plan for excursions and that it was important that anything planned next to the excursion rail be appropriately spaced. There are many mining and other cultural resources and in the past the City has been negligent in recognizing those and hoped that consideration would be given to putting up signage and telling new residents about Folsom's great history.

Commissioner Jackson asked if the City already had the water rights to the Freeport connection.

Director Miller stated that the water rights have been acquired by the developers, which was a prerequisite of LAFCO and Measure W.

Commissioner Dunbar voiced appreciation regarding providing more joint use with the schools.

Ardie Zahedani, representing the landowners who comprise the Folsom South Area Group, stated that there were three owners that make up the 90% of 3,500 acres – AKT Development, Easton Development, and Carpenter Ranch. The owners and executive staff were available to answer any questions. He added that they

have spent thousand of hours with the leadership of Director Miller and Planning Manager de Pardo. He worked with the Police Chief, Fire Chief, Finance Director, City Attorney, etc. All those hours of collaboration led to this milestone, which is extremely significant. He noted how proud they were of reaching 43 points of air emission reduction, adding that their plan would be on the Air Quality Management's website. He added that 170 folks showed up at the Community Workshop at the Community Center and mostly positive comments were heard. It was hoped that they would be coming back to the Commission for a recommendation to the City Council to certify the EIR at the end of the year or beginning of next year.

Chair Eldridge opened the Public Hearing and explained the commenting process.

Planning Manager de Pardo explained that comments could still be submitted up until September 10th and that if someone didn't have enough time to speak, they could forward their comments to her attention.

Jose Henriquez stated that he has been a long-time resident. He thanked staff and the applicant, stating that he was skeptical of the project at first, but once he saw the specific plan he was pleasantly surprised. He would submit formal written comments, but had four things that he wanted to comment on. He felt that there was a missed opportunity with the commercial area between Empire Ranch Road and the county line. The hillside north of Hwy 50 has been plowed and flattened and it was not very aesthetically pleasing and this was a good opportunity to emulate the City of San Louis Obispo or San Francisco in turning the hillsides into a real asset. He recommended that the commercial use be moved and housing be put on the hillside. He encouraged more greenbelts – especially along White Rock Road. He requested that a more mix of housing especially along the periphery, on the west side. Finally, he encouraged the Planning Commission and City Council to consider moving beyond the guidelines and actually adopt design standards and requirements for the project.

A-1
A-2
A-3 & A-4
A-5

Jim Kirstein, President of the Friends of the Folsom Parkways, stated that he will submit written comments in more detail at a later time but wanted to highlight a few things. The green spaces Folsom has seemed to be ignored in areas where there was commercial development (i.e. Class I bike trails for people to walk to and from work). There should be roads that outline the green spaces so there is a definite boundary between the housing or commercial area and the green spaces that allows the public better access to the green spaces. He didn't see sufficient addressing of what the Sacramento/Placerville JPA and the Southeast Corridor JPA are up to as far as Folsom's plan was concerned. The excursion rail that is going to be going from Sacramento to Placerville will also have a Class 1 bike trail along it and that was something that was important to recognize in Folsom's plan because there were other groups that have areas of interest.

B-1
B-2
B-3
B-4

Manoutcher Hedari, Folsom resident, stated that as a hydrologist who has taught hydrology and water resources development for 35 years and was very interested in helping. He tried to download the document off the website and was unsuccessful. He suggested that a 2-page executive summary be provided at the beginning of each report and specify that water has already been secured. Memorandum of Understanding is no guarantee.

C-1
C-2 & C-3

Senior Water Resource Control Engineer with the Central Valley Regional Water Quality Control Board Rancho Cordova complimented the work that the team has prepared. He stated he would like to see the low-impact development procedures and standards be included in the zoning code. He stated that they would submit their official comments prior to the deadline.

D-1

Duncan Waldrop, Gold River resident, appreciated the opportunity to address the Commission. He stated that he was an active "off roader" and supports and advocates responsible recreation. He is a member of the Grass Valley Four Wheelers, and official liaison to Prairie City SVRA. With regard to the documents on the website, he found a lot of data but not a lot of conclusions. He didn't see the Mather traffic patterns addressed in the plan; he couldn't figure out where the noise studies were done; all the noise studies were done on Thursday and Friday, February 18 and 19 of this year and wasn't sure if the noise studies reflect the actual practice; he was concerned about White Rock Road when the roads are expanded to 4-6 lanes; concerned that as the fairy shrimp come off the protected species list that Prairie City will want to move its activities within 100 feet of the plan's first building; Prairie City is currently 800 acres and will be adding 211 acres as the Yost property acquisition site is turned back from Teichert back to the park and will be adding other activities other than motocross. He requested that the compatibility of the two uses be considered carefully and maybe documented in land deeds.

E-1
E-2
E-3
E-4
E-5

Wendy Campbell, Folsom resident, stated that she had two main concerns moving forward with the those have to do with grading issues and retaining walls and how the two are interconnected. She hoped that they would take an opportunity to not duplicate the Costco gray wall. She feared that the grading that was allowed for Costco would be allowed south of Highway 50; she strongly encouraged the City to look at the application of the grading ordinances that are already in place and to adhere to them more strictly. She added that she would like to see the Hillside Guidelines be upgraded so that they become ordinances.

F-1

David Pickett stated that he was the current president of District 36 Motorcycles Sports Committee. He too had concern that as the rooftops come closer, the Prairie City Recreation Vehicle Recreation Area could possible suffer what he called an "airport" syndrome. He felt that there needed to be long-term disclosure to future residents in this project and that they acknowledge that there is a State Vehicle Recreation Area that is there (since 1972). He supported the project and applauded all the work that has been done.

G-1

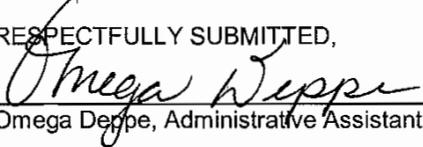
Chair Eldridge closed the Public Hearing and announced that written comments could be submitted up to September 10th to the attention of Gail Furness de Pardo.

Director Miller stated that there was a Planning Commission meeting schedule for August 18th. He stated that the comments for the specific plan would occur in the final EIR that will be available to the general public.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:30 p.m.

RESPECTFULLY SUBMITTED,



Omega DePpe, Administrative Assistant

APPROVED:



CHAIR GREG ELDRIDGE



CHAIR CANDY MILLER

- Public Hearing 2:A-1 *The comment, made by Folsom resident Jose Henriquez, expresses pleasant surprise at the specific plan. The comment also states his intent to submit written comments.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- Public Hearing 2:A-2 *The comment suggests that planned commercial development on the hillside be moved and replaced with housing.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. Development east of Placerville Road in the hillside area is proposed to include a mix of residential and commercial development. Commercial development would be located adjacent to U.S. 50 as a buffer between the highway and proposed residential development. Placing commercial uses (instead of residential uses) adjacent to U.S. 50 helps to reduce potential noise and air quality issues.
- Public Hearing 2:A-3 *The comment recommends more greenbelts, especially along White Rock Road.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The Proposed Project Alternative has been designed to meet Folsom's Measure W requirement, which requires 30% of the SPA to be maintained as natural open space. The DEIR/DEIS also analyzes three other alternatives at a similar level of detail (i.e., the No USACE Permit, Resource Impact Minimization, and Centralized Development Alternatives) that would preserve more than 30% of the SPA.
- Public Hearing 2:A-4 *The comment recommends an increased mixture of housing, especially along the periphery on the west side.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- Public Hearing 2:A-5 *The comment encourages the adoption of design standards and requirements for the project.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The FPASP (attached as Appendix N to the DEIR/DEIS) contains design standards and requirements that would guide the development and construction of the project.

Public Hearing 2:B-1 through

Public Hearing 2:B-2 *The comment, made by Friends of the Folsom Parkway President Jim Kirstein, states that his written comments will be submitted later. The comment also states that the Folsom has seemed to ignore green spaces in commercial developments (i.e., provision of Class I bike trails for people to ride from home to work). The comment suggests there be roads that form a boundary with the green spaces and that allow the public better access to the green spaces.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The project includes numerous Class I bicycle trails that include connectivity with commercial land uses. See DEIR/DEIS Exhibit 2-10 (page 2-39) and the “Bike Lane and Class 1 Trail Exhibit” on page 7-59 of the FPASP (attached as Appendix N to the DEIR/DEIS).

Public Hearing 2:B-3 *The comment states that Mr. Kirstein did not see sufficient discussion in the DEIR/DEIS of the Sacramento/Placerville JPA and the Southeast Corridor JPA related to the project’s proposal for bikeways and trails.*

The Sacramento/Placerville JPA has responsibility for the rail corridor that passes through the project site. The Capital SouthEast Connector JPA is planning a 35-mile regional transportation facility to run along White Rock Road, which forms the southern boundary of the project site. The FPASP (provided in Appendix N of the DEIR/DEIS) shows Class I (off-street) multi-use paths along both the rail corridor and White Rock Road. The Sacramento/Placerville JPA policies state that that rail corridor would be a transportation corridor that could accommodate all transportation modes with a primary emphasis on rail modes.

Multi-use (bike/pedestrian) trails have been implemented along the rail corridor within the City of Folsom north of U.S. 50. Thus, the FPASP’s intent to provide a multi-use trail along the rail corridor is consistent with the JPA’s practice. The Capital SouthEast Connector JPA is still formulating its “Integrated Modes Policy” and is preparing an environmental document. However, that agency’s stated intention is to provide both an off-street, Class I facility and on-street, Class II bike lanes along the White Rock Road portion of the proposed connector.

Public Hearing 2:B-4 *The comment states that the planned Class I bike trail along the future Sacramento to Placerville excursion rail should be recognized by the project.*

See response to comment Public Hearing 2:B-3.

Public Hearing 2:C-1 *The comment, made by hydrologist and Folsom resident Manoutcher Hedari, states that he was unable to download project documents from the Web site.*

The DEIR/DEIS was made available to the public for download at the City’s website, http://www.folsom.ca.us/home_nav/sphere/current_documents.asp. The document’s electronic file size was reduced to the extent feasible without degrading the quality of the supporting graphics. Because the DEIR/DEIS is comprised of multiple volumes, the document’s electronic file size may exceed the download capability for those with slower Internet connections. For this reason, the City’s website provides additional contact information for anyone experiencing difficulty in downloading the document. Furthermore, as stated in Chapter 1, “Introduction” of the DEIR/DEIS (page 1-15), hard

copies of the document were available for public review at the Folsom Public Library and at the Folsom City Hall.

Public Hearing 2:C-2 through

Public Hearing 2:C-3 *The comments suggest that the DEIR/DEIS should specify that the project's water supplies have been secured because the MOU is no guarantee. The comment also suggests that a 2-page executive summary be provided at the beginning of each chapter,*

The City is required to complete the CEQA process before executing any agreement with SCWA for use of a portion of Freeport Project diversion and conveyance capacity. As described in Master Response 14 – Relationship of the “Water” Component of the Project to the Freeport Regional Water Project, the MOU establishes the conditions for use and the City’s allocated capacity for the negotiation and execution of a Delivery Agreement between the City and SCWA. The commenter is directed to the Executive Summary chapter of the DEIR/DEIS for an overview of the impacts, mitigation measures, and significance conclusions for each environmental topic.

Public Hearing 2:D-1 *The comment, made by Senior Water Resource Control Engineer of the CVRWQCB in Rancho Cordova, complimented the work that the project team prepared. The comment suggests inclusion of LID procedures and standards in the zoning code. The comment also states that Central Valley RWQCB plans to submit official comments before the public review deadline.*

As stated in Chapter 2, “Alternatives” (page 2-20 of the DEIR/DEIS), the project would employ a LID stormwater management system that would increase infiltration potential, evaporation, and surface storage while reducing excess stormwater runoff. See also Mitigation Measure 3A.9-2 (DEIR/DEIS page 3A.9-29), which requires the incorporation of LID techniques.

Public Hearing 2:E-1 *The comment, made by Gold River resident and member of Grass Valley Four Wheelers Duncan Waldrop, states that he serves as official liaison to the Prairie City SVRA and that the document contained a lot of data but few conclusions.*

The commenter is referred to the Executive Summary chapter of the DEIR/DEIS, Table ES-1, which contains 171 pages that provide a summary of the impacts, the text of each mitigation measure in its entirety, and a summary of the significance conclusions for each impact within each environmental issue area. Significance conclusions are discussed below the impact in each topic area of DEIR/DEIS, in Sections 3A and 3B, and in Chapter 4.

Public Hearing-2:E-2 *The comment states that the reviewer did not see the Mather traffic patterns addressed in the plan (DEIR/DEIS).*

Section 3A.11, “Noise” discusses Mather Airport traffic patterns starting on page 3A.11-10 of the DEIR/DEIS. As stated on page 3A.11-11, the SPA is not located within the currently adopted 60- and 65-dBA CNEL noise contours of the Airport Land Use Compatibility Plan (ALUCP), nor would the SPA be located within the proposed future 60- and 65-dBA CNEL noise contours for Mather Airport.

A discussion of single-event aircraft noise is provided on page 3A.11-49 of the DEIR/DEIS. This discussion evaluates interior noise levels of proposed future noise-sensitive uses within the SPA. The impact was determined to be less than significant.

Public Hearing-2:E-3 *The comment states that the reviewer could not tell where the noise studies were done in the DEIR/DEIS, and that the noise study was performed on Thursday and Friday, February 18 and 19 of this year (2010). The comment further states a lack of certainty on the part of Mr. Waldrop that the noise studies reflect the actual practice.*

The discussion of noise study locations is presented on page 3A.11-5 of the DEIR/DEIS, and the existing ground conditions at noise measurement locations are shown in an aerial photograph on page 3A.11-4. Prairie City SVRA activity was observed during the noise measurements conducted on Thursday and Friday, February 18 and 19, 2010. Noise from the SVRA area could not be isolated on the SPA because of the existing traffic volumes on local roadways; even at times when no traffic was present along White Rock Road, the noise from the SVRA was barely and only intermittently audible. Therefore, weekend measurements were not deemed to be necessary, and the impact was determined to be less than significant (see Impact 3A.11-7, page 3A.11-51 of the DEIR/DEIS).

Public Hearing-2:E-4 *The comment expresses concern about the expansion of White Rock Road to a four- or six-lane roadway.*

The analysis of White Rock Road traffic noise is discussed on pages 3A.11-36 through 3A.11-43 of the DEIR/DEIS. Increases in traffic volumes relative to traffic noise were modeled and the impact was found to be significant. Mitigation Measure 3A.11-4 on page 3A.11-44 of the DEIR/DEIS provides abatement techniques for reducing traffic noise at noise sensitive uses adjacent to White Rock Road, in order to meet the applicable noise standards.

Public Hearing-2:E-5 *The comment expresses concern about the expansion of the Prairie City SVRA area to within 100 feet of the SPA's first building (if the fairy shrimp are removed from the protected species list), which would allow the SVRA area to be expanded towards the SPA boundary, and that the expanded area could include uses other than motocross.*

The comment discusses a speculative change in the removal of fairy shrimp from the endangered species list; such a change has not and may never occur. Furthermore, an expansion of the Prairie City SVRA with new uses would require environmental review under CEQA, and to date, no NOP has been filed or circulated to the public indicating that this expansion/change in use is formally being considered for adoption by California State Parks. Therefore, it would be speculative to attempt an evaluation of the effects of such a scenario as proposed by the commenter, and no change to the DEIR/DEIS is required.

Public Hearing 2:F-1 *The comment, made by Folsom resident Wendy Campbell, states concerns about grading and retaining walls, and how the two are interconnected. The comment expresses the hope that the "Costco gray wall" would not be duplicated or permitted south of U.S. 50. The comment also encourages the City to strictly adhere to grading ordinances. The comment also suggests upgrading the Hillside Guidelines to ordinances.*

The project site in its entirety would be annexed into the City of Folsom before site development activities. Once annexation was complete, all development activities on the project site would be subject to all ordinances and regulations enforced by the City of Folsom, including the Grading Ordinance and Hillside Development Guidelines. See also response to comment Public Hearing 1:F-1.

Public Hearing 2:G-1 *The comment, made by District 36 Motorcycles Sports Committee President David Pickett, expresses concern about development moving closer to the Prairie City State Vehicular Recreation Area (SVRA). The comment also suggests disclosure to future residents about the existence of the SVRA. The comment also expresses support for the project.*

Potential impacts to sensitive receptors in the SPA from noise generated at the Prairie City SVRA are evaluated in Section 3A.11, “Noise,” Impact 3A.11-7 on page 3A.11-51 of the DEIR/DEIS; indirect impacts related to physical deterioration of facilities (Impact 3A.12-2) are evaluated in Section 3A.12, “Park and Recreation” (see also text changes to Impact 3A.12-2 as shown in Chapter 5, “Errata” of this FEIR/FEIS). Both impacts were found to be less than significant, and therefore no mitigation measures are required. See also response to comment Public Hearing-2:E-3.

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From: ED SANTIN [mailto:santins@sbcglobal.net]
Sent: Wednesday, August 04, 2010 9:21 PM
To: Gail Furness De Pardo; Dave Pickett
Cc: 'wes justyn'; Jason"De Wall
Subject: Re: SOI

Hi Gail... I also noticed that SOI has High density Housing in the South West corner of the property closest to Prairie City State Vehicle Recreation Area. and you did not take our suggestion to put Retail outlets their that would benefit from the extra traffic and customers coming out of the PCsvra.. Light industrial would be another good idea for that corner as a buffer from residents.of the new area... Sorry I missed the meeting tonight as had to work late..thanks Ed Santin..AMA/D36 off road Congressman/VP 916-952-8336 I also invite you to attend one of our Prairie City Planning meetings... the Second Tuesday of each month/4:00pm at the twin Cities offices inside Pc park.. See Jaeson Duall for more info....

Santin-1

The comment states that the City did not incorporate the commenter's previous suggestions to place retail or light industrial land uses at the southwest corner of the SPA, as opposed to high density residential housing, because of the proximity to the Prairie City SVRA, and to benefit from extra traffic and customers coming from the SVRA.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The commenter suggests that retail land uses should be considered for the southwest corner of the SPA, near the Prairie City SVRA, to allow benefits from extra traffic and customers that might be generated by the SVRA. As shown on the proposed land use plan in Exhibit 2-3 on page 2-15 of the DEIR/DEIS, the project would incorporate "Community Commercial" land uses at the southwest corner of the SPA. The City also notes that land use designations are placed on the project site and combined together with more than one external feature in mind; the placement of land uses is not solely related to the proximity to the SVRA. The comment suggests a preference for another land use, based on economic benefits as opposed to significant physical impacts on the environment. The comment further suggests that light industrial land uses would provide a buffer for residents of the area. However, the comment does not specify what concerns such a buffer area would address. Potential physical environmental impacts (such as traffic, air, and noise) generated by locating the project near existing land uses, including the Prairie City SVRA, were evaluated in Section 3A.2, "Air Quality," Section 3A.11, "Noise," and Section 3A.15, "Traffic and Transportation" of the DEIR/DEIS.

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From: Marty Donahoo [mailto:mart@fedshra.org]
Sent: Sunday, August 08, 2010 1:07 PM
To: Gail Furness De Pardo
Subject: Folsom SOI Annex South of 50 Workshop

Gail Furness de Pardo

gdepardo@folsom.ca.us

City of Folsom Community Development Department

50 Natoma St.

Folsom, CA 95630

RE: Folsom SOI Annex South of 50 Workshop

I attended the SOI workshop to get more information on transportation uses in this new area. I was disappointed to learn that newer state of the art transportation plans were not being used nor was there any infrastructure planning for such future use. Existing transportation designs were not even mentioned.

The SOI area already includes a special transportation corridor along its eastern border with only a Class 1 bike trail mentioned in your report. Possible future light rail was not incorporated, near future excursion railroad traffic was not addressed, and a much better use of people moving "electric Trolley service" should be mentioned and utilized if air quality and carbon reduction requirements are a factor instead of the old technology of busses.

If this is truly supposed to be a second City in a City, let's make sure it's a modern example of new technologies and planning.

The Eastern Valley Parkway, Street 'A', and White Rock Rd. should also have planned overpasses over the existing SPTC transportation corridor giving proper passage of the Class 1 Bike Trail, any future rail (Light rail or Excursion) and possible electric Trolley service. Transportation corridor grade crossing costs and warning devices would and should be eliminated.

Thanks you,

Mart Donahoo

Folsom, Ca 95630

916-987-8425

Donahoo-1

The comment refers to impressions regarding a lack of modern traffic planning received during the Folsom SPA workshops. The comment expresses disappointment that the project does not include future light rail facilities, excursion railroad traffic, or electric trolley service. The comment states that the project should include east-west overpasses for the proposed on-site transportation corridor, and by so doing, at-grade crossing costs and warning devices would be eliminated.

The traffic impact analysis used modern, nationally and regionally accepted methods and tools. Project and future traffic volume generation, estimated mode split (i.e. transit usage), distribution to surrounding areas, and assignment on study area roadways were all estimated based on the most up-to-date SACOG travel demand model. This travel demand model included the most up-to-date existing and planned future land use available at the time the traffic study for this project was performed. The roadway facilities and transit service are based on the most recent Metropolitan Transportation Plan. The traffic analysis was also conducted by the current nationally recognized Highway Capacity Manual methods.

The transit service assumptions are based on the SACOG travel demand model with modifications in the SPA based on the roadway network and transit service specified in the FPASP. The Sacramento Regional Transit Action Plan does not propose extending light rail into the SPA and it does not propose to build a streetcar trolley line into the SPA; however, it does propose extending a Bus Rapid Transit line into the SPA, consistent with the FPASP

Regarding roadway crossing of the railroad tracks, see responses to comments CPUC-2 through CPUC-8 for detailed responses to rail safety and compatibility issues.

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August 8, 2010

Kim Squires
220 Randall Drive
Folsom, CA 95630
Email: kimsquires@gmail.com

Gail Furness de Pardo
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630
email: gdeparado@folsom.ca.us

Dear Ms. Furness de Pardo:

Thank you for the opportunity to comment on the South of Highway Specific Plan and Draft Environmental Impact Report/Draft Environmental Impact Statement. I have been Folsom resident for many years, growing up here and moving back as an adult to raise a family. I have several concerns about the annexation and Specific Plan.

1

Firstly, has the City considered fulfilling the need for economic and residential growth with infill projects? There are plenty of infill opportunities that may not result in the master planned community but could provide the same economic benefit to the City and really promote smart growth.

With the proposed project, the City and its residents will lose an important view shed of the last remaining natural grasslands in our immediate area. I live near the prison grounds and appreciate viewing common species like turkeys, deer, and hawks on a daily basis. A landscaped corridor will not provide the same aesthetics as the natural landscape. Instead of the rolling grassland with vernal pools and small creeks, it will be the usual ornamental plantings and Caltrans hydroseed mixture. Landscaping requires maintenance and irrigation, neither of which is required in the land's present state.

2

3

The proposed open space creates a nice view shed for the community but does little in the way of providing viable habitat in the long term. The proposal creates islands of habitat amongst islands of development. It's similar to the recent development in Folsom where the mitigation is a strip of land in between houses and/or golf course. Concentrating development in one area while preserving larger tracts of open space that are adjacent to other protected open space parcels not only makes the development more pedestrian friendly, it's less impact to the environment and to rare or listed species.

4

I have specific comments on the biological portion. Does the City have actual mitigation planned? Obtaining permits as stated in the mitigation measures is not actual mitigation but required by the various laws. The proposed project will have major impacts to wetlands and sensitive species but specific mitigation has not been articulated in the document. I'm interested in how a "less than significant with mitigation" determination can be made at this point when there is no proposed mitigation.

5

6

Additionally, since water transfers will be necessary for the project, has the City analyzed affects to sensitive and listed species regarding the transfer of water? Specifically, will the state and federally threatened giant garter snake be affected by less water going toward agriculture in the Natomas Basin?

7

I'm also concerned with the potential increase in traffic on Highway and surface streets. The mitigation measures of adding lanes to the highway and ramps will not significantly alleviate traffic during peak times. These measures have not worked at other off ramps (Sunrise, Hazel) and have even caused additional traffic delays.

8

To conclude, the proposed alternative enforces the current suburban sprawl development model. While the development might tout "smart growth" and "pedestrian friendly", it is in reality, sprawl. Infill projects can achieve the same goals in a different manner without substantially affecting natural lands. I challenge the City to not become the next Roseville, Elk Grove, or El Dorado Hills. Again, thank you for the opportunity to comment on the proposed project.

9

Kim Squires

Squires-1

The comment inquires whether the City has considered fulfilling the need for economic and residential growth with infill projects. The comment states that infill opportunities may not result in a master planned community but could provide the same economic benefit to the City and promote smart growth.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City has begun a General Plan update that will occur over 2011-2012. In this process, consideration will be given to infill, to increase residential densities and office intensity of use in the existing city limits. This process will include consideration of vacant land and reuse of developed land. The City also notes that buildout within the existing city limits is nearly complete, and the City does not believe that the limited amount of land that could be developed as infill would meet the needs over the next 20 years.

Squires-2

The comment states that city of Folsom residents will lose important views of the last remaining natural grasslands in the area with project implementation.

DEIR/DEIS Impact 3A.1-1 (page 3A.1-24) notes that the project would result in the loss of thousands of acres of open space that form the current viewshed, and the visual character would be changed to become similar to that of the developed urban areas to the north and east. Therefore, the viewshed would no longer provide a unique or scenic vista. Remaining grasslands are located south of the SPA but are not visible from U.S. 50 or other major viewpoints within the viewshed of the SPA. Mitigation Measure 3A.1-1 (page 3A.1-25) would require the installation and maintenance of a landscape corridor; however, the impact is identified as significant and unavoidable even after implementation of mitigation (page 3A.1-26).

Squires-3

The comment states that a landscaped corridor would not have the same aesthetic value as a natural landscape, and the comment further states that the managed landscape would require maintenance and irrigation not required for the existing natural landscape.

The DEIR/DEIS notes that implementation of the project would permanently and substantially alter the scenic vista provided by the SPA (page 3A.1-26 of the DEIR/DEIS). The DEIR/DEIS further notes that Mitigation Measure 3A.1-1 (page 3A.1-25) would reduce the impact, but not to a less-than-significant level. The impact would remain significant and unavoidable because of the permanent alteration to the visual character of the site that would occur with project implementation. Mitigation Measure 3A.1-1 requires that the project applicant(s) maintain the landscape corridor in perpetuity to the satisfaction of the City of Folsom.

Squires-4

The comment states that the project design does little in providing viable habitat in the long run because the design proposes creating isolated islands of habitat amongst islands of development. The comment further suggests that concentrating development in one area and preserving larger tracts of open space adjacent to existing open space parcels would create a more pedestrian-friendly open space and would increase the protection of special-status species.

The DEIR/DEIS analyzes five action alternatives that each include a unique open space design encompassing between 1,053 and 1,506 acres of lands preserved for habitat conservation and passive recreation. Each of the alternatives would preserve a large block of habitat in the western portion of the SPA to retain the majority of existing blue oak woodland, riparian habitats, and Alder Creek. Another objective of the open space design is to preserve as many of the on-site tributaries to Alder Creek as possible, to avoid and minimize impacts on hydrology and water quality. The preserved stream corridors also would provide linkages between blocks of preserved habitat and to natural habitat areas south of the SPA. These linkages would allow wildlife to move between habitat areas within the SPA and between the SPA and off-site habitats. Therefore, preserved habitat would not be isolated from other natural habitat. The only exception would be the Reduced Hillside Development Alternative, which would provide connectivity between on-site preserves and natural habitats to the south, but would not provide continuous movement corridors across the SPA. The open space areas are designed to be pedestrian friendly, with Class I bicycle paths and paved and unpaved trails located throughout the SPA.

Squires-5

The comment states that obtaining permits is not adequate mitigation for major impacts to wetlands and sensitive species and asks whether the City of Folsom has specific mitigation planned.

Mitigation Measure 3A.3-1b (beginning on page 3A.3-37 of the DEIR/DEIS) would require the project applicant(s) to obtain all necessary permits under Sections 401 and 404 of the Clean Water Act or the state's Porter-Cologne Water Quality Control Act (Porter-Cologne Act). As part of that process, the mitigation measure would commit the project applicant(s) to replace, restore, or enhance on a "no net loss" basis all wetlands and other waters of the U.S. or waters of the state that would be lost or degraded as part of the project. Compensatory mitigation for the unavoidable loss of wetlands on the project site is proposed to be accomplished at an agency-approved mitigation bank, authorized to sell credits to offset impacts in the SPA. The draft wetland mitigation plan has been appended to the FEIR/FEIS (Appendix Q). Before issuance of a permit, USACE would ensure that, pursuant to its regulations (33 CFR Sections 320–332), impacts on waters of the U.S. would be avoided and minimized to the maximum extent practicable, and that unavoidable impacts would be compensated.

Mitigation Measure 3A.3-2g (beginning on page 3A.3-61 of the DEIR/DEIS) would require that conservation and minimization measures be implemented to protect existing wetland habitat for vernal pool invertebrates during and after construction and a mitigation and monitoring plan be developed describing how loss of vernal pool and other wetland habitats would be offset, including details on creation of habitat, accounting for the temporal loss of habitat, performance standards to ensure success, and remedial actions to be applied if performance standards were not met. This mitigation would occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat, and before any ground-disturbing activity within 250 feet of the habitat.

Mitigation Measures 3A.3-2a through 3A.3-2h (beginning on page 3A.3-51 of the DEIR/DEIS) outline specific measures to avoid, minimize, and compensate impacts on sensitive species. These measures would include preserving habitat on the project site; conducting preconstruction surveys and establishing buffers to avoid disturbing sensitive species during construction; preserving habitat at off-site mitigation banks; excluding sensitive species, such as bats and burrowing owls, from the site before conducting activities that could result in the death of these species or abandonment of active burrows; and relocating elderberry shrubs and planting new elderberry seedlings.

Squires-6

The comment questions the “less than significant with mitigation” determination because actual mitigation was not outlined.

The DEIR/DEIS does not conclude that impacts on wetlands and sensitive species would be less than significant with mitigation, but rather concludes that impacts on wetlands and other waters of the U.S. and special-status wildlife species would remain significant and unavoidable (see pages 3A.3-52 and 3A.3-71 of the DEIR/DEIS).

Squires-7

The comment inquires whether, because water transfers would be necessary for the project, the City has analyzed the effects of the proposed water transfer on sensitive and listed species, specifically on the giant garter snake that might be affected by less water going toward agriculture in the Natomas Basin.

The DEIR/DEIS provides a detailed evaluation of the potential environmental effects, including those to giant garter snake, as a result of assignment of up to 8,000 AFY of NCMWC’s settlement contract “Project” water to the City. As discussed on pages 3B.3-37 and 3B.3-57 of the DEIR/DEIS and supported by the findings of the 2007 Wagner and Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS), NCMWC would maintain sufficient water supplies without the need for supplemental groundwater pumping, to accommodate 2004 and 2007 crop patterns and the habitat conditions supported by them, following the water assignment. For this reason, potential direct and indirect impacts to giant garter snake were determined to be less than significant. See also Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company’s Service Area and Master Response 17 – Approach to the Evaluation of Physical Environmental Effects for the “Water” Component of the Project.

Squires-8

The comment states that the project will increase traffic on U.S. 50 and local roadways. The comment further states that the mitigation measures for adding lanes and ramps to U.S. 50 will not alleviate traffic congestion at peak times. The comment references similar improvements at other interchanges (Hazel Avenue and Sunrise Boulevard) that have caused addition traffic delays.

As discussed in DEIR/DEIS Section 3A.15, “Traffic and Transportation,” (page 3A.15-25 through -157) the project would increase traffic on many area roadways, including U.S. 50 and several local roadways. In locations where significant impacts are indicated, mitigation measures were developed, where feasible, to reduce such impacts to less-than-significant levels. At these locations, traffic operating conditions with the project are anticipated to be similar to or better than conditions without the project. However, as also discussed in Section 3A.15, impacts in some locations cannot feasibly be mitigated to less-than-significant levels, resulting in traffic operating conditions with the project that may be worse than conditions without the project.

Regarding operating conditions at other locations, substantial increases in traffic volumes have occurred over time that may exceed the additional capacity provided by interchange improvements.

Squires-9

The comment states that rather than being pedestrian friendly and comprising “smart growth” as stated in the DEIR/DEIS, the development actually consists of urban sprawl. The comment further suggests that infill projects could achieve same project goals without substantially affecting natural lands.

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and therefore the City has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]). Nevertheless, responses to specific comments are provided as follows. As shown throughout the FPASP (attached to the DEIR/DEIS as Appendix N), the City believes that the FPASP is pedestrian friendly, encompasses the principals of smart growth, and does not consist of urban sprawl. With regards to infill development, see response to comment Squires-1.

From: Eryn Stevens [mailto:eryn.stevens@sbcglobal.net]
Sent: Monday, August 09, 2010 4:17 PM
To: Gail Furness De Pardo
Subject: concerned

To whom it concerns,

I am a concerned citizen. I have not been able to go to any of the informational meetings regarding building South of Hwy 50 but I am totally against it. I just want to send in my opinion. I have been in Folsom 13 years and have seen almost NON-STOP building everywhere. The constant building is exhausting and the influx of people overwhelming. What is the stopping point? Now I drive around and see countless buildings that stand EMPTY. Folsom is a wonderful city with a lot of community spirit but as it gets bigger and bigger it is losing that spirit. It is frustrating to go to a wonderful event on Sutter Street (like the bull running) and hardly be able to get a spot anywhere. Great to see lots of people come out for the event but too many people make it a hassle. It becomes not worth the effort to take the family to an event. Then there is thought to build south of 50 – are you kidding me??? I think the size of Folsom is growing too fast as it is and now to add a ton of new homes. It sounds like it will be a planned community but I am not sure how that will keep all the people in it. The people will still be integrating into Folsom shopping and activities. WHY do people want Folsom to get so big?? Why don't they move to Sacramento if they want bigger?? Is it so that we have more building standing empty and subdivisions dug but no houses finished? I grew up in a city that had a distinct north and south area and it made it disconnected. I think the same thing will happen if Folsom keeps expanding. I admit I don't have much information regarding this idea but just wanted to voice my opinion as a concerned mother trying to raise her children in a wonderful city.

1

Sincerely,

Eryn Stevens

Stevens-1

The comment expresses opposition to the project. The comment expresses concern about the population increase in Folsom resulting in an unpleasant city to live in. The comment also expresses concern that development south of U.S. 50 would result in a disconnected community, divided into the north and south areas.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. The city believes that ample opportunities will exist for integration of the SPA into the existing city, including vehicular, pedestrian, and bicycle connectivity via the improved and proposed new Prairie City, Oak Avenue, Scott Road, and Empire Ranch crossings over U.S. 50 (see DEIR/DEIS Exhibit 2-9 on page 2-35).

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From: Barnett, Kenneth J [mailto:barnettk@skymail.csus.edu]
Sent: Sunday, August 15, 2010 8:19 PM
To: Gail Furness De Pardo
Subject: Comments on Specific Plan/Draft EIR (Hard copy mailed)

Date: August 10, 2010

Dear Ms. Furness de Pardo,

My wife and I are opposed to many facets of the Folsom's Sphere of Influence Project and draft Environmental Impact Report (EIR). After reviewing the appropriate documents will still feel that the negative aspects of the proposal outweigh the benefits. We believe that the following concerns will have a direct impact on quality of life in the Folsom area and on surrounding areas:

- Traffic Congestion-Traffic in the general area continues to worsen. Since we moved to the Folsom area from fair Oaks in 2005 we have witnessed traffic congestion increase dramatically on Highway 50, East Bidwell/Scott Road, Iron Point and surface streets. Even with roadway improvements, traffic calming programs, and the new bridge over the American River traffic continues to worsen. Although utilizing "smart Growth" and transit oriented development principles, regional planners still forecast major traffic congestion in the Folsom/HW 50 area. 1
- SMOG/Air Quality-As stated in the EIR there would be a significant increase in air pollution even with the proposed development of mass transit. Some of the federal, state, and outside funding may dry up causing limited capacity to handle increased traffic demands. Even with the well thought out plans to route construction traffic on the south side of HW 50 the interruptions and traffic back ups would still have a prolonged effect of traffic patterns and activities. 2
3
- Water usage-With the water compact in place our region would still be impacted by water shortages, especially during drought periods. we have lived in the Sacramento region our entire lives and have witnessed water rationing and shortages over the past 30 years. We have seen periods where families have done such an outstanding job of rationing water, that prices had to be increased due to supply and demand. we currently pay a surcharge to LA water for our water consumption. Betting on additional conservation initiatives based on reductions due to charging per gallon verses flat rates is a risky methodology to predict future consumption. 4
- Depressed economy-As we drive around the Folsom area, we are continually reminded of what happens to an area when the economy declines. Every block has multiple homes for sale and lawns and vegetation dying because the property has been abandon to falling home values. Depending on whose forecast we believe the economy will not rebound anytime soon. The Paladio project continues to develop slowly and the developers are still having challenges finding anchor stores. 5

We are sorry for taking a negative tone regarding the proposed development and EIR reports, but we do not see benefits that provide a better quality of life for Folsom or the region. We know that economy will eventually turn around and things will begin to grow, once again. But trying to expand an area when times are bad is not a good venture for the community, our children, grand children, or the overall health of Sacramento. 6

Thanks you for you time.

Respectfully,

Kenneth and Joan Barnett
1940 Caversham Way
Folsom, Ca 95630

Barnett-1

The comment states that traffic in the general area continues to worsen, with dramatic increases in traffic congestion on U.S. 50, East Bidwell Street, Scott Road, Iron Point Road, and surface streets, despite roadway improvements, traffic calming programs, and the new bridge over the American River. The comment further states that despite smart growth and transit-oriented development principles, regional planners still forecast “major traffic congestion” in the Folsom/U.S. 50 area.

The DEIR/DEIS addresses potential traffic congestion impacts in Section 3A.15, “Traffic and Transportation – Land,” and Section 3B.15, “Traffic and Transportation – Water.” Residual significant impacts are discussed on pages 3A.15-157 and 3B.15-12, as well as pages 4-76 through 4-85 of the DEIR/DEIS.

Barnett-2

The comment states that the project would have a significant increase in air pollution even with the proposed development of mass transit and some of the Federal, state, and outside funding might dry up, causing limited capacity to handle increased traffic demands.

The DEIR/DEIS analyzes project-related impacts to air quality in Sections 3A.2-1 and 3B.2-1; some of the air quality impacts would be significant and unavoidable even after implementation of all feasible mitigation measures. As discussed in Section 3A.15, “Traffic and Transportation” of the DEIS/DEIR, the cumulative conditions analysis assumes roadway and transit improvements that are consistent with 1) proposed projects adjacent to and in the vicinity of the SPA, and 2) the Metropolitan Transportation Plan (MTP) for areas outside the immediate project environs. The MTP, prepared by SACOG, identifies the likely timing of improvements based on funding constraints and, thus, is the best information available about transportation funding from Federal, state, and local sources.

Barnett-3

The comment states that construction traffic would have a prolonged effect on traffic patterns and activities.

Mitigation Measure 3A.14-1 requires the project applicants of all project phases to prepare and implement a construction traffic control plan for construction activities that may affect road rights-of-way. The traffic control plans must follow any applicable standards of the agency responsible for the affected roadway and must be approved and signed by a professional engineer. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flagperson to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses would be maintained at all times, with detours used as necessary during road closures. Traffic control plans would be submitted to the appropriate City or County department or Caltrans (as appropriate) for review and approval before the approval of all project plans or permits, for all project phases where implementation could cause construction-related impacts on traffic.

Barnett-4

The comment states that with the water compact in place, the region would still be affected by water shortages, especially during drought periods. The comment further states that betting on additional conservation initiatives based on reductions resulting from charging per gallon verses flat rates is a risky methodology to predict future consumption.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. Although the comment does not specially mention the enactment of SBx7-7, California's 2020 water conservation target, the City presumes that the comment's characterization of the "water compact" refers to this piece of legislation. The WSA prepared for the project (contained in Appendix M1 of the DEIR/DEIS) used a 10% reduction for single and multi-family uses, as opposed to a 20% reduction, so as not to underestimate the project's total water demands.

Barnett-5 through
Barnett-6

The comment notes the quantity of homes for sale or abandoned in Folsom. The comment also notes that the Palladio project continues to develop slowly and the developers are having trouble securing anchor tenants. The comments also state that trying to expand is not a good idea while economic times are bad.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted. The City is planning ahead for future growth that it anticipates will occur over the next 15-20 years. Development of the SPA would be market-driven and would be based on economics, and therefore would not occur until the market would support a demand for the project.

From: Dean & Colitta Brown [mailto:DnCBrown@sbcglobal.net]
Sent: Tuesday, August 10, 2010 12:50 PM
To: Gail Furness De Pardo
Subject: south of highway 50 project.

Our state is already short of water for the people that are here. How are you going to furnish water for all of this development. You can't count on the water project the state has now put on hold for the vote in 2012. The voters may turn that down.

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How do you think the residence are going to like hug cargo planes flying 2000 over their heads (into Mather) at all hours of the day, night and early morning. The city never followed through on their fight, for the citizens, to stop that.

| 2

Last but not least why are you asking our opinion? City officials and all other politicians never do what the citizens want.

Harvey Dean Brown

1002 Halidon Way

Folsom, Ca. 95630

Brown, H.-1

The comment questions how water will be supplied for the project, and states that water cannot be used that has been put on hold pending voter approval in 2012.

A complete discussion of the water supply for the SPA can be found in Section 3A.18, “Water Supply” of the DEIR/DEIS, beginning on page 3A.18-1. Impact 3A.18-1, beginning on page 3A.18-8, analyzes the increased water demand of the SPA. Additional information regarding water supply can be found in Impact 3B.16-2 on page 3B.16-7, and in Impact 3B.17-2 on page 3B.17-12. See also pages 2-75 through 2-102 in DEIR/DEIS Chapter 2, “Alternatives.”

Brown, H.-2

The comment questions why citizens’ opinions are being asked, since “City officials and all other politicians never do what the citizens want.”

Review and comment by members of the public who may be interested in and/or affected by a proposed action is an important component of the CEQA and NEPA processes. Participation by the public as well as Native American tribes, Federal, state, and local agencies leads to better and more informed decision-making by lead agencies. Both CEQA and NEPA require, as a matter of law, that a DEIR/DEIS be circulated for public review, and that state and Federal lead agencies consider comments and respond to those that pertain to significant environmental impacts of the project (PRC Section 15088 and 40 CFR Section 1503.4[a]). The City notes that the project has been designed to be consistent with and would be implemented based on Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022.

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From: Rich Jackson [mailto:Barrichvin1@earthlink.net]
Sent: Thursday, August 12, 2010 8:14 AM
To: Gail Furness De Pardo
Subject: South of Highway 50 project

Good Day Gail,

Regarding the SOI South of 50 project I believe that there should be numerous drinking fountains on the bike/walking trails. Having water available makes the pathways more user friendly. If it is also possible to put in and maintain restroom facilities along the route. Where not possible then portable units that are also maintained. On the existing trail in Folsom there should be more water fountains along the routes here.

Thank you,

Rich Jackson

Jackson-1

The comment suggests that drinking foundations and restroom facilities should be included along the proposed bicycle and walking paths. The comment also suggests that more drinking foundations should be installed along “the existing trail in Folsom.”

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. As discussed on page 1-9, “Introduction” of the DEIR/DEIS, the project is a specific plan, which is being analyzed a program level of detail (see also Master Response 10 – Programmatic Nature of EIR/EIS Analysis). Considerations such as the placement of drinking fountains and restrooms would be planned at the time that specific tentative maps and/or improvement plans were brought forward by the developers.

With regards to the comment that additional drinking foundations should be provided along “the existing trail in Folsom,” this comment does not pertain to the Folsom South of U.S. 50 Specific Plan project; therefore, no response is required.

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From: JacBec@aol.com [mailto:JacBec@aol.com]
Sent: Thursday, August 12, 2010 4:05 PM
To: Gail Furness De Pardo
Subject: South of 50 Development

I have been a resident and homeowner in Folsom since 1983, and have experienced significant growth and development of the city during my residency: some positive with the available shopping and amenities, public transportation, and our wonderful police and fire departments; some not positive with the placement of our beautiful library on land that should have been preserved as it was, but lack of planning (or inefficient bureaucracy) announced it was the only place for it, an 400% increase in city fees, and a significant increase in vehicle traffic. There has also been the need for water conservation programs. Regardless of who meets the cost water rights for new development, where will the water come from? There are already vacant stores in the Folsom Outlets and the downtown merchants are complaining of a drop in shoppers. There are "For Sale" signs in every residential area of the city.

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With a major shopping area now under construction at East Bedwell and Iron Point Road, why is there discussion of more development?

1 cont.

Who will benefit from developing South of 50? Develop to benefit the developers, or the involved bureaucrats? No thanks.

I am opposed to the development of the open land South of 50, until it can be determined there is a need for it, and that the development will be a positive experience for the current and future residents of Folsom. This information has not been satisfactorily provided.

Sincerely,

Jackie Beckham

jacbec@aol.com

Beckham-1

The comment states that Folsom has experienced both positive and negative development. The comment questions why new development is being considered when a major shopping area is already under construction at East Bidwell Street and Iron Point Road. The comment expresses dissatisfaction with the location of the library and resulting increase in traffic and City fees. The comment expresses opposition to development south of U.S. 50 until a determination is made that such development is needed and would be a benefit to the City.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment regarding the library within the existing City of Folsom does not pertain to the project, and therefore no response is required. The project would be developed consistent with Measure W, which was passed by 69% of Folsom voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. Development of the SPA would be market-driven and would be based on economics, and therefore would not occur until the market would support a demand for the project.

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From: anitha kumar [mailto:anitha_kumar@hotmail.com]
Sent: Sunday, August 15, 2010 11:01 PM
To: Gail Furness De Pardo
Subject: Gail Furness de Pardo

Hi,

I would like to request to keep the other side of I50 green. We already have so many homes empty around Folsom. Building more homes will only make us loss the green area we have around Folsom.

| 1

Please keep the area green.
Thanks,
Anitha Kumar

Kumar-1

The comment suggests that the SPA should be kept “green.”

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City notes that the project would preserve 30% of the SPA as open space consistent with Measure W and the requirements of the LAFCo MOU.

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From: Chip Brown [mailto:merwin_b@yahoo.com]
Sent: Monday, August 16, 2010 1:34 PM
To: Gail Furness De Pardo
Subject: Re: Comments on Annexation of Folsom's Sphere of Influence South of Hwy 50

Dear Gail,

I accidentally sent the previous e-mail before I had a chance to review what I wrote. Please delete my previous e-mail and use this e-mail as my official comments.

My comments are as follows:

I wanted to express my strong concern about developing in areas South of Highway 50. My greatest concern is loss of open space and high-value habitats, such as oak savannah, along with placing additional pressure on regional water supplies.

I would also like to understand what purpose the development will serve beyond providing developers with a potential source of short-term income. In Folsom many commercial/retail buildings remain empty, and many houses remain for sale. A few examples of vacant retail locations include: former location of Mervyn's in the Willow Creek Town Center, former location of Hollywood Video in the Commonwealth Square Shopping Center, and the recently opened Palladio Shopping center which is not fully utilized. It seems like this could simply create a glut of housing and commercial space, driving housing prices lower. With a potential double-dip recession predicted by some economists, it seems like a poor time to be considering a large development.

I strongly oppose development south of Highway 50. If development must occur, please make every effort to: fully mitigate for habitat loss, decrease water run-off and erosion, include energy efficient designs, and reduce or eliminate all lawns and focus on drought tolerant landscaping.

Thanks for your attention.

Merwin M Brown

105 Austin Dr

Folsom, CA 95630

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Brown, M.-1

The comment expresses concern about loss of open space and high-value habitats, such as oak savannah, and an increase in pressure on regional water supplies as a result of developing areas south of U.S. 50.

The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. An analysis regarding potential loss of open space and high-value habitats is contained in DEIR/DEIS Section 3A.3, “Biological Resources – Land” and 3B.3, “Biological Resources – Water.” An analysis of project-related impacts to water supplies is contained in Section 3A.18 “Water Supply.” The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Brown, M.-2

The comment requests understanding of the purpose of the project beyond income for the project developers. The comment provides examples of vacant buildings and homes in Folsom, as well as the lack of tenants in the new Palladio center. The comment expresses concern that a surplus of vacant buildings and homes will drive housing prices down.

The City’s and USACE’s project purpose and need, and the project objectives, are discussed in DEIR/DEIS Chapter 1, “Introduction,” pages 1-6 through 1-8. Development of the SPA would be market-driven and would be based on economics, and therefore would not occur until the market would support a demand for the project. The remainder of the comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Brown, M.-3

The comment expresses opposition to the project. The comment requests, if development must occur, that the project fully mitigate for habitat loss, decrease runoff and erosion, include energy efficient designs, reduce or eliminate all lawns, and focus on drought-tolerant landscaping.

Mitigation measures for habitat loss are contained in Section 3A.3, “Biological Resources – Land” and Section 3B.3, “Biological Resources – Water.” Mitigation measures that address runoff and erosion are contained in Section 3A.9, “Hydrology and Water Quality – Land,” Section 3B.9, “Hydrology and Water Quality – Water,” and Section 3A.7, “Geology, Soils, Minerals, and Paleontological Resources – Land.” The energy efficiency of the project is evaluated in Section 3A.16, “Utilities and Service Systems – Land” and is quantified in the project’s Air Quality Mitigation Plan (DEIR/DEIS Appendix C2). Measure W and the LAFCo MOU require that at least 30% of the SPA be retained as natural open space to preserve oak woodlands and sensitive habitat areas; these open space areas would not be irrigated.

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Brown, J.

From: Jennifer Brown [mailto:maclean.jennifer@gmail.com]
Sent: Monday, August 16, 2010 11:10 AM
To: Gail Furness De Pardo
Subject: Comments on Annexation of Folsom's SOI South of Hwy 50 and Draft EIR

Hi Gail,

I have attached my comments regarding the Annexation of Folsom's Sphere of Influence South of Highway 50 Specific Plan and Draft Environmental Impact Report. Please let me know if you have any trouble opening the document. I would be happy to drop off a hard copy at your office.

Thank you,

Jennifer Brown
(530) 400-9276

Jennifer C. Brown’s Comments Regarding the Annexation of Folsom’s Sphere of Influence South of Highway 50 Specific Plan & Draft Environmental Impact Report

INTRODUCTION AND PRIMARY COMMENT

I am vehemently opposed to any construction south of Highway 50. It is unclear to me why the City of Folsom is choosing to move forward with this plan now, when our Nation is in the middle of a great recession, and there are empty storefronts, commercial buildings, and housing development lots throughout the City of Folsom. If the demand for housing and commercial space was higher than what is currently available in Folsom, wouldn’t all commercial space and available lots be in use? It is unwise to expand faster than demand can support. I love our beautiful City of Folsom, and I do not want to see even more empty storefronts, partially developed housing development lots full of weeds, and additional blight. Please do not move forward with this plan.

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With that said, if Folsom’s Sphere of Influence expands south of Highway 50 and development plans move forward, I have included the following recommendations to further minimize impacts to native wildlife species and habitats, as well as to conserve valuable resources such as water and energy.

I would also like to request an extension of the comment period. My comments are limited and general due to a lack of time to review the Specific Plan & Draft Environmental Impact Report. Please contact me if you would like background information on any of the recommendations below.

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HABITAT AND WILDLIFE RECOMMENDATIONS

1. Consult with the U.S. Fish and Wildlife Service (USFWS) and with the National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) on impacts to Federally-listed species. Work with the U.S. Fish and Wildlife Service, Division of Migratory Bird Management avoid and minimize impacts to migratory bird species.
2. Consult with CDFG and implement all recommendations provided by CDFG for state-listed species.
3. Provide the acres of impact for each habitat type under each alternative. Impacts should be provided for each of the following categories: permanent/direct, temporary/direct, permanent/indirect, and temporary/indirect.
4. Minimize habitat fragmentation and the edge of effects of development by preserving large, contiguous units of natural habitat.
5. Maintain connectivity between each preserved habitat unit by preserving adequately sized habitat corridors for species movement. Maintain wider riparian

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- corridors to facilitate natural stream meandering, and provide overall higher habitat quality and diversity, as well as to prevent flooding in infrastructure built too close to natural drainages (repeated below under construction recommendations). As the length of habitat corridors increase, the width should also increase. Shorter corridors are more likely to provide connectivity than long corridors. If trails are incorporated into corridors for human use, I recommend preserving even wider habitat corridors so that wildlife species are more likely to use them.
- 7 cont.
6. Maintain a minimum two-mile corridor width for golden eagle, coyote and deer use. Golden eagles and larger mammals are especially sensitive to habitat loss and fragmentation, and they require, large, contiguous tracts of natural habitat.
- 8
7. Avoid construction in and around high-value habitats, such as oak woodland, savannah, riparian, and vernal pool habitats, and require that designs maintain a *minimum* 300-foot protective buffer around these areas to minimize edge effects on these habitats. Avoid and minimize direct and indirect impacts to wetland, riparian, and other aquatic habitat types. A 300-foot buffer zone should be established between construction activities and wetland, riparian, and other aquatic habitats, including fueling areas, staging areas, and spoil disposal areas. If sensitive amphibian species are present within an aquatic feature, the buffer zone should be increased. All contractors should be given oral and written instructions to avoid protected areas, and be made aware of the significant values of these areas to wildlife.
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8. Encourage all new homes and businesses to use native plants local to the area for landscaping, and recommend that the use of lawns and water-loving ornamental plants be minimized in order to conserve water and native habitat.
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9. The Migratory Bird Treaty Act (16 U.S.C. 703-712; MBTA) prohibits the taking, killing, possession, transportation and importation of migratory birds, their eggs, parts, and nests, except when authorized by the Department of Interior. Because MBTA does not permit “incidental take”, it is important for project proponents to work pro-actively with USFWS to avoid and minimize take of birds protected under the MBTA.
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- a. Conduct construction outside of the migratory bird breeding season in order to prevent nest destruction or abandonment due to human disturbance.
- b. If construction cannot be avoided during the breeding season, clear all vegetation prior to the breeding season to make the area less suitable for nesting. Survey the area for active nests the week prior to construction, and have a qualified biologist establish protective buffers around each nest. Have a qualified biologist on site throughout construction to monitor avian nesting in the project area, and to adjust buffer sizes as necessary. If a bird protected under the MBTA begins nesting near the project site after construction has
- 12

begun, every effort should be made to prevent nest abandonment. This includes: creating a buffer zone around active nests until young have fledged, monitoring bird reactions to construction activities, and halting activities if construction appears to have a negative affect on nesting birds. Under the Migratory Bird Treaty Act (MBTA), to cause the abandonment of an active nest would be classified as take, and is unlawful.

12 cont.

- c. To the extent possible, provide visual and audio buffers for raptor nests and roost locations in close proximity to trails, roads, construction sites, and other areas where human activities may cause disturbance. In addition to the spatial buffers, use native vegetation and natural topography to buffer the sights and sounds of human activities (Richardson and Miller 1997).

10. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d; BGEPA) further protects eagles from “take”, where take is defined as to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, disturb individuals, their nests and eggs. It is very important for project proponents to work pro-actively with USFWS to avoid and minimize take of bald eagles and golden eagles.

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- a. Conduct construction outside of golden eagle and bald eagle breeding season in accordance with the USFWS’ 2009 Eagle Permits; Take Necessary to Protect Interests in Particular Localities; Final Rule and the USFWS’ 2007 National Bald Eagle Management Guidelines (USFWS 2009; USFWS 2007).
- b. If construction is conducted during bald eagle or golden eagle breeding season, the National Bald Eagle Management Guidelines recommend a minimum 660-foot buffer zone around active bald eagle nests for the proposed construction activities, and recommended buffer sizes for golden eagles may be much larger due to their high sensitivity to human disturbance (Service 2007).

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11. Do not take any water from the Natomas Central Mutual Water Co.; it is likely to result in adverse affects to the Federally-threatened giant garter snake. Removing additional water from the Natomas Basin will result in reduced water availability for rice agriculture, which is valuable habitat for the giant garter snake. The additional loss of rice habitat will likely result in the continued decline of the Natomas Basin giant garter snake population. Look at alternatives solutions to meet water needs for the expanded area, including strongly encouraging water conservation throughout the Folsom Sphere of Influence.

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12. Avoid and minimize impacts to western pond turtle nesting habitat by:

- a. Clearly mark and maintain a 750 feet buffer around aquatic sites known to harbor western pond turtles. This is the estimated distance below which available upland habitat for western pond turtle breeding begins to diminish substantially (Reese 1996).

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- b. Conduct surveys for western pond turtle nests during the breeding season and clearly mark their location so that they can be avoided.
- c. Provide corridors broad enough not to impede either the movement of adult females to and from the nesting location nor the movement of hatchlings from the nest to the aquatic site should be flagged and/or fenced in a manner to allow turtle movement and to ensure that nests will not be trampled during incubation (Jennings and Hayes 1994).

In areas where the above is not feasible, minimize impacts to northwestern pond turtle by doing the following:

- a. Have a qualified biologist conduct surveys for pond turtle nests, juveniles, and adults prior to and during construction activities in suitable upland nesting and aquatic habitat (upland areas within 1,640 feet of canals, ditches, emergent wetlands, and other permanent/semi-permanent aquatic habitat) (Rathbun *et al.* 1992, East Contra Costa County Habitat Conservation Plan Association 2006, Reese 1996).
 - b. Relocate pond turtle nests, juveniles, and adults to suitable habitat away from construction areas; maintain corridors that are broad enough not to impede the movement of adult females to and from the nesting location or the movement of hatchlings from the nest to the aquatic site (Jennings and Hayes 1994).
9. Implement noise-reducing procedures for construction equipment, not only for nesting raptors, but also for other wildlife species that may be sensitive to noise and vibrations.
10. Conduct acoustic surveys throughout the project area to identify bat species that may be affected by the proposed project.
11. Survey trees for active bat roosts, as well as buildings, bridges, and other potential bat roosting sites that would be affected by the proposed project.
12. Minimize the impacts of light pollution on bats by following the measures below (Fure 2006 and Bat Conservation Trust, Undated):
- a. Confine construction work to daylight hours as much as possible.
 - b. Avoid illuminating bat roosting areas.
 - c. Use low-pressure sodium lamps instead of high-pressure sodium or mercury lamps; fit mercury lamps with UV filters.

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- d. Maintain the brightness as low as possible (less than 2000 lumens [150 watts] are generally needed for security lights).
- e. Limit the times during which the lighting can be used to provide dark periods.
- f. Direct the lighting to where it is needed to avoid light spillage; minimize upward lighting to avoid light pollution; limit the height of lighting columns to 26 feet; use plantings to screen out light.
- g. Enhance bat roosting habitat by installing bat boxes away from artificial light sources.
- h. Minimize the impacts of the project on bat foraging by restricting the use of insecticides.

20 cont.

CONSTRUCTION RECOMMENDATIONS

1. Require that all new construction incorporate the latest energy efficiency technologies for energy efficient homes and buildings. Also require that all new buildings, including homes, incorporate renewable energy technologies (geothermal, solar, etc.) in order to minimize dependence upon fossil fuels and large-scale renewal energy projects, which both have significant habitat and wildlife impacts. I also strongly recommend requiring installation of solar panels over parking lots to provide shade as well as to provide energy.
2. Require utilization of permeable surfaces for parking lots, walkways, driveways, etc. in order to minimize water and contaminant runoff from impermeable surfaces associated with development, and to maintain water percolation into the water table.
3. Maintain wider riparian corridors to facilitate natural stream meandering, as well as to prevent flooding in infrastructure built too close to natural drainages.
4. Require all new buildings to obtain LEED certification through the U.S. Green Building Council.
5. Minimize impacts from existing facilities and in the construction of new utility and energy systems and associated infrastructure by implementing the power line guidelines published by the Avian Power Line Interaction Committee (APLIC) (APLIC 2006, APLIC and the Service 2005).
 - a. Develop an Avian Protection Plan that minimizes the risk of electrocution, collision, and nest disturbance for migratory birds (APLIC and the Service 2005).
 - b. Use a horizontal and vertical separation between energized and/or grounded parts that allows sufficient clearance for wrist-to-wrist (flesh-to-flesh) and

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head-to-foot (flesh-to-flesh) clearance for the largest migratory birds in the project area. The standard 60 inches of horizontal separation and 40-48 inches of vertical separation between energized and/or grounded parts is recommended for eagles but may not be sufficient for white pelicans, California condors, which have a larger height and greater wingspan. In particular areas (i.e. areas with concentrations of wading birds and pelicans), vertical separation may need to be increased to 65 inches, and horizontal separation may need to be increased to 120 inches.

- c. Cover exposed grounded or energized parts with insulator covers to prevent avian contact.
 - d. Minimize the risk of collision by removing the overhead ground wire, or marking the line to increase visibility (e.g., marker balls, swinger markers, or bird flight diverters).
 - e. Provide safe alternative locations for perching or nesting.
 - f. Monitor and report to the Service and CDFG any bird mortalities associated with the transmission lines.
 - g. Retrofit or modify power poles where a protected bird has died. Retrofitting to prevent electrocutions could include: 1) covering jumper wires, conductors and equipment; 2) discouraging perching in unsafe areas; 3) reframing; or 4) replacing a structure.
5. Inventory and monitor bird populations and habitats, as appropriate and feasible, to facilitate decisions about the need for, and effectiveness of, conservation efforts.
6. Work with USFWS, California Department of Fish and Game (CDFG), and U.S. Army Corps of Engineers Regulatory Division on proper project siting and design in order to reduce impacts to sensitive habitats and species.
7. Develop a Storm Water Pollution Prevention Plan prior to construction.
8. Maximize land-use by discouraging construction of single-story buildings and large single-level parking lots.
9. Incorporate modes of public transportation throughout the newly expanded areas of Folsom to reduce traffic congestion and air pollution, as well as reduce our dependence on oil.
10. Work toward making the proposed project carbon neutral. Consistent with Intergovernmental Panel on Climate Change (2007) adaptation strategies/mitigation recommendations, compensate for the proposed project's

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carbon footprint by acquiring land and: 1) restoring or creating emergent marshlands/wetlands as a buffer against sea level rise and flooding, as well as for carbon sequestration (Kusler 1999, Trulio *et al.* 2007); and 2) reforesting former woodland and forest habitats in order to increase biomass productivity and carbon sequestration.

31 cont.

COMPENSATION/MITIGATION

1. Enhance protected habitats and develop an invasive species removal and management program. 32

2. Prior to project construction, develop and implement, in cooperation with USFWS, NOAA Fisheries, CDFG, and Project Partners, a compensatory mitigation and monitoring plan for all aquatic and terrestrial habitats adversely affected by the project. The document should identify compensation areas, designate re-vegetation areas, list the species to be planted, include a table of existing and expected future habitat acreage, and include a time line for implementation. The document should also describe elements to be monitored that would indicate success or failure, for example, floristic composition and vegetation cover. The mitigation and monitoring plan should include remedial measures if successful re-vegetation is not achieved. 33

3. Compensate for impacts to western pond turtle by enhancing, restoring, and protecting aquatic and adjacent upland nesting habitat for western pond turtle.
 - a. Provide suitable upland nesting habitat (*e.g.*, unshaded slopes), plentiful basking sites (*e.g.*, floating snags), and shallow water with dense emergent and subemergent vegetation for juveniles. Install artificial basking substrate and add woody debris to ponds that otherwise lack suitable basking sites to enhance habitat for northwestern pond turtles. In addition to improving habitat for western pond turtle, the woody debris and basking platforms can provide a means for monitoring the turtles and can attract nonnative species of emydid turtles for subsequent removal. 34
 - b. Created ponds should be sited away from busy roads to reduce the likelihood of mortality during periods when frogs, turtles, and salamanders move between ponds and uplands. Ponds should be created so that they can be drained if necessary to control bullfrogs and other invasive (exotic) animals.

4. Compensate for the loss of bat roosting and foraging habitat by enhancing, restoring, and protecting suitable habitat for bat species within Folsom by doing the following: 35
 - a. Collaborate with the California Bat Conservation Fund.
 - b. Create and/or enhance bat habitat by constructing bat boxes. Restrict public access to bat roosting areas.

5. Compensate for loss of nesting habitat by erecting nest boxes for cavity-nesting species such as kestrels, owls, bluebirds, swallows, chickadees, wrens, and others. | 36
6. Compensate for impacts to upland cover-types by reseeding or replanting all disturbed upland habitat with native vegetation. Reseed or replant just prior to the rainy season to enhance germination and plant establishment. Develop and implement weed abatement and revegetation monitoring programs that include success criteria. | 37

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Brown, J.-1

The comment expresses opposition to the project, and indicates that the City is expanding too rapidly because there are empty commercial buildings and houses within the existing City limits.

The project would be developed consistent with Measure W, which was passed by 69% of Folsom registered voters, and which resulted in the city amending its charter pursuant to City Ordinance No. 1022. See Chapter 1, "Introduction," pages 1-3 through 1-6 of the DEIR/DEIS for a discussion of Measure W, the LAFCo MOU, and amendments to the City charter. The Folsom South of U.S. 50 project is a specific plan, with long-term buildout anticipated to occur over the next 15-20 years. The City is planning ahead for future growth that it believes will occur.

The comment indicates that the letter contains recommendations to further minimize impacts to native wildlife species and habitats, as well as the conservation of resources such as water and energy.

As a general matter, the City notes that the commenter's "recommendations" presented in the letter appear to be strictly form-based, since the same or substantially similar recommendations suggested in the letter are already incorporated in the DEIR/DEIS.

Brown, J.-2

The comment requests an extension of the comment period.

See response to comment Sac Cnty-1-1.

Brown, J.-3

The comment recommends that the City of Folsom consult with the USFWS and the National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) on impacts to Federally listed species. The comment also suggests that the City should work with USFWS, Division of Migratory Bird Management to avoid and minimize impacts to migratory bird species.

Mitigation Measures 3A.3-2e, 3A.3-2f, 3A.3-2g, and 3A.3-2h (beginning on page 3A.3-55 of the DEIR/DEIS) require consultation with USFWS for impacts on Federally-listed species. On January 12, 2010, the project applicants provided the *Biological Assessment to Support Section 7 Consultation for Folsom Plan Specific Plan, Sacramento County, California* (BA) to USFWS. USACE initiated formal consultation with USFWS, following the requirements of Section 7 of the ESA for the project, in a letter on December 6, 2010. Consultation with NOAA is not required because no anadromous fishes are present in the SPA.

With regards to impacts on migratory birds, the Migratory Bird Treaty Act is discussed in the DEIR/DEIS on page 3A.3-22. Mitigation Measures 3A.3-2a and 3A.3-2c (on pages 3A.3-51 and 3A.3-54, respectively, of the DEIR/DEIS) would reduce impacts on migratory birds by requiring preconstruction nesting surveys and avoidance buffers if active nest sites of raptors or special-status bird species were found. The recommendation to consult with USFWS Division of Migratory Bird Management is noted; consultation regarding the MBTA in accordance with implementation of Mitigation Measures 3A.3-2a and 3A.3-2c would occur as necessary.

Brown, J.-4

The comment recommends that the City of Folsom consult with DFG and implement all recommendations provided by DFG for state-listed species.

State-listed species having the potential to be affected by the project include Swainson's hawk and several state-listed plants. As described in Mitigation Measures 3A.3-2a and 3A.3-2b (beginning on page 3A.3-51 of the DEIR/DEIS), the City would consult with DFG regarding impacts on and mitigation for Swainson's hawks, if found nesting on future project sites during preconstruction surveys, and regarding appropriate mitigation for loss of Swainson's hawk foraging habitat. Mitigation Measure 3A.3-3 (beginning on page 3A.3-70) would require the City to consult with DFG to determine appropriate mitigation if state-listed plant species were found during preconstruction surveys in areas that had not already been surveyed for special-status plants.

DFG was provided with the NOP and a copy of the DEIR/DEIS for review as a trustee agency. DFG did not provide comments on either the NOP or DEIR/DEIS. On December 15, 2010, the City of Folsom consulted by phone with DFG biologist Todd Gardner regarding mitigation for project impacts on Swainson's hawk foraging habitat.

Brown, J.-5

The comment recommends that the City of Folsom provide the acres of impact for each habitat type under each alternative, according to the following categories: permanent/direct, temporary/direct, permanent/indirect, and temporary/indirect.

The direct and indirect impact acreage for habitat types are provided, where applicable (e.g., Table 3A.3-3 on page 3A.3-34 of the DEIR/DEIS), for each alternative. Wetlands and other waters within 30 feet of proposed development were calculated as direct impact habitats. Indirect habitat impacts typically cannot be calculated in acres because they generally are impacts that lead to reduced function and value and not a loss of acreage. The quality of these habitat types are considered to be generally diminished because of indirect impacts, as discussed in Impacts 3A.3-1, 3A.3-4, and 3A.3-5 (beginning on page 3A.3-28 of the DEIR/DEIS).

The DEIR/DEIS considers both short- and long-term effects in the analyses of impacts on each habitat type and requires mitigation to offset temporal as well as permanent project impacts (see pages 3A.3- 37, 3A.3-49, 3A.3-61, 3A.3-88, and 3A.3-94 of the DEIR/DEIS for discussion of temporal impacts and mitigation). The approach presented in the DEIR/DEIS is adequate for a program-level analysis under CEQA/NEPA, and no requirement exists to present acres of impact in the categories identified in the comment (See Master Response 10 – Programmatic Nature of EIR/EIS Analysis).

Brown, J.-6

The comment recommends that the City minimize habitat fragmentation and the edge effect of development by preserving large, contiguous units of natural habitat.

As stated on page 3A.3-33 of the DEIR/DEIS, the open space design would provide a large habitat patch to maintain stream networks and wetland complexes, provide corridors for habitat connectivity both on and off the SPA, and minimize the perimeter-to-area ratio (i.e., edge effects). The Proposed Project Alternative would encompass 1,053 acres of open space that would provide habitat preservation, including complete avoidance of approximately 700 acres of oak woodland and wetland habitats. Furthermore, the DEIR/DEIS evaluates the No USACE Permit, Resource Impact Minimization, and Centralized Development Alternatives (see Chapter 2, "Alternatives), each of which would provide larger, interconnected habitat areas.

Brown, J.-7

The comment recommends that the City maintain connectivity between each preserved habitat unit by preserving adequately sized habitat corridors for species movement. The comment further recommends that wider riparian corridors be maintained to facilitate natural stream meandering, provide higher habitat quality and diversity, and to prevent flooding of infrastructure built too close to natural drainages. The comment defines adequately sized habitat corridors to be corridors that are shorter rather than longer, designed to increase in width as the length is increased and to be wider if the corridors incorporate trails for human use.

As described on page 3A.3-33 of the DEIR/DEIS, the project's open space design would provide corridors for habitat connectivity, both within (between preserve areas) and outside the SPA, and minimize the perimeter-to-area ratio (i.e., edge effects). Specifically, as stated on page 2-24 of the DEIR/DEIS, most of the stream channels and intermittent drainage channels are included in proposed open space corridors. The open space designation includes riparian corridors, landscape parkways 30 feet in width or greater, and wetland and stream and drainage channel habitats. Buffers of at least 75 feet are included in the open space design to protect preserved habitats from adjacent development. No grading, trails, or improvements would be allowed within the first 25 feet of buffer, but temporary disturbance associated with contour grading, mitigation planting, trails, benches, and other passive recreational amenities could occur in the outer 50 feet of buffer. Allowed uses within designated open space are designed to be consistent with the preservation and enhancement of natural open space and habitat features. Additionally, as stated on page 3A.3-31 of the DEIR/DEIS, free spanning bridge systems would be used for all roadway crossings over wetlands and other waters that were retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events.

Although habitat corridors developed as part of the open space design would minimize impacts to species movement, it is important to note that there are no established migratory routes through the SPA that are vital for the movement of any resident or migratory fish or wildlife species or population (page 3A.3-92 of the DEIR/DEIS). Additionally, the project includes preservation of the mainstem of the Alder Creek corridor (a potentially valuable species movement corridor recognized within the SPA) as open space. The DEIR/DEIS concludes that the proposed corridors in the open space design would adequately minimize potential impacts to wildlife movement and migratory routes to a less-than-significant level such that no mitigation would be required.

Brown, J.-8

The comment recommends that the City maintain a minimum 2-mile corridor for golden eagle, coyote, and deer use because golden eagles and larger mammals require large, contiguous tracts of natural habitat.

For a discussion of species movement corridors that would be maintained as part of the project's open space design, see the response to comment Brown, J-7. As part of the open space design, most drainages, creeks, and riparian areas within the SPA would be preserved as corridors; these landscape features are often used by wildlife, including mammals such as coyote and deer, as movement corridors because they provide cover and access across a landscape. In addition, as discussed on page 3A.3-24 of the DEIR/DEIS, stream corridors would provide sufficient width to allow for 50–150 foot natural buffers; the width of natural buffers would take into account corridors for wildlife habitat linkages. As a result, the discussion on pages 3A.3-88 to 3A.3-92 concluded that

the corridors would be adequate to maintain habitat connectivity and project impacts to wildlife movement, including the movements of coyote and deer, would be less than significant; thus, no mitigation for this impact would be required.

Providing a minimum 2-mile wide corridor across the SPA would not be feasible because it would not allow development of the site in a manner that would meet the project's objectives. Even if a 2-mile wide corridor were feasible, no evidence indicates that such a corridor would reduce the cumulative impacts of habitat degradation and fragmentation to a less-than-significant level. Furthermore, golden eagle is designated as a fully protected species under the California Fish and Game Code (Section 3511), which prohibits take of this species but does not prohibit removal or fragmentation of foraging habitat.

Brown, J.-9

The comment recommends that the City avoid construction in and around high-value habitats such as oak woodland and savannah, riparian, and vernal pool habitats, and require designs to maintain a minimum 300-foot protective buffer around these areas to minimize edge effects. The comment further recommends that direct and indirect impacts to wetland, riparian, and other aquatic habitat types be avoided and minimized by establishing a 300-foot buffer zone between construction activities (including fueling areas, staging areas, and spoil disposal areas) and wetland, riparian, and other aquatic habitats. The comment also suggests that if sensitive amphibian species were present within an aquatic feature, the buffer zone should be increased and all contractors should be made aware of the significant values of these areas to wildlife and be given oral and written instructions to avoid protected areas.

The project has been designed to avoid sensitive habitats to the maximum extent feasible. The project would include from 1,050 to 1,506 acres of open space, depending on the alternative selected, which is designed to preserve oak woodlands, wetlands and other waters of the U.S., and riparian habitat present in the SPA. This constitutes approximately 30% of the SPA that would be maintained as open space in perpetuity. As stated on page 3A.3-24 of the DEIR/DEIS, stream corridors would provide sufficient width to allow for 50–150-foot natural buffers, and buffers of at least 75 feet of open space would surround other preserved habitats to protect them from the adverse effects of adjacent development.

Providing a minimum 300-foot buffer around all sensitive or high-value habitats in the SPA would not be feasible because it would not allow development of the site in a manner that would meet the project's objectives. Therefore, the discussion on page 3A.3-69 of the DEIR/DEIS concludes that direct and indirect impacts on wetlands and other waters, blue oak woodland, and habitat for special-status wildlife would remain significant and unavoidable because of the effects of habitat fragmentation, and no feasible mitigation would be available.

Brown, J.-10

The comment makes the recommendation that the City encourage all new homes and businesses to use native plants local to the area for landscaping, and recommend that the use of lawns and water-loving ornamental plants be minimized in order to conserve water and native habitat.

Planning principles of the FPASP (attached as Appendix N of the DEIR/DEIS) include incorporation of sustainable design principles including the use of plants native to the Central Valley and foothills in all open space areas and natural parkways. Policy 10.41 of the FPASP requires the use of California Central Valley and foothill native plants in revegetation and new plantings along Alder Creek, and the design standards in Appendix

A of the FPASP require the use of native plants, whenever practical, in hillside area developments. Other LID strategies and water-conserving principles are included in the FPASP design principles to conserve water. Furthermore, all development within the SPA would be subject to Folsom Municipal Code Title 13, Chapter 13.26, Section 13.26.030, "Water Conservation Program and Landscape Guidelines," which requires sustainable landscape practices be included as a condition of approval, such as encouraging the use of drought-tolerant trees, shrubs, and ground cover, for any development project with new landscaping for which the city has discretionary approval authority.

Brown, J.-11

The comment summarizes the Migratory Bird Treaty Act (MBTA), 16 USC 703-712, and states that because MBTA does not permit "incidental take," it is important for project applicants to work proactively with USFWS to avoid and minimize take of birds protected under MBTA.

The City and the USACE are aware of the requirements of the MBTA, which is discussed in the DEIR/DEIS on page 3A.3-22. The purpose of the DEIR/DEIS is to evaluate and disclose potential adverse effects on the environment resulting from project implementation and to propose feasible mitigation to reduce adverse effects to a less-than-significant level. Mitigation measures to reduce significant impacts on Swainson's hawks and other raptors and other migratory bird species that are otherwise considered sensitive or special-status are described on pages 3A.3-51, 3A.3-52, and 3A.3-54 of the DEIR/DEIS. These include conducting preconstruction nesting surveys according to DFG guidelines, establishing no-disturbance buffers around active nest sites, and nest monitoring by a qualified biologist. See also response to comment Brown, J.-3.

Brown, J.-12

The comment recommends the following mitigation measures to avoid and minimize take of birds protected under MBTA:

- a. Conduct construction outside of the migratory bird breeding season to prevent nest destruction or abandonment because of human disturbance.*
- b. If construction could not be avoided during the breeding season, clear all vegetation before the breeding season to make the area less suitable for nesting. Survey the area for active nests the week before construction, and have a qualified biologist establish protective buffers around each nest. Have a qualified biologist on site throughout construction, to monitor avian nesting in the SPA and adjust buffer sizes as necessary. If a bird protected under the MBTA began nesting near the project site after construction has begun, every effort should be made to prevent nest abandonment. This would include: creating a buffer zone around active nests until the young have fledged, monitoring bird reactions to construction activities, and halting activities if construction appears to have a negative effect on nesting birds. Under the MBTA, to cause the abandonment of an active nest would be classified as take and would be unlawful.*
- c. To the extent possible, provide visual and audio buffers for raptor nests and roost locations in close proximity to trails, roads, construction sites, and other areas where human activities might cause disturbance. In addition to spatial buffers, use native vegetation and natural topography to buffer the sights and sounds of human activities (as per Richardson and Miller, 1997, referenced in the DEIR/DEIS).*

See response to comment Brown, J-11.

Brown, J.-13

The comment summarizes the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d) and states the importance for project applicants to work proactively with USFWS to avoid and minimize take of bald eagles and golden eagles.

As discussed in Table 3A.3-2 beginning on page 3A.3-11 of the DEIR/DEIS, bald and golden eagles do not nest in the Central Valley; no suitable nesting habitat exists for golden eagles in the SPA, and foraging habitat for bald eagles is marginal. Therefore, implementing the project would not result in take of individuals of either species or have the potential to affect nesting of either species, and no mitigation measures are required.

Brown, J.-14

The comment recommends the following mitigation measures to avoid and minimize take of bald and golden eagles:

- a. Conduct project construction outside of golden eagle and bald eagle breeding season in accordance with USFWS' 2009 Eagle Permits; Take Necessary to Protect Interests in Particular Localities; Final Rule and USFWS' 2007 National Bald Eagle Management Guidelines (USFWS 2009; USFWS 2007; as referenced by the commenter).*
- b. If project construction is conducted during bald eagle or golden eagle breeding season, follow the National Bald Eagle Management Guidelines recommendation of a minimum 660-foot buffer zone around active bald eagle nests for project construction activities; recommended buffer sizes for golden eagles might be much larger due because of their high sensitivity to human disturbance (Service 2007, as referenced by the commenter).*

See response to comment Brown, J-13.

Brown, J.-15

The comment requests that the City not take any water from the NCMWC. The comment states that removing additional water from the Natomas Basin would likely result in adverse effects to the Federally-threatened giant garter snake, contributing to additional loss of rice habitat that in turn would cause the continued decline of the Natomas Basin giant garter snake population.

See Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company's Service Area and Master Response 17 – Approach to the Evaluation of Physical Environmental Effects for the "Water" Component of the Project. As discussed on pages 3B.10-4 through 3B.10-5 of the DEIR/DEIS, the NCMWC service area (or Zone 1 of the "Water" Study Area) is transitioning from irrigated agricultural uses to urban uses as a result of planned growth by the City of Sacramento, Sacramento County, and Sutter County. Table 3B.10-1 on page 3B.10-5 of the DEIR/DEIS documents this change, reflected by the nearly 4,500-acre reduction in agricultural land between 2004 and 2007. These land use patterns were well established and in place before the issuance of the NOP for the project. Through a combination of irrigation efficiencies and NCMWC's remaining settlement contract water supplies, the assignment would not result in any reduction in suitable habitat for giant garter snake. Further, NCMWC's remaining supplies would be sufficient to supply 2004 cropping patterns, should rice production rebound in the future (see Appendix M2 of the DEIR/DEIS).

The comment also requests that the City evaluate alternative solutions to meet water needs for the expanded area, including strongly encouraging water conservation throughout the SPA.

Under NEPA, the range of alternatives that must be considered is limited to those reasonably related to the project's objectives. This objective, stated on page 1-8 of the DEIR/DEIS is: "Secure a sufficient and reliable water supply consistent with the requirements of Measure W and objectives of the WFA to support planned development within the SPA, which the City estimates to be 5,600 acre-feet per year."

On pages 2-97 through 2-103, the DEIR/DEIS considers and eliminates numerous water supply alternatives. In addition, on pages 3A.18-23 through 3A.18-52 of the DEIR/DEIS, several water supply options under CEQA are also considered. Finally, water conservation principles that would apply to the SPA, including the use of non-potable water for low volume irrigation systems, are contained in sustainable design policies discussed in the FPASP (attached as Appendix N to the DEIR/DEIS).

Brown, J.-16

The comment recommends the following mitigation measures to minimize impacts to western pond turtle nesting habitat:

- a. Clearly mark and maintain a 750 foot buffer around aquatic sites known to harbor western pond turtles. This is the estimated distance below which available upland habitat for western pond turtle breeding begins to diminish substantially (Reese 1996, as referenced by the commenter).*
- b. Conduct surveys for western pond turtle nests during the breeding season and clearly mark their location so that they could be avoided.*
- c. Provide corridors broad enough not to impede either the movement of adult females to and from the nesting location nor the movement of hatchlings from the nest to the aquatic site should be flagged and/or fenced in a manner to allow turtle movement and to ensure that nests would not be trampled during incubation (Jennings and Hayes 1994, as referenced by the commenter).*

In areas where the above would not be feasible, minimize impacts to northwestern pond turtle by doing the following:

- a. Have a qualified biologist conduct surveys for pond turtle nests, juveniles, and adults before and during construction activities in suitable upland nesting and aquatic habitat (upland areas within 1,640 feet of canals, ditches, emergent wetlands, and other permanent/semi-permanent aquatic habitat) (Rathbun et al. 1992, East Contra Costa County Habitat Conservation Plan Association 2006, Reese 1996; as referenced by the commenter).*
- b. Relocate pond turtle nests, juveniles, and adults to suitable habitat away from construction areas; maintain corridors that would be broad enough not to impede the movement of adult females to and from the nesting location or the movement of hatchlings from the nest to the aquatic site (Jennings and Hayes 1994, as referenced by the commenter).*

The discussion on page 3A.3-61 of the DEIR/DEIS concludes that impacts on western pond turtle would be less than significant because implementing the project would not remove known occupied or suitable ponds and upland habitat would be retained in

proximity to these ponds. Therefore, implementing the project would not be likely to have a substantial adverse effect on the regional population, and no mitigation measures are required.

Brown, J.-17

The comment suggests that noise-reducing procedures should be implemented for construction equipment, to protect nesting raptors and also other wildlife species that may be sensitive to noise and vibrations.

Mitigation Measure 3A.3-2a on page 3A.3-51 of the DEIR/DEIS would reduce significant impacts on nesting raptors to a less-than-significant level. This mitigation includes establishing no-disturbance buffers around active raptor nests and monitoring nests during construction to ensure the nest was not being disturbed by construction activities. No additional measures would be necessary to reduce potential noise impacts on wildlife to less-than-significant levels.

Brown, J.-18

The comment recommends conducting acoustic surveys throughout the SPA to identify bat species that might be affected by the project.

Mitigation Measure 3A.3-2d on page 3A.3-55 of the DEIR/DEIS requires that preconstruction surveys for roosting bats be conducted by a qualified biologist in all potential bat roosting habitat. The mitigation measure would require a determination of the number and species of bats present. Acoustic surveys could be utilized to comply with this mitigation measure. As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text of this mitigation has been clarified to reflect all potential bat roosting habitat on the project site (rather than just mine shafts).

Brown, J.-19

The comment recommends surveying trees, buildings, bridges, and other potential bat roosting sites that would be affected by the project.

Mitigation Measure 3A.3-2d on page 3A.3-55 of the DEIR/DEIS requires that preconstruction surveys for roosting bats be conducted by a qualified biologist in all potential bat roosting habitat.

Brown, J.-20

The comment recommends minimizing impacts of light pollution on bats by implementing the following measures (Fure 2006 and Bat Conservation Trust, Undated; as referenced by the commenter):

- a. Confine construction work to daylight hours as much as possible.*
- b. Avoid illuminating bat roosting areas.*
- c. Use low-pressure sodium lamps instead of high-pressure sodium or mercury lamps; fit mercury lamps with UV filters.*
- d. Maintain the brightness as low as possible (less than 2000 lumens [150 watts] are generally needed for security lights).*
- e. Limit the times during which the lighting could be used to provide dark periods.*
- f. Direct the lighting to where needed to avoid light spillage; minimize upward lighting to avoid light pollution; limit the height of lighting columns to 26 feet; use plantings to screen out light.*

- g. Enhance bat roosting habitat by installing bat boxes away from artificial light sources.*
- h. Minimize the impacts of the project on bat foraging by restricting the use of insecticides.*

DEIR/DEIS Mitigation Measure 3A.3-2d contains a suite of measures designed to mitigate project-related impacts on bats to the maximum extent feasible. Impact 3A.3-2 was determined to be significant and unavoidable solely because the direct removal of approximately 2,700 acres and indirect effect to approximately 800 acres of potential habitat for special-status wildlife cannot be fully mitigated. The measures suggested by the commenter would not further reduce the significant and unavoidable impact on bats related to the overall loss of wildlife habitat, and the City/USACE believe that DEIR/DEIS Mitigation Measure 3A.3-2d (which has been clarified as shown in Chapter 5, “Errata” of this FEIR/FEIS) reduces the impacts on bat species to the maximum extent feasible. Therefore, no further changes to the DEIR/DEIS are required.

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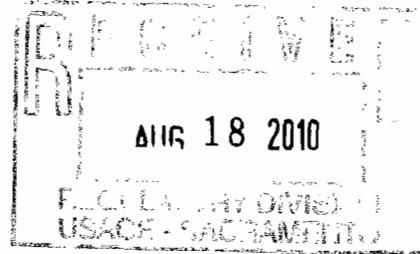
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August 16, 2010



Ms. Gail Furness de Pardo
City of Folsom
50 Natoma Street
Folsom, California 95630

Ms. Lisa Gibson
U.S. Army Corps of Engineers
1325 J Street, Rom 1480
Sacramento, California 95814-2922

Re: EIR/EIS for the Folsom South of U.S. 50 Specific Plan
SCH #2008092051
SPK-2007-02159

Dear Ms. Furness de Pardo and Ms. Gibson:

Our office represents Conwy LLC, the developer of the Cordova Hills Project mentioned in the Draft EIR/EIS for the Folsom South of U.S. 50 Specific Plan Project (the "Folsom Project"). We have conducted a limited review of the EIR/EIS and provide the following comments.

Comprehensive Planning

The EIR/EIS briefly describes a number of significant projects that are in the planning and development stages in eastern Sacramento County and the City of Rancho Cordova in the vicinity of the Folsom Project. Given the infrastructure needs of those various projects, there is a need for the City of Folsom to engage in comprehensive planning efforts with the County of Sacramento and the City of Rancho Cordova to identify and address regional environmental impacts on traffic, water and sewer issues and determine mutually beneficial solutions to those items. A failure to coordinate with other jurisdictions may well result in environmental impacts not examined in the EIR/EIS for the Folsom Project.

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Traffic Impacts – Cumulative 2030 Condition

The EIR/EIS’ analysis of the Folsom Project’s cumulative traffic impacts on the region’s transportation network in the Year 2030 assumed that only Phase One of the Cordova Hills Project would be built in 2030. That was not an accurate assumption. By the Year 2030, full build-out of the Cordova Hills Project should have been assumed for the traffic analysis undertaken for the EIR/EIS.

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An application for the Cordova Hills Project is pending with Sacramento County and an Environmental Impact Report is now being prepared by the County for the Cordova Hills Project. There are three phases for the Cordova Hills Project, and Conwy LLC fully expects to complete the majority of the development of all three phases by the year 2030. Full build-out of the Cordova Hills Project will include 8,000 total dwelling units and 1.3 Million square feet of retail and office uses that would include a regional shopping center along Grant Line Road. The Cordova Hills Project also includes a private university campus with approximately 1.8 Million square feet of educational facilities and buildings, 1.3 Million square feet of which should be completed by the year 2030. Thus, by the year 2030, approximately 4,140 students are planned to be attending the university, with approximately 2,787 living on campus. In addition, there will likely be approximately 1,404 faculty and staff at the university by the year 2030. Consequently, the traffic analysis in the EIR/EIS should have assumed trips would be generated from the build-out of the Cordova Hills Project in 2030 with 8,000 dwelling units, 1.3 Million square feet of retail and office uses (including a regional shopping center) and a functioning university campus with approximately 1.3 Million square feet of buildings, not just traffic from Phase One of the Cordova Hills Project. Failure to accurately reflect the build-out of the Cordova Hills Project has resulted in a faulty year 2030 cumulative condition analysis in the traffic study for the Folsom Project’s EIR/EIS.

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Water Supply Pipeline

While the EIR/EIS examined a number of alternative locations for the new water supply pipeline that will serve the Folsom Project, there is one element that was common to all of the alternatives - location of the pipeline along Grant Line Road in the vicinity of the Cordova Hills Project. We were unable to determine from the EIR/EIS the exact location of where the City of Folsom intends to construct the new water supply pipeline at Grant Line Road. The EIR/EIS simply mentions that the pipeline will be within 100 feet of the centerline of the Grant Line Road right of way. Please clarify whether the new water supply pipeline will be on the east or west side of the Grant Line Road right of way.

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The location of the water supply pipeline on either side of Grant Line Road is likely to have environmental impacts on wetlands and other jurisdictional waters of the United States, but the EIR/EIS does not appear to fully address those impacts with any particularity. A U.S. Army Corps of Engineers approved wetlands delineation for the

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Cordova Hills Project has been made and there are wetlands along portions of the Cordova Hills Project's Grant Line Road frontage. It is unclear to us whether the EIR/EIS took into account the proposed water supply pipeline's direct and indirect impacts to those wetlands at the Cordova Hills Project in the EIR/EIS' assessment of the environmental impacts from the Folsom Project's water supply component. If the Folsom Project's water supply pipeline is going to be situated on the east side of the Grant Line Road right-of-way, there will definitely be direct and indirect adverse impacts to those wetlands and other jurisdictional waters of the United States.

The new water supply pipeline and its ultimate location is an area where the City of Folsom needs to coordinate its efforts with the land use and infrastructure planning taking place by Sacramento County in order to assure that the water pipeline does not create problems for the infrastructure that is being installed by other future projects. Moreover, along the west side of Grant Line Road there are several projects in the City of Rancho Cordova that have approved tentative subdivision maps. It is uncertain what impacts the Folsom Project's water pipeline will have on these projects, since they are never mentioned by the EIR/EIS. More important, however, the Cordova Hills Project already has planned its infrastructure in Grant Line Road.

There has never been any consultation by the City of Folsom with the developers of the Cordova Hills Project to coordinate the City's pipeline with the Cordova Hills Project's infrastructure. Consequently, it is unclear what environmental impacts will arise if the City of Folsom elects to put its new water supply pipeline on the east side of Grant Line Road when the infrastructure for the Cordova Hills Project is already in place. Plans for the Cordova Hills Project's infrastructure on the east side of the Grant Line Road right-of-way have been prepared without regard to the new water supply pipeline proposed by the Folsom Project.

Water Supply Capacity

While we understand that the Water Supply Pipeline discussed previously is contemplated to provide raw water to be subsequently treated as one mechanism to insure available water supply for the Folsom Project, we are concerned that the EIR does not fully evaluate the issue of water supply in conjunction with the Sacramento County Water Agency (SCWA). In this regard, we urge the City of Folsom to consult with the SCWA before relying on SCWA water to serve the Folsom Project. It is imperative for other projects that may be served by Zone 40 water that SCWA insure sufficient capacity for the build-out of these projects located within the Zone 40 service area, before it commits any capacity to the Folsom Project.

Ms. Gail Furness de Pardo
Ms. Lisa Gibson
August 16, 2010
Page 4



Conclusion

Thank you for the opportunity to comment upon the Draft EIR/EIS for the Folsom South of U.S. 50 Specific Plan Project. We look forward to receiving clarification of the points noted above and urge the City of Folsom to engage further with Sacramento County and the City of Ranch Cordova to comprehensively plan the infrastructure improvements that will be required in the eastern portion of Sacramento County, Rancho Cordova and Folsom.

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Very truly yours,

LAW OFFICES OF
GREGORY D. THATCH


MICHAEL DEVEREAUX

MD/kr
D7080.doc

cc: Ron Alvarado Conwy LLC
Mark Hanson, Conwy LLC

Conwy-1

The comment states that the DEIR/DEIS briefly describes a number of significant projects in the planning and development stages in the vicinity of the Folsom South of 50 Specific Plan project. The comment suggests that the City of Folsom should engage in much more comprehensive planning effort, working with Sacramento County and the City of Rancho Cordova, to examine the infrastructure and environmental impacts on traffic, water, and sewer issues of these other projects and determine mutually beneficial solutions.

As required by both CEQA and NEPA, the DEIR/DEIS addresses the cumulative impacts of the project in the context of the other reasonably foreseeable projects anticipated to occur in the project vicinity (see DEIR/DEIS Chapter 4, “Other Statutory Requirements”). The City has worked with Sacramento County, Caltrans, SMAQMD, and other area jurisdictions (including the City of Rancho Cordova) on various issues of regional importance.

Conwy-2

The comment states that there are numerous projects in eastern Sacramento County in various stages of development and coordination is required among all jurisdictions. The comment further states that failure to coordinate may result in environmental impacts not examined in the DEIR/DEIS.

Chapter 4, “Other Statutory Requirements,” provides a discussion of cumulative impacts. The discussion of cumulative impacts includes a list of related projects in the region, as well as the characteristics and status of the projects. The discussion also describes the various jurisdictions within the regional setting.

Conwy-3 through
Conwy-4

The comments state that the cumulative traffic forecasts and analysis in the DEIR/DEIS did not assume full build-out of the Cordova Hills Specific Plan area by 2030, but only Phase 1. The comments suggest that the cumulative traffic forecasts and analysis should have assumed full build-out of the Cordova Hills Specific Plan area, not just Phase 1.

The cumulative traffic forecasts and analysis (see Section 3A.15, “Traffic and Transportation” pages 3A.15-79 through 3A.15-135 of the DEIR/DEIS) only assumed Phase 1 build-out of the Cordova Hills Specific Plan area by 2030, not full build-out, because the Cordova Hills Specific Plan was not an approved plan at the time of publication of the DEIR/DEIS for this project, and is not consistent with the current Sacramento County General Plan. At the beginning of preparation of the DEIR/DEIS, no application for the Cordova Hills project had occurred.

The cumulative land use evaluation in the DEIR/DEIS includes a portion of the Cordova Hills project because the City and USACE recognize the possibility that the Cordova Hills project, or some alternative, may be approved at that location. However, within the cumulative year 2030 horizon, it would be speculative to assume that full build-out of the Cordova Hills project would occur. Full build-out of the Cordova Hills project also would be inconsistent with SACOG's year 2035 land use projections.

Conwy-5 through
Conwy-9

The comments describe the land use and the phasing of the Cordova Hills Project. The comments state that the failure to accurately reflect the build-out of the Cordova Hills Project results in a faulty year 2030 cumulative condition analysis in the DEIR/DEIS traffic study.

As discussed in responses to comments Conwy-3 and Conwy-4, the Cordova Hills Project is not approved, is not consistent with the current Sacramento County General Plan, and this development is not included in SACOG 2035 land use projections. Therefore, assuming its full build-out within the cumulative year 2030 horizon, as suggested by the commenter, would be speculative.

Conwy-10

The comment states that although the DEIR/DEIS examines a number of alternative locations for the water supply pipeline to serve the project, one element is common to all of the alternatives, the location of the pipeline along Grant Line Road.

Among the Off-site Water Facility Alternatives analyzed in the DEIR/DEIS, only the Proposed Off-site Water Facility Alternative and Off-site Water Facility Alternatives 1 and 1A would extend along portions of Grant Line Road, bordering the Cordova Hills Project. The remaining Off-site Water Facility Alternatives would intersect with Grant Line Road north of Douglas Road or would avoid Grant Line Road altogether, as discussed on pages 2-80 through 2-96 of the DEIR/DEIS.

Conwy-11

The comment requests clarification of the location of the water supply pipeline along Grant Line Road because the DEIR/DEIS only mentions that it would be constructed within a 200-foot corridor or 100 feet off the centerline.

As discussed on page 2-84 of the DEIR/DEIS, the City considered a 200-foot corridor for the conveyance alignments associated with each Off-site Water Facility Alternative. The approach was considered appropriate because of the programmatic nature of the DEIR/DEIS, the consideration of multiple alternatives, and to provide the City with flexibility in selecting a preferred route (See Master Response 10 – Programmatic Nature of EIR/EIS Analysis). In accordance with Mitigation Measure 3B.16-3b on page 3B.16-8 of the DEIR/DEIS, the City would be required to coordinate the installation of the conveyance pipeline with applicable public utility providers including Sacramento County, to avoid and/or minimize disruptions to existing and planned utilities.

As discussed in Chapter 2, “Minor Modifications to the Project” of this FEIR/FEIS, the City has selected the Proposed Off-site Water Facility Alternative as the preferred Off-site Water Facility Alternative.

Conwy-12 through
Conwy-13

The comments state that a conveyance pipeline along Grant Line Road would likely have environmental impacts to wetlands and other jurisdictional waters of the U.S., but the DEIR/DEIS does not appear to fully address those impacts.

USACE and the City believe that the DEIR/DEIS adequately evaluates impacts to wetlands for each of the Off-site Water Facility Alternatives. Impact 3B.3-1 on pages 3B.3-35 through 3B.3-41 of the DEIR/DEIS includes a comprehensive evaluation of potential wetland impacts for each of the Off-site Water Facility Alternatives and quantifies the potential direct impacts to the various wetland habitats documented within Zone 4 of the “Water” Study Area. Additionally, and in recognition of the programmatic nature of the DEIR/DEIS, the City analyzed the impacts of constructing the conveyance

alignment down the left and right portions of the 200-foot study corridor. Details for the quantified impacts are provided in Table 3B.3-4 on page 3B.3-37 of the DEIR/DEIS (See also Master Response 10 – Programmatic Nature of EIR/EIS Analysis). The City’s analysis of potential impacts to wetlands and waters of the U. S. (on page 3B.3-46 of the DEIR/DEIS) indicates that following the completion of additional pipeline routing and preparation of a formal mitigation plan, impacts to wetlands could be reduced to a less-than-significant level.

Conwy-14

The comment states that USACE has verified a wetlands delineation for the Cordova Hills Project site, with wetlands occurring along that site’s Grant Line Road frontage.

The comment restates text that is contained in the DEIR/DEIS. The wetland features that occur along Grant Line Road in the vicinity of the Cordova Hills Project are illustrated in Exhibit 3B.3-3C on page 3B.3-27 of the DEIR/DEIS.

Conwy-15

The comment states that ambiguity exists as to whether the DEIR/DEIS accounts for potential direct and indirect impacts resulting from the Off-site Water Facility Alternatives.

See responses to comments Conwy-12 and Conwy-13. Impact 3B.3-1, beginning on page 3B.3-35 of the DEIR/DEIS, includes a thorough evaluation of the potential direct and indirect impacts that could occur in conjunction with each of the Off-site Water Facility Alternatives.

Conwy-16

The comment states that if the conveyance alignment for the water supply pipeline is installed along the eastern side of Grant Line Road, direct and indirect adverse impacts would occur to wetlands and jurisdictional waters of the U.S.

The analysis provided for the Proposed Off-site Water Facility Alternative and Off-site Water Facility Alternatives 1 and 1A under Impact 3B.3-1, beginning on page 3B.3-35 of the DEIR/DEIS, discloses the potential direct and indirect wetland impacts identified in the comment.

Conwy-17

The comment states that the City would need to coordinate the installation of the selected Off-site Water Facility Alternative with Sacramento County to assure that the conveyance alignment did not interfere with other infrastructure projects.

Implementation of Mitigation Measures 3B.16-3a and 3B.16-3b, beginning on page 3B.16-8 of the DEIR/DEIS, would address the concerns raised by the commenter.

Conwy-18

The comment references several projects in the City of Rancho Cordova that have approved tentative subdivision maps. The comment states that ambiguity exists as to what environmental impacts the project’s water pipeline would have on these projects because they are not mentioned in the DEIR/DEIS.

The potential impacts of the Proposed Off-site Water Facility Alternative and Off-site Water Facility Alternatives 1 and 1A are discussed throughout Chapters 3 and 4 of the DEIR/DEIS. See responses to comments Conwy-12 through Conwy-13.

In relation to the potential for utility conflicts, the City notes the additional utility information provided in the comment letter as to the location of these utilities, which was not available in advance of the release of the DEIR/DEIS. The potential for utility conflicts is evaluated in Impact 3B.16-3 on pages 3B.16-7 and 3B.16-8 of the

DEIR/DEIS. As discussed, implementation of Mitigation Measures 3B.16-3a and 3B.16-3b, beginning on page 3B.16-8 of the DEIR/DEIS, would be adequate to minimize the potential for utility conflicts, including those that might occur east of Grant Line Road when the City began preliminary design.

Conwy-19 through
Conwy-20

The comment states that the Cordova Hills Project already has planned its infrastructure in Grant Line Road, and that the City has not consulted with the developers of the Cordova Hills Project to coordinate the project pipeline with the Cordova Hills Project's infrastructure.

See responses to comments Conwy-11 and Conwy-18.

Conwy-21

The comment states that ambiguity exists as to what environmental impacts would occur if the City elected to install conveyance pipeline along the eastern portion of Grant Line Road after the Cordova Hills Project infrastructure was already in place.

See responses to comments Conwy-11 and Conwy-18.

Conwy-22

The comment states that plans for the Cordova Hills Project infrastructure along the east side of Grant Line Road were prepared without regard for the project water supply pipeline.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

Conwy-23 through
Conwy-24

The comments state that although the Off-site Water Facility alternatives contemplate a raw water pipeline with subsequent treatment as one mechanism to ensure available water supply for the project, concern exists that the DEIR/DEIS does not fully evaluate the issue of water supply in conjunction with SCWA.

The City does not propose to purchase water supplies from SCWA. As discussed on page 2-82 of the DEIR/DEIS, the City proposes to purchase diversion and conveyance capacity within SCWA's portion of the Freeport Project. The potential direct and indirect impacts of SCWA being allocated up to 6.5 mgd, plus an appropriate peaking factor of capacity, is analyzed in Chapters 3 and 4 of the DEIR/DEIS. As provided in Impact 3B.17-2 on pages 3B.17-12 and 3B.17-13 of the DEIR/DEIS, the City assumed that capacity lost within the Freeport Project to divert surface water to the City would need to be supplemented with additional groundwater by SCWA. This impact to SCWA and the Sacramento County central groundwater subbasin is analyzed from a cumulative perspective on pages 4-42 and 4-43 of the DEIR/DEIS.

Conwy-25

The comment suggests that the City should consult with SCWA before relying on SCWA water to serve the project.

The City and SCWA have conducted substantial consultation over the past few years, leading to the development and signing of a MOU between the two entities that outlines the components of a Delivery Agreement. A signed MOU is provided in the FEIS/FEIR as Appendix T.

The MOU is intended only to frame future negotiations between SCWA. As stated in Sections 2, 11, and 12 in both the draft MOU (provided in Appendix M3 of the DEIR/DEIS) and the final executed MOU, the MOU does not represent a binding commitment by the City or SCWA. The DEIR/DEIS's description of the MOU and a potential Delivery Agreement between the City and SCWA (on page 2-82 of the DEIR/DEIS) is consistent with the terms of both the draft MOU and the executed MOU. As described in Section 4.1 in both the draft MOU and the final executed MOU, those terms provide the basis for the City's and USACE's analysis of the potential impacts associated with implementing the project. A firm commitment by the City or SCWA cannot be obtained until after completion of the environmental review processes.

Conwy-26

The comment states that it is imperative for SCWA to ensure that sufficient water supplies are reserved for buildout of those projects within Zone 40 before committing any capacity to the Folsom SPA project.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

Conwy-27

The comment states that the commenter looks forward to receiving clarification of the points listed in the letter and again urges the City to engage with Sacramento County and the City of Rancho Cordova on infrastructure improvements.

See response to comment Conwy-1. Responses to the issues raised in the commenter's letter are contained in responses to comments Conwy-1 through Conwy-26.

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From: Paul Raveling [mailto:paul.raveling@sierrafoot.org]
Sent: Tuesday, August 31, 2010 11:59 AM
To: Gail Furness De Pardo
Cc: Paul Raveling; John Knight; John Hidahl; Norm Rowett; John Raslear; Jon Jakowatz; Alice klinger
Subject: Comments on Folsom Sphere of Influence Draft EIR

Dear Ms. dePardo and City of Folsom,

I have a number of personal comments in the general area of traffic impacts. This is in addition to specific comments, where my initial review was incorporated into at least the first draft of comments submitted by the El Dorado Hills Area Planning Advisory Committee (APAC).

Question (related to sources of traffic):

How is the Folsom SOI's Town Center related to the existing El Dorado Hills Town Center? Choice of the same name in the SOI as that of the existing EDH area about 2.3 miles away suggests either intense cooperation between the two or intense economic competition. Either of those alternatives can be expected to affect traffic patterns.

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One suggestion not directly related to environmental impacts is to change the name of the Folsom SOI Town Center to avoid public confusion between the two areas. A suggestion to couple "truth in advertising" with Folsom's apparent semantic theme is "City Limits".

Comment 1:

I recommend adoption of the Centralized Development Alternative. My "next best" recommendation is the Reduced Hillside Development Alternative.

This recommendation is partially based on policies in the El Dorado County General Plan for separation of Community Regions, using open space and low intensity (rural) land uses between them. This is in part to maintain community identity. In the Folsom SOI it also mitigates a set of environmental impacts while retaining ability to build economically on land with flatter topography than exists near the county line. It may also afford a small degree of traffic mitigation in El Dorado Hills by eliminating the two residential streets which the Proposed Project plans as connections across the County line in residential areas.

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Comment 2:

Traffic model results for White Rock Road through El Dorado Hills show some quantitative details that raise questions of whether the forecasts adequately predict traffic levels on segments of White Rock Road in El Dorado Hills. It appears that the forecasts may overestimate use of Carson Crossing Road and may somewhat underestimate the level of traffic that the SOI will induce on some of the segments of White Rock Road between the future Silva Valley interchange and Latrobe Road. Cumulative impacts are especially important on White Rock and Latrobe Roads. My recommendation is to consider both the actual forecast as stated and at least one additional high-range forecast to identify the most critical road segments, intersections, and local areas. The simplest approach could be (for example) to scale up all assumptions of original traffic demand by a factor in the range of 30% to 50%.

3

Subcomment 2.1:

It's possible that the EIR might anticipate a plan to use Carson Crossing Road to connect between White Rock and the El Dorado Hills Business Park. Feasibility of such a route is questionable: (1) Carson Crossing was planned as a residential feeder, proximity of homes should discourage increased traffic levels. (2) Simple geometry of possible alternatives favors development of a different route to serve the El Dorado Hills Business Park from its west side. Such a route is somewhat dependent on Folsom SOI planning.

4

There are two good candidates for such a new arterial in the Folsom SOI and Sacramento County south of the SOI: (1) an additional extension of Empire Ranch Road beyond that currently planned for the Folsom SOI, and (2) Payen Road, with a connection to US 50 via Sacramento Road. Empire Ranch Road probably is the more feasible of these: Connecting Sacramento Road with US 50 appears to require a major redesign and rebuild of the Scott Road/East Bidwell interchange.

Subcomment 2.2:

Arterial connection on Empire Ranch Road between White Rock Road and Iron Point Road/Saratoga Way is also highly significant. It is needed to mitigate traffic levels in El Dorado Hills for reasons other than connection with US 50. This is the only viable way to provide a link between the future west end of Saratoga Way and White Rock Road.

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That link is especially important if the Sacramento Southeast Connector is developed as planned, using White Rock Road. This can divert a substantial share of traffic that originates and terminates in the EDH residential areas north of US 50 away from traffic-critical road segments and intersections on El Dorado Hills Blvd, Latrobe Road, and White Rock Road.

Comment 3:

I hope that Folsom's planning correctly recognizes overall traffic interdependence in two scopes: EDH/Folsom local traffic and regional through traffic. A number of existing regional routes suggest that Folsom planning in the past has been (not surprisingly) somewhat Folsom-centric. A consequence in some cases has been traffic engineering which is not ideal for regional traffic, and in fact sometimes producing LOS F conditions. (A current example following from opening of Folsom Lake Crossing is delay time at the regionally-used left turn from Greenback onto Folsom/Auburn Road northbound: I routinely experience delays in the range of 3 to 5 minutes in afternoon peak at that point.)

6

Comment 4:

I recommend use of roundabouts instead of signalized intersections wherever possible. This decreases traffic delays and congestion, producing desirable side effects of improving traffic safety and reducing air pollution. Air pollution is important because we are in a noncompliance area, at least for oxides of nitrogen and at times for ozone.

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Comment 5:

During most seasons our area's particulate emissions are mainly from motor vehicles. In winter they change to being dominated by wood fires (fireplaces and stoves). It may be appropriate to consider some form of restriction on wood burning by ordinance.

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Comment 6:

Cumulative impacts are especially important for traffic, where delay time is a generally exponential function of V/C and of traffic signal operation. This observation is not specific to the SOI project, but it is essential for consideration in all planning throughout the Sacramento region. The SACOG Blueprint and the corresponding Master Transportation Plan use a strategy of increasing urban densities in order to reduce average trip length, but at the expense of increasing local congestion and overall traffic delays. Increased traffic delays are a problem, not a solution, to El Dorado Hills and El Dorado County residents.

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Incidental notes for emphasis of Comment 6:

The portion of the SACOG region which lies west of the Sierra foothills is at least as large in area as the Los Angeles Basin and the San Fernando Valley. The Sacramento region growth pattern has long been based on spreading suburbs. This is the same as the historic growth patter of the Los Angeles Basin and the San Fernando Valley.

The Los Angeles area started by developing excellent surface-street service for suburban traffic before it began development of freeways. Each of its road subnetworks is predominantly a rectangular mesh, which provides a very high degree of interconnection among network links. Beginning in the 1950s L.A. then overlaid the surface street network with a freeway network that further reduced delay time and improved traffic service until it was overwhelmed by population growth. Freeways and many arterials then descended into LOS F, ultimately producing severe levels of congestion and delays. The Sacramento region is following the same general pattern except that we are building no new freeways.

In looking for ways to reduce congestion and delays we (throughout the region) should consider urban redevelopment to change some of the region's arterials to expressways and to replace signalized intersections with roundabouts wherever possible.

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El Dorado Hills has a particular problem that I don't believe has been adequately understood by planners in Sacramento County. With urbanization occurring on a very sparse rural-derived road network, our road network has impaired connectivity. Limited connectivity tended to be propagated by residential development favoring cul de sacs and urban equivalents of "country roads".

Also, a point especially important to Folsom, is that El Dorado County planning within the past 2 to 3 decades left no physical space for arterial development on the west side of El Dorado Hills. It also failed to supply sufficient new arterials -- in some cases no new arterials. We are partly dependent on the City of Folsom and the County of Sacramento for solutions to some of our traffic impacts. Many of those impacts will only become directly visible in future decades.

Thank you for considering these comments.

Paul Raveling
Paul.Raveling@sierrafoot.org
Web site: <http://www.sierrafoot.org>

(916) 933-5826 Home
(916) 849-5826 Cell phone

Raveling-1

The comment suggests that the name “Town Center” in the SPA indicates either intense cooperation or competition with the El Dorado Hills Town Center (located approximately 2.3 miles to the east), and that in either case, having the same name would affect traffic patterns. The comment suggests that the name “Town Center” in the SPA be changed to avoid confusion.

Traffic modeling performed for the project (see Section 3A.15, “Traffic and Transportation” of the DEIR/DEIS) included the El Dorado Hills Town Center as an existing condition and, therefore, the project’s traffic impact analysis incorporates the contribution of or effects on the El Dorado Hills Town Center. The “Local Town Center” that is identified in the SPA is simply a land use designation, applied for planning purposes, and would not be the official name of the development that would occur in that location.

Raveling-2

The comment recommends adoption of the Centralized Development Alternative based on El Dorado County General Plan policies, to maintain community identity, and to mitigate environmental impacts. The comment recommends the Reduced Hillside Development Alternative as the “next-best” alternative.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment will be considered during the decision making process when the City decides whether or how to approve or carry out the project.

Raveling-3

The comment questions the levels of traffic predicted on White Rock Road in El Dorado Hills. The comment states that the cumulative forecasts may overestimate the traffic on Carson Crossing Road and underestimate traffic on White Rock Road between Latrobe Road and the future Silva Valley/U.S 50 interchange. The comment recommends additional analysis using a scaled up high range forecast to identify the most critical roadway segments and intersections.

The development assumptions for El Dorado Hills that were used to estimate future traffic volumes for cumulative conditions (see Section 3A.15, “Traffic and Transportation” pages 3A.15-79 through 3A.15-135 of the DEIR/DEIS) were the same development assumptions used for cumulative conditions in the El Dorado County General Plan Update EIR prepared in 2003/2004. These forecasts indicate higher employment levels in El Dorado Hills than the SACOG 2035 forecasts. The employment levels assume that the El Dorado County General Plan cap on employment in the El Dorado Hills Business Park would be lifted by the cumulative horizon year. Therefore, the land use forecasts are believed to be conservative. Consequently, as the traffic volume forecasts represent conservatively high levels of development these forecasts are judged appropriate for the cumulative analysis.

It would be speculative, inaccurate, and inappropriate to arbitrarily increase all traffic volumes by a fixed percentage for the purpose of determining potential impacts and mitigation measures.

Raveling-4

The comment questions the feasibility of using Carson Crossing Road to connect White Rock Road and the Business Park because the route would be adjacent to residential development and because of its geometric alignment. The comment states that a different alignment would work better geometrically and should be coordinated with the project roadway network. The comment suggests that a better alignment would be an extension of either Empire Ranch Road or Payen Road. The comment further suggests that an Empire Ranch Road extension would be preferable because the Payen Road/Placerville Road alignment would require reconstruction the Scott Road/U.S. 50 interchange.

The cumulative conditions analysis (see Section 3A.15, “Traffic and Transportation” pages 3A.15-79 through 3A.15-135 of the DEIR/DEIS) assumes the development levels used in the El Dorado County General Plan Update EIR, which included full development of the Carson Creek Specific Plan and employment levels in the El Dorado Hills Business Park that exceed the County’s cap employment to the Business Park. To accommodate the assumed development levels, the cumulative roadway network assumes Carson Crossing Road would be extended through the Carson Creek Specific Plan development to Golden Foothill Parkway because: 1) that roadway connection is part of the approved Carson Creek Specific Plan, 2) that Specific Plan would need at least two access points for safety reasons, and 3) exceeding the cap on employment in the Business Park would require a western access to White Rock Road. How a western connection to White Rock Road would be made has not been determined, but a logical assumption is that the connection could remain within El Dorado County and would not require a roadway through unincorporated Sacramento County.

The mitigated roadway network (see Section 3A.15, “Traffic and Transportation” of the DEIR/DEIS) does include an alternative western roadway connection to the Carson Creek Specific Plan and the El Dorado Hills Business Park—the proposed extension of Empire Ranch Road south of White Rock Road—as a mitigation measure. This mitigation measure would substantially reduce traffic volumes on Carson Crossing Road south of White Rock Road. The roadway extension of Empire Ranch Road south of White Rock Road would need to be approved by Sacramento County, which has jurisdiction of the right-of-way.

Raveling-5

The comment states that the extension of Empire Ranch Road from Iron Point Road/Saratoga Way to White Rock Road also would be important to mitigate traffic in El Dorado Hills. The comment further states that this new roadway would be especially important if the Capitol South East Connector was constructed on White Rock Road because it would divert local El Dorado Hills traffic away from critical roadway segments and intersections on White Rock Road, Latrobe Road, and El Dorado Hills Boulevard.

The FPASP recognizes the importance of the Empire Ranch Road extension from Iron Point Road/Saratoga Way to White Rock Road and includes it as part of the project's roadway network (see Section 3A.15, “Traffic and Transportation” of the DEIR/DEIS).

Raveling-6

The comment states that, in the past, the City of Folsom’s roadway planning has been focused on local traffic and has not adequately accounted for regional through traffic, sometimes producing LOS F conditions. The comment recommends that planning for the project correctly recognize overall traffic interdependence in two areas: El Dorado Hills/Folsom local traffic, and regional through traffic.

The project has made a reasonable assessment of regional transportation impacts, as evidenced by the range of mitigation measures in the DEIR/DEIS that would result in

traffic improvements extending west and south into Sacramento County all the way to Hazel Avenue, Jackson Highway, and in several locations along U.S. 50. The project would not result in any significant transportation impacts east of the SPA.

Raveling-7

The comment states that roundabouts should be considered instead of traffic signals to reduce traffic delays, congestion, and air pollution.

The replacement of traffic signals by roundabouts would not further reduce the level of any significant impacts that are identified in the DEIS/DEIR. A roundabout could be considered as a possible method of intersection control that would be explored at the project-specific design phase.

Raveling-8

The comment states that it may be appropriate to consider some form of restriction on wood burning by ordinance.

SMAQMD and El Dorado County Air Quality Management District (EDCAQMD) rules regarding wood burning are noted on page 3A.2-12 of the DEIR/DEIS. Specifically SMAQMD Rule 417 states the following regarding wood-burning appliances. "The developer or contractor is prohibited from installing any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments." SMAQMD also has a rule requiring mandatory episodic curtailment of wood and other solid fuel burning when PM_{2.5} levels are elevated (Rule 421).

Additionally, Mitigation Measure 3A.2-2 on page 3A.2-43 of the DEIR/DEIS would implement a SMAQMD-approved AQMP that includes a prohibition against the use of wood-burning fireplaces.

Raveling-9

The comment states that cumulative impacts are especially important for traffic because the delay time is an exponential function of the volume to capacity ratio and signal operations. The comment further states that the SACOG Blueprint and corresponding Master Transportation Plan use a strategy of increasing urban densities to reduce average trip length, at the expense of increasing local congestion and overall traffic delays. The comment concludes that increasing traffic delays are a problem, not a solution, to El Dorado Hills and El Dorado County residents.

The comment pertains to SACOG and the associated Master Transportation Plan; the comment does not pertain to the analysis contained in the DEIR/DEIS. The comment is noted.

Raveling-10

The comment provides a discussion of the commenter's perceived development in Los Angeles and the San Fernando Valley. The comment further suggests that, on a regional level, development should consider changing some of the region's arterials to expressways and to replace signals with roundabouts wherever possible. The comment also states that El Dorado County planning has failed to supply sufficient new arterials on the west side of El Dorado Hills; therefore, El Dorado Hills is dependent on the City of Folsom and the County of Sacramento for solutions to some traffic impacts.

There is a plan to convert the White Rock Road arterial into an expressway as part of the separate Capital SouthEast Connector project. This conversion of White Rock Road into an expressway is a mitigation measure to several of this project's roadway impacts including Mitigation Measure 3A.15-4q, 3A.15-4r and 3A.15-4s on DEIR/DEIS pages 3A.15-111 through 3A.15-114. See also the Mitigated Transportation Network analyzed on pages 3A.15-120 and 3A.15-121 of the DEIR/DEIS.

The comment further notes traffic problems experienced in El Dorado Hills that have not been understood in Sacramento County related to a lack of roadway connectivity because of construction of a sparse, rural-derived roadway network. The comment also states that traffic planning in Eldorado County left no physical space for arterial development on the west side of El Dorado Hills.

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and therefore the City has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]).

Folsom DEIR Water/Climate Comments

Water Supply: It is unclear why a community water efficiency improvement program for Sacramento County is not included as a viable CEQA alternative. Given that:

- The State has mandated water districts to reduce water consumption by 20% per capita by 2020 and;
- The State is forecast to have a population of 50 million by 2040 with a static water supply and;
- The four analyzed CEQA alternatives must pump water a tremendous distance to serve the Folsom Specific Plan and;
- The carbon dioxide emissions rate of the four analyzed CEQA alternatives is high (approximately 21,000 tons/yr; DEIR 3B.4-5)

1

As a 5th CEQA alternative (DEIR 3B.4-1), please evaluate a Community Water Efficiency Improvement Program (CWEIP) to provide the 5,600 acre-feet of water needed to serve the project annually. A CWEIP could consist of simply replacing 135,000¹ 5-gpf toilets in the region with 1.28-gpf toilets. The process of installing efficiency in one location (i.e. Sacramento County) so that new loads can be served in another location (i.e. Folsom Specific Plan) has been used for 20 years in the electric and natural gas markets and a similar process should be highly considered for this project, especially given the distance that the water must be pumped.

2

The CWEIP is clearly the environmentally preferable option and has several advantages over the 4 CEQA alternatives. Some of these include:

1. Ammonia levels in Sacramento River and Delta will NOT degrade further if 5,600 acre-feet per year of water is NOT diverted to Folsom at the Freeport intake.
2. All urban water purveyors in the State are required to reduce water consumption by 20% by 2020.
 - A CWEIP would dovetail nicely with this requirement and provide a source of rebate dollars to water districts that are adjacent to the Folsom Specific Plan project, thus helping them meet their State mandated goal.
 - Homeowners and business owners will benefit by having their water efficiency improvement efforts subsidized by water districts.
3. The cost of this alternative is roughly \$27 million at \$200 per toilet (includes \$70 labor). The capital cost of the 4 CEQA alternatives would go to \$0.
 - The CWEIP would employ 7 plumbers full-time for at least 10 years.
 - The water treatment plant operating personnel costs would go to \$0 for the 4 CEQA alts.
4. CWEIP could be installed over 10 to 20 year time frame to mirror growth; this has a cash flow advantage relative to the 4 CEQA alternatives, which would need to complete construction by 2012.
5. CWEIP would reduce CO2 emissions by 21,000 tons/yr, (DEIR 3B.4-5) relative to 4 CEQA alternatives, which PERHAPS might be sold on the CARB Cap and Trade program at \$380,000 per year (21,000 tons/yr = 19,000 tonnes/yr; at \$20/tonne-yr).
 - This may be considered a reasonable Cap and Trade project, but not sure.
6. This alternative would save at least \$282,000 per year in electrical pumping costs (DEIR 3B.4-4; 1,406kWh/MG * 6.5 MG/D* 365 D/yr* 77% load factor* 11c/kWh = \$282k).
7. In addition, the marginal water pumping costs between the Freeport water intake and the Florin Rd water plant due to Folsom Specific Plan would be eliminated.
8. Due to lower electricity costs and possible Cap and Trade income, this alternative appears to have the lowest Net Present Value (NPV) when compared to 4 CEQA alternatives.

3

¹ A CWEIP should include cash-for-grass, and other water efficiency items including toilet replacements; however all calcs assume use of 135,000 toilets calcs assume 10 uses per day per toilet

- Annual water treatment plant operator would go to \$0, thus improving the NPV of the CWEIP
 - Annual pumping energy to get water from Freeport intake to Florin Road plant would go to \$0, thus improving NPV of the CWEIP
 - Payments to Natomas Water Company would go to \$0, since water rights would not be needed, thus improving NPV of CWEIP.
9. The CWEIP will reduce electrical demand in the County by 1700 HP (DEIR 2-83) and might qualify for SMUD energy efficiency incentives. This is enough power to serve 300 homes.
 10. Due to phased implementation of CWEIP, engineering estimates of 5,600 acre-feet per year may prove to be conservative and could translate into cash savings.
 11. Grants for innovative water supply solution may help reduce capital costs (e.g. Prop 84 greening grants)
 12. Assisting the State in meeting 20% water use reduction may qualify for State grants
 13. To reduce administrative costs, the CWEIP could be co-managed with the home efficiency improvement program that the City of Sacramento and County of Sacramento are currently developing.

3 cont.

Recycled Water: If the Folsom Specific Plan project were to install a local recycled water plant to irrigate parks, schools, and provide purple pipes for landscape irrigation, NET ammonia levels to regional plant WILL drop thus reducing political pressure to install tertiary treatment at the regional plant (cost estimated at \$770 million to \$2 billion). This should have some calculatable value to the region- i.e. regional water treatment plant MAY help fund a local water recycling plant with the understanding that the regional plant may provide supplementary recycled water capacity if purple pipes ever get installed between Elk Grove and Folsom.

4

Exemplary Water Demand Design: (DEIR, Impact 3B.4-1); Another reasonable (partial) alternative would be to design the Folsom Specific Plan using exemplary indoor and outdoor water efficiency techniques. The estimated cost of the tertiary plant upgrade is \$770 million to \$2 billion and will apparently treat 150 mgd for a unit cost of approximately \$5 to \$13/gpd. This unit cost, if it can be capitalized upon, should make exemplary water reuse and water efficiency improvement cost effective.

5

Exemplary Water Supply Design: (DEIR, 3B.4-4); If one of the 4 CEQA alternatives is ultimately used, then use life cycle costing, net present value analysis over 50 years with a 1% discount rate (above inflation) to optimize pipe sizing and pump operating costs. 1,406 kWh/MG is very inefficient and INCREASING pipe size will DECREASE electrical operational costs, water velocities and extend pipe life.

6

Roberts-1

The comment suggests that a community water efficiency improvement program for Sacramento County should be included as a viable CEQA alternative because (1) the State has mandated water districts to reduce water consumption by 20% per capita by 2020; (2) the State is forecast to have a population of 50 million by 2040, with a static water supply; (3) the four action alternatives would need to pump water a tremendous distance to serve the Folsom Specific Plan; and (4) the carbon dioxide emissions rate of the four action alternatives is high, approximately 21,000 tons/year, as discussed on page 3B.4-5 of the DEIR/DEIS.

The DEIR/DEIS evaluates a citywide conservation program and water system retrofit as part of Water Supply Option 3 (beginning on page 3A.18-41 of the DEIR/DEIS). The City has no discretion over water use outside of its jurisdiction and, therefore, the program contemplated in the comment cannot be feasibly implemented by the City. The DEIR/DEIS describes a reasonable range of alternatives that can be feasibly implemented by the City (see pages 2-79 through 2-90 of the DEIR/DEIS).

Roberts-2

The comment suggests evaluating a fifth action alternative, a Community Water Efficiency Improvement Program (CWEIP) to provide the 5,600 acre-feet of water needed to serve the project annually.

As indicated in response to comment Roberts-1, the City would not have the jurisdiction to implement the suggested program; therefore, it is not feasible.

Roberts-3

The comment states that a CWEIP clearly would be an environmentally preferable option and lists several advantages over the four action alternatives evaluated in the DEIR/DEIS.

See response to comment Roberts-1. The environmentally superior alternative of the Off-site Water Facility Alternatives considered in the DEIR/DEIS is Off-site Water Facility Alternative 2B (discussed on page 2-91 of the DEIR/DEIS). This alternative was considered environmentally superior for some of the same reasons the commenter lists as to why a CWEIP might or might not be environmentally superior.

Roberts-4

The comment states that if the project were to install a local recycled water plant to irrigate parks, schools, and provide purple pipes for landscape irrigation, net ammonia levels to the regional water treatment plant would drop, thus reducing political pressure to install tertiary treatment at the regional plant. The comment suggests that this action could have some value to the region (i.e., the regional water treatment plant might help fund a local water recycling plant with the understanding that the regional plant might provide supplementary recycled water capacity if purple pipes were installed between Elk Grove and Folsom.)

As indicated in Section 12.4 of the FPASP (attached as Appendix N to the DEIR/DEIS), the project would include a non-potable water distribution system that could route non-potable water by a "purple pipe" system to parks, landscape parkways, and other locations appropriate for non-potable water use within the SPA. This purple pipe system would enable future deliveries of recycled water within the SPA, if and when such a supply becomes available. The use of the purple pipe system would also reduce the use of potable water for irrigation purposes. Even without the project, tertiary treatment or its

equivalent is planned for the regional plant, as identified in the SRCSD 2020 Master Plan, available at <http://www.srcsd.com/pdf/2020MP/exec-sum.pdf>. In other words, even if a WWTP were constructed in the SPA, the need for some type of tertiary treatment at the regional level would not be eliminated. Furthermore, an on-site WWTP is neither necessary nor economically feasible. It is unnecessary because the impact on ammonia levels from the project to the regional system would be nominal. Wastewater outflows from the regional plant average approximately 300 mgd (see <http://www.srcsd.com/pdf/2020MP/exec-sum.pdf> at page 14). Conversely, the total water demands and wastewater outflows from the project would be very small in comparison. The project's wastewater output would be less than 1% of the outflow at the regional plant, and less than 1% of the ammonia contribution. (DEIR/DEIS at page 1-2.) Finally, construction of a local, on-site WWTP would be financially infeasible given the high costs of construction, operation, and regulatory oversight. It is for this reason that other cities, including the City of Folsom, and parts of the unincorporated County, contribute towards a regional sanitation plant.

Roberts-5

The comment suggests another alternative that should be considered in the DEIR/DEIS, to design the SPA using “exemplary” indoor and outdoor water efficiency techniques.

The assumption of exemplary water efficiencies in the project's water supply usage does not provide a conservative estimate of the project's realistic water demands. Under CEQA, the DEIR/DEIS is required to evaluate a reasonable and conservative approach to the project's water demands and usage. See also Master Response 19 – Water Supply Assessment Demand Factors and Conservation Targets.

Roberts-6

The comment states that if one of the Off-site Water Facility Alternatives is selected, the comment then suggests the use of a life cycle costing, net present value analysis over 50 years with a 1% discount rate (above inflation) to optimize pipe sizing and pump operating costs.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

From: Terry Benedict [mailto:discgolfrevolution@yahoo.com]
Sent: Wednesday, September 08, 2010 4:30 PM
To: Gail Furness De Pardo
Subject: Re: Disc Golf included in the E.I.R report for South of Highway 50 Annexation

Hello Gail Furness de Pardo

As planning manager for Folsom Sphere of influence Annexation Project Specific Plan
Environmental Impact and Environmental Impact Statement Workshop and Public Cooment,
would you please include in this the report the outdoor recreational activity known as "Disc Golf".
Thank You

1

Terry Benedict

@ Disc Golf Revolution

Letter
Benedict
Response

Terry Benedict
September 8, 2010

Benedict-1

The comment requests inclusion of the outdoor recreational activity “Disc Golf” in the FEIR/FEIS.

See response to comment Public Hearing 1-A-1.

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September 10, 2010

Gail Furness de Pardo
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630
email: gdepardo@folsom.ca.us

Lisa Gibson
U.S. Army Corps of Engineers, Regulatory Branch
1325 J Street, Room 1480
Sacramento, CA 95814-2922
E-mail: Lisa.M.Gibson2@ usace.army.mil

RE: Public Draft EIR/EIS
Folsom South of U.S. 50 Specific Plan Project
SCH #2008092051

Dear Gail and Lisa,

As a long time resident of the City of Folsom, I have a number of concerns with the Draft Environmental Impact Report (DEIR) for the proposed annexation and development of the current SOI area south of Highway 50. My concerns relate to:

- Air quality degradation
- Traffic impacts on Highway 50
- Traffic impacts within the current Folsom city limits
- Water supply
- Affordable Housing
- Open Space

1

Air Quality Degradation

2 & 3

This is an area in the DEIR that requires much greater detail and “plain language”, especially in the upfront summary, so that it is very clear to Folsom residents that development south of 50 will further degrade our all ready poor air quality.

4

Beginning on page ES-23 (PDF file pg 27) of the DEIR, under “Summary of Impacts and Mitigation Measures”, the following statements are made:

3A.2-2: Generation of Long-Term Operational (Regional) Emissions of ROG, and NOX. Operational area- and mobile-source emissions from project implementation would exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NOX, and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS for ozone. In addition, because of the large increase in emissions associated with project build out and the fact that the project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts in the SVAB.

5

(Note: Bold and underline added by writer of this letter to call attention to key statements)

Beginning on page 3A.2-13 (PDF file pg 415) of the DEIR, under “Air Quality Plans”, the following statements are made:

- “However, at that time, the region could not show that the national ozone (1-hour) standard would be met by 1999. In exchange for moving the deadline to 2005, the region accepted a designation of **“severe nonattainment”** coupled with additional emissions requirements on stationary sources. Additional triennial reports were also prepared in 1997, 2000, 2003, and 2006 in compliance with the CCAA and act as incremental updates.”
- “The Sacramento region was classified by EPA on June 15, 2004, as a **“serious” nonattainment area** for the national 8-hour ozone standard with an attainment deadline of June 15, 2013. Emission reductions needed to achieve the air quality standard were identified based on air quality modeling. An evaluation of proposed new control measures and associated ROG and NOX emission reductions concluded that no set of feasible controls was available to provide the needed emission reductions before the attainment deadline year. Given the magnitude of the shortfall in emission reductions and the schedule for implementing new control measures, the earliest possible attainment demonstration year for the Sacramento region is determined to be the “severe” area deadline of 2019.”
- The sanctions clocks will stop after the air districts (including SMAQMD and EDCAQMD) submit the 2011 Reasonable Further Progress Plan and EPA accepts the plan as complete. The Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (SMAQMD 2008a) was published and a public meeting was held in March 2009 to consider approval of the SIP (SMAQMD 2008b). **EPA has not yet approved the plan** at of the time of writing this EIR/EIS and SMAQMD I waiting for EPA to make a completeness finding.

6

(Note: Bold and underline added by writer of this letter to call attention to key statements)

There are numerous other concerning statements. However, they all relate to the same concern: There is no doubt that this development will have a very significant and unavoidable adverse impact on the air quality of the current residents of Folsom. The current poor air quality in the City of Folsom is already one of the major reasons our region does not meet the required air quality standards. According to this DEIR, the City intends to allow our already poor air quality to further degrade regardless of the findings. The stated mitigation measures will at best only slightly reduce the amount that the air quality will ultimately degrade.

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To conclude, I provide supporting evidence regarding the adverse outcome of this proposed development regarding degrading air quality. Please find attached a letter from the SMAQMD to the Sacramento County Board of Supervisors dated September 28, 2000 regarding the proposed development of Deer Creek Hills. As you know, that proposed development was adjacent to the city of Rancho Marietta, approximately 15 miles south of the City of Folsom. Following is the perhaps the most important passage from that letter:

*“Since the Sacramento General Plan restricts residential growth to areas within the Urban Services Boundary (USB), the District used these growth assumptions to create the emissions inventory. **Any development** – such as that proposed in Measure O – that was not included in the General Plan is not included in the emission inventory and is consequently inconsistent with the 1994 SIP. In other words, **the emissions generated by the unanticipated development are not offset by the control measures included in the SIP.**”*

11

(Note: Bold and underline added by writer of this letter to call attention to key statements)

In summary, the letter states that **any development** outside of the County Urban Services Boundary (in this case, it is the eastern edge of that boundary, the same area in which Folsom’s SOIA and proposed development is located) will lead to failure of the SIP. | 12

The DEIR does not make it clear as to how the City of Folsom’s proposed development will now conform to the SIP. I understand that the SMAQMD has been trying to deal with this impossible task handed to them by the City, and that a revised SIP has been developed. However, it has not been accepted by the EPA. Further research on the EPA website shows that the current standing of their review is “*inadequate through the adequacy review process*”. | 13
| 14
| 15 & 16
| 17

Traffic impacts on Highway 50 | 18

The data provided in the DEIR, including appendices, indicate a tremendous addition of traffic to this already congested corridor. It appears that the main, if not the sole, improvement to mitigate this influx of new traffic is the addition of a series of auxiliary lanes. | 19

Granted, auxiliary lanes reduce freeway congestion by providing a merging area for cars to enter and exit the freeway. However, they do not increase highway capacity. | 20

A working definition that’s often used for regional conformity analysis is: the lane begins at an onramp, and ends at the **next** interchanges off ramp, without passing through any interchanges in between. If it passes through an interchange, it’s a through lane addition rather than an auxiliary lane. Also, if it’s over about a mile in length it will be usually modeled as a through lane because it will be used that way, rather than as a weaving section. | 21
| 22
| 23

Given this definition, is the lane being contemplated truly an “auxiliary” lane? That is, will each segment begin at an onramp and terminate at the very next off ramp? | 24
| 25

If so, the capacity of the main corridor of the highway will be limited to the trough lanes under each bridge over the highway. That is, it will be limited to its current capacity and the effective mitigation to the additional traffic will be minimal. | 26
| 27

If this series of “auxiliary” lanes are actually intended to be continuous along the length of the corridor, than they are through lanes and should be modeled as such. In this case, the additional lane may not be approved by Caltrans: | 28

*The 1991 Intermodal Surface Transportation Efficiency Act bars a highway project that **adds capacity** in a metropolitan area that is a “nonattainment area” for air quality unless the project is found to be in conformance with the state’s air-quality implementation plan under the Clean Air Act.* | 29

I have not found evidence in the DEIR that such a finding has been made. Furthermore, even if these truly are “auxiliary” lanes, if they are being used to add capacity, they still may not pass approval based on the above. | 30
| 31

Also, please note that the previous EIR developed by the City of Folsom for development of this same area, dated 1997, found that six (6) additional through lanes would be required to handle the additional traffic. This is a dramatic difference from the mitigation measures now being proposed. How have the findings of these two reports been reconciled? | 32
| 33
| 34

Traffic impacts within the current Folsom city limits

I do not have the actual passage from our City General Plan, but it is my understanding the LOS C is the stated goal. However, the mitigation measures in Table ES-1 of the DEIR state repeatedly that mitigation proposed is to bring the intersection to an “acceptable LOS”. At least one location shown in the table indicates that LOS D will be acceptable. Who will define acceptable?

It appears that the City intends to accept levels of service (LOS) for the streets and intersections within our current City boundaries as being acceptable if they are worse than LOS C.

The mitigation measures seem to rely solely on turning improvements, such as with the addition of left turn lanes. I see little to no mitigation offered in regards to improving the city street corridors (adding lanes). This may be adequate at some locations, but some of our worst (current traffic) intersections already have dual left turn lanes and no available space for further improvements.

Water supply

I have several concerns with the proposed water supply:

It is my understanding that one of the major land owners in the proposed development area (current Folsom SOIA) is also a major stakeholder in the NCMWC, the proposed new source of water.

Furthermore, the City does not yet have any entitlements to this water supply. This same land owner also owns other significant sized parcels of land around the region for speculative purposes (selling to development interests) that will also require large water supplies. This could lead to a conflict of interest,

including holding the City hostage in order to extract favorable conditions he would not otherwise be entitled to. Similar “negotiations” with developers in the past have left current residents holding the bag and paying very high costs for infrastructure expansion, including expanding our current water treatment plant. Worse yet, we have seen numerous examples of developer requests being agreed to that resulted in loss of, or reduction in, promised facilities and amenities. Parks and open space being prime examples

I do not see evidence in the DEIR that there is even a tentative signed agreement that if this water source is secured, it will be used for the City of Folsom’s proposed development.

Beginning on page 3A.18-12 (PDF file pg 1410) of the DEIR, under “Proposed Water Supply”, the following statements are made:

“The CVP “Project Water,” by contract, is currently limited to use for irrigation during the growing season (July and August) in the NCMWC service area. The water rights permits issued to the Bureau of Reclamation by the SWRCB include M&I as a permitted use. Therefore, CVP “Project Water” can be used for M&I purposes within the project site.

*For the CVP “Project Water” to serve as an effective water supply, **it would be necessary for Bureau of Reclamation to modify the existing delivery schedule to a year-round M&I schedule, which would allow for a more consistent diversion of 6,000 AFY of the 8,000 AFY over the course of a given year.***

*Discretionary approval from the Bureau of Reclamation would be required for the use of CVP “Project Water” for M&I purposes and for modification of the existing delivery schedule. **The City would be responsible for obtaining approvals from the Bureau of Reclamation. The City is serving as the lead agency under CEQA. The Bureau of Reclamation is a NEPA cooperating agency in relation to this project and would be required to comply with all applicable ESA requirements.***

(Note: Bold and underline added by writer of this letter to call attention to key statements)

Water supplies in California are heavily over allocated (water rights exceed available supply). Especially considering the never ending litigation over water in this state and the complexity of the proposed delivery system, this water supply plan appears on the surface to be a house of cards.

An appropriate mitigation measure would be that there shall be no rezoning, including pre-zonings, for development or other entitlements granted to land owners / developers, until all agency and landowner agreements regarding all aspects of this water source have been secured. However, I do not see such language. Is the City prepared to take this step?

Affordable Housing

In the past the City has been, at best, disingenuous in meeting State required affordable housing goals. As a prime example is the behind closed doors deal given Elliot Homes, who is also a land owner in the SOIA. This “deal” exchanges Elliot’s existing affordable housing obligations from about 525 to 96. The City passed this off to its residents by actually claiming that Elliot “stepped forward” to help the City out of the affordable housing lawsuit and judgment it was in at the time.

The majority of the same Council members that agreed to this “agreement” are still on the Council. Furthermore, one had stated at a public meeting that (paraphrased) “He was going to look into shifting affordable housing obligations to south of 50.”

What assurances does the DEIR provide to the current residents of Folsom that, with this attitude, that the City will not lead us to further judgments in the future over noncompliance with affordable housing goals?

Open Space

The proposed development plans call for 30% open space. Based on past City practices of ignoring and/or diminishing such requirements (including providing required park space that was “required” in EIR for previous developments within the City, what assurance does this DEIR provide to current residents and to the future residents south of 50 that 100% of the proposed open space and parks will be honored?

The MOU with LAFCO will no longer be a binding legal document after annexation, so this will not provide that assurance. As for Measure W, this also provides little assurance. The Council has simply ignored requirements in our Charter and General Plan in the past. The only possibly effective remedy would seem to be for a lawsuit to be brought against the City to force compliance. I am hopeful that this issue will be strengthened to a point in the final EIR where the City would immediately see that trying to reduce open space and park requirements would be a losing legal proposition.

Before the responder dismisses this concern by quoting one of the above documents, I offer the following verification of my concern:

At a Council meeting regarding the SOIA, a Council Member, who is still on the council, made an unsettling public statement, (paraphrased) “The **first thing** I am going to do is look for ways of reducing the 30% requirement for open space.” (I have a copy of the actual recording from channel 14) His stated objection was that it limited financial opportunities.

What assurances does the DEIR provide to the current residents of Folsom that, with this attitude, that the City will not agree to a developer’s request to reduce open space and parks?



Thank you for your consideration of my concerns and in advance for your responses,

A handwritten signature in black ink that reads "Alice M. Fish". The signature is fluid and cursive, with the first name "Alice" and last name "Fish" clearly legible.

Alice Fish
Resident, City of Folsom
133 Taunton Way
Folsom, CA 95630

**SACRAMENTO METROPOLITAN
AIR QUALITY MANAGEMENT DISTRICT**

For Agenda of September 28, 2000

TO: Board of Directors
FROM: Norm Covell
Air Pollution Control Officer
SUBJECT: Recommended Position on Measure O Initiative/Deer Creek Hills Project

Recommendation Staff recommends that the Board oppose Measure O because the measure would amend the General Plan and Zoning Ordinances in a manner that is inconsistent with the SMAQMD's 1994 SIP. The resulting inconsistency could necessitate increasing the regulation of other developments and businesses within the Sacramento Nonattainment Area, and threaten the District's ability to attain federal air quality standards by 2005.

Prior Board Action This matter was originally scheduled for the August 24, 2000 Board meeting. The item was noticed on the posted and mailed agenda. In addition, Staff notified representatives of the Measure's Proponents and Opponents that the Board would be considering this item at the August meeting. At that meeting, however, on advice of the District Counsel, the Board postponed action on the item until the regular September meeting. The postponement was due to concerns that the agenda may not have included an adequate description of the proposed action.

The Board accepted testimony on this item at the August 24 meeting, and both a representative of the Proponent and representatives of the Opponents presented testimony. The Board also received comment letters on the item both before the August meeting and at the meeting. Copies of the letters are attached.

Background Measure O proposes amendments to the Sacramento General Plan and Zoning Ordinances. The amendments would clear the way for the development of the Deer Creek Hills project, a development proposal previously opposed by District staff and rejected by the Sacramento County Board of Supervisors on April 14, 1999.

- Background (cont.)** The original Deer Creek Hills proposal sought a General Plan amendment to change the land use designation of approximately 1,900 acres from primarily agricultural and conservation uses to residential, commercial, and other uses. Measure O makes similar changes, which are a necessary precondition to permitting the development of the Deer Creek Hills Project.
-
- Prior District correspondence** District staff initially registered its opposition to the Deer Creek Hills project in an August 4, 1998 letter to the County Department of Environmental Review and Assessment. That opposition was expanded in letters to the County Board of Supervisors by the Air Pollution Control Officer on October 5, 1998, and by District Counsel on November 4, 1998. Copies of these letters are attached to this Staff Report. Given that Measure O would result in equivalent or perhaps more unanticipated growth than the original Deer Creek Hills proposal, the prior staff opposition also applies to Measure O.
-
- District staff opposition** The District staff has three principal objections to the Measure O proposal. First, the proposal is inconsistent with the State Implementation Plan approved by this Board in November 1994 (1994 SIP). Second, despite this inconsistency, Measure O incorrectly states that the Deer Creek Hills project satisfies the 1994 SIP, thereby misleading the voters of Sacramento about the potentially significant air quality impacts of the project. Finally, the measure proposes to locate a sensitive population – senior citizens – in an area that already experiences some of the highest ozone levels in the District.
-
- SIP inconsistency** The inconsistency with the SIP is not a theoretical problem. Rather, the inconsistency could force the District to offset the unanticipated emissions from the Deer Creek Hills development by imposing more stringent control measures on other businesses within the District.
- As you know, the 1994 SIP sets out the measures to be implemented by the District to achieve attainment with the federal ozone standards by 2005. These measures are premised on the emission inventory developed by District staff to predict the level of pollutants that will be emitted by existing and new development. In sum, the 1994 SIP offsets the emissions from development by

Continued on next page

SIP Inconsistency
(cont.)

requiring control measures, achieving a balance that will ultimately allow the District to attain the federal standards. After this Board adopted the 1994 SIP, our ozone nonattainment status was “bumped-up” from “serious” to “severe.” The bump-up allowed Sacramento additional time to achieve compliance – moving the compliance deadline from 1999 to 2005. The additional time came with a price tag, however – additional air emission restrictions for area businesses. Thus, the 1994 SIP already imposes requirements on businesses and other developments that would not ordinarily be necessary.

Since the Sacramento General Plan restricts residential growth to areas within the Urban Services Boundary (USB), the District used these growth assumptions to create the emissions inventory. Any development – such as that proposed in Measure O – that was not included in the General Plan is not included in the emission inventory and is consequently inconsistent with the 1994 SIP. In other words, the emissions generated by the unanticipated development are not offset by the control measures included in the SIP.

Measure O
Finding

Measure O includes the following finding:

“The design and location of the Deer Creek Hills Senior Community satisfies the requirements of the 1994 Sacramento Area Regional Ozone Attainment Plan because the project will be designed in a manner which will conserve air quality and minimize direct and indirect emissions of air contaminants.”

In fact, the Deer Creek Hills location does not satisfy the 1994 SIP, because the development was not included in the emission inventory for the SIP. Consequently, as discussed above, the emissions of the project are not offset by the control measures established under the SIP.

This finding can only mislead the voters of Sacramento. In fact, the only way that the Deer Creek Hills project could satisfy the SIP would be to fully offset 100% of the project’s air pollutant emissions. Unfortunately, the project falls far short of this goal. Without complete mitigation of the increased emissions, SMAQMD could be required to adopt additional or more stringent control strategies, which would likely increase compliance costs

Continued on next page

Measure O Finding (cont.) for existing local businesses and other businesses that may consider establishing in the Sacramento region.

Potential health impacts Measure “O” also seeks to place a large senior housing community in an area that historically shows some of the highest ozone concentrations in the region. Deer Creek Hills would be located in the lower foothills, approximately eight miles east of the Sloughhouse air quality monitoring station. High ozone concentrations tend to be associated with the lower foothills areas because of prevailing westerly winds combined with an inversion layer that prevents pollutants from dispersing.

Elderly residents are among those people most susceptible to health problems from air pollution. High air pollution levels can result in aggravated cardiovascular and respiratory illness, added stress to the heart and lungs, and damaged cells in the respiratory system. Exposure to high levels of air pollution can also cause severe health problems in people with pre-existing asthma, bronchitis, or emphysema.

Proponents and Opponents Staff contacted representatives for the Proponents and Opponents, and requested position statements from each. The Opponents submitted a statement, but the Proponents declined. A copy of the Opponent’s statement is attached. In addition, we have attached copies of the Proponent and Opponent statements to be published in the voter pamphlet.

Conclusion Today’s complicated air quality and land use planning environment involves a delicate balance of growth and control measures. Businesses in Sacramento are already required to comply with a wide array of increasingly stringent control measures. Allowing unanticipated developments – such as Measure O and the Deer Creek Hills project – will inevitably shift more of the burden of achieving compliance with federal standards onto other businesses. Consequently, the District staff recommends that this Board oppose Measure O.

Continued on next page

Attachment in Support of Air Quality Concerns



Attachments

The following items are attached:

1. Measure O Initiative.
 2. The ballot arguments for and against Measure O
 3. The position statement submitted by Measure O Opponents to the District.
 4. Prior comment letters prepared by the District regarding the Deer Creek Hills project.
 5. The August 24 memorandum from Norm Covell to the Board of Directors regarding Measure O.
 6. Comment letters submitted to the District regarding this agenda item.
-

Respectfully submitted,

Norm Covell
Air Pollution Control Officer

- Fish-1 *The comment states concerns related to air quality degradation, traffic impacts on U.S. 50, traffic impacts within the existing Folsom city limits, water supply, affordable housing, and open space.*
- Responses to specific concerns for each topic listed by the commenter are provided in responses to comments Fish-2 through Fish-77.
- Fish-2 through Fish-4 *The comment states that the sections in the DEIR/DEIS related to air quality require much greater detail and plain language, especially in the summary, making it very clear to Folsom residents that development south of U.S. 50 would further degrade the already poor air quality.*
- The DEIR/DEIS describes each impact of the project on every air pollutant in comprehensive detail. The commenter is directed to the impact analysis on pages 3A.2-27 through 3A.2-63, and particularly to the discussion of residual significant impacts on page 3A.2-63 of the DEIR/DEIS. The executive summary lists each impact, any associated mitigation measures, and the significance conclusion after mitigation, for every environmental topic area addressed in the DEIR/DEIS.
- Fish-5 *The comment restates paragraph 3A.2-2 in Table ES-1 (on page ES-23 of the DEIR/DEIS), with underlining and bolding added by the commenter to call attention to key statements.*
- The comment restates text from DEIR/DEIS Section 3A.2, "Air Quality"; the comment is noted.
- Fish-6 *The comment cites sentences in the paragraphs under the "Air Quality Plans" subsection, on page 3A.2-13 (second paragraph) and page 3A.2-14 (first full paragraph and first paragraph following the two bullets) of the DEIR, with underlining and bolding added by the commenter to call attention to key statements.*
- The comment restates text from DEIR/DEIS Section 3A.2, "Air Quality"; the comment is noted.
- Fish-7 *The comment states that numerous statements in the DEIR/DEIS are all related to the same concern, that project development will have a very significant and unavoidable adverse impact on the air quality of the current residents of Folsom.*
- Significant and unavoidable impacts of the project are identified in the DEIR/DEIS in the Executive Summary, in the "Residual Significant Impacts" subsection of sections 3A.1 through 3B.17; and in Chapter 4, "Other Statutory Requirements." The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.
- Fish-8 *The comment states that the existing poor air quality in the City of Folsom is already one of the major reasons for the region's inability to meet required air quality standards.*
- This comment is partially correct; air pollutant emissions in Folsom contribute to regional air quality, but the actual contribution of the City of Folsom to regional air quality

standards is unknown. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Fish-9

The comment states that, according to the DEIR/DEIS, the City intends to allow the already poor air quality to further degrade, regardless of the findings.

The City has not approved the project and may not do so until after the environmental review has been completed, including certification of the FEIR/FEIS. The City's decision with respect to project approval will be made, in part, based on and after careful consideration of the findings of the FEIR/FEIS.

Fish-10

The comment notes that the stated mitigation measures will at best only slightly reduce the amount that the air quality will ultimately degrade.

This comment is partially correct; mitigation is not expected to fully mitigate the air quality impacts of the project, as stated under "Residual Significant Impacts" on page 3A.2-63 of the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Fish-11 through
Fish-12

The comment purports that supporting evidence regarding the adverse outcome of proposed project development degrading air quality is provided by a letter from SMAQMD to the Sacramento County Board of Supervisors dated September 28, 2000 regarding the proposed development of Deer Creek Hills, adjacent to the city of Rancho Marietta, approximately 15 miles south of the City of Folsom. The comment further notes that the letter states that any development outside of the County Urban Services Boundary (USB) (in this case, the eastern edge of that boundary, the same area under Folsom's sphere of influence and where the proposed development would be located) will lead to failure of the State Implementation Plan (SIP).

The DEIR/DEIS states (page 3A.2-63) that all air quality impacts resulting from development proposed in the SPA cannot be fully mitigated, and some would remain significant and unavoidable (adverse). The commenter extrapolates the information contained in the referenced letter from SMAQMD to conclude that the SIP will fail if development occurs outside the County USB. However, the letter also says that the emissions generated by development outside the USB would not be offset by existing control measures, and that additional control measures would be necessary to offset emissions from development outside the USB, including those proposed in the DEIR/DEIS, such as the Air Quality Mitigation Plan that is discussed under Mitigation Measure 3A.2-2 on page 3A.2-43 of the DEIR/DEIS.

Fish-13

The comment states that the DEIR/DEIS does not clarify how the City of Folsom's proposed development will now conform to the State Implementation Plan (SIP).

Air pollution emission control measures, such as the AQMP that is discussed under Mitigation Measure 3A.2-2 on page 3A.2-43 of the DEIR/DEIS, would be necessary to offset emissions from project development so that projects that were not contained in previous regional plans (transportation and SIP plans) would conform to the plans. SMAQMD required and approved preparation of the project's AQMP to account for significant and unavoidable impacts that would be caused by development of the SPA. Despite preparation of an appropriate AQMP, the DEIR/DEIS also states that all air quality impacts caused by development of the SPA could not be fully mitigated, and some would remain significant and unavoidable (see page 3A.2-63).

Fish-14

The comment states a belief that SMAQMD has been trying to deal with “this impossible task,” handed to it by the City, and that a revised SIP has been developed.

SIP revisions have been prepared for the Sacramento metropolitan region for ozone and PM₁₀ (available online at: <http://www.arb.ca.gov/planning/sip/sip.htm>), but SMAQMD is only one of several air districts involved in the preparation. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Fish-15 through
Fish-17

The comments state that the SIP has not been accepted by EPA, and that further research on EPA Web site shows that the current standing of the agency’s review is inadequate.

This statement refers to the attainment demonstration and reasonable further progress for 8-hour ozone in the Sacramento metropolitan area, available online at: <http://www.epa.gov/otaq/stateresources/transconf/reg9sips.htm#ca>. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Fish-18 through
Fish-19

The comments state that the data provided in the DEIR/DEIS indicate that the project would contribute to a tremendous increase in traffic to the U.S.50 corridor. The comments further state that the discussion in the DEIR/DEIS indicates the main, if not sole, improvement to mitigate this increase in traffic would be the addition of a series of auxiliary lanes.

The project would include many roadway improvements in addition to auxiliary lanes on U.S. 50. These would include new crossings of U.S. 50 as well as improvements to parallel roadways (White Rock Road and Easton Valley Parkway), which the 50 Corridor Mobility Partnership has found would substantially improve operations on U.S. 50. See DEIR/DEIS Section 3A.15, “Traffic and Transportation,” pages 3A.15-25 through 3A.15-157.

Fish-20

The comment states that a belief auxiliary lanes decrease congestion because of an increase merging area for entering and exiting traffic, but that they do not increase capacity.

The capacity of through lanes on a freeway is greatly affected by movements entering and exiting the freeway. Such merge, diverge, and weaving movements decrease the capacity of the freeway mainline. By adding auxiliary lanes between interchanges, the effects of these movements are minimized, because entering and exiting traffic have the maximum possible distance for changing lanes. The auxiliary lanes also provide additional capacity for vehicles entering the freeway and exiting at the next interchange. Such improvements do not add capacity in the manner of additional lanes, but they increase the availability of capacity in existing lanes by improving efficiency.

Fish-21 through
Fish-23

The comments provide a definition of an auxiliary lane that is typically used in regional conformity analyses, as known to the commenter.

The DEIR/DEIS traffic analysis is not a regional conformity analysis and provides a much more detailed evaluation of freeway traffic operations than is performed for regional air quality purposes. The specific geometry of each element of the freeway (e.g., through lanes, merge points, acceleration lanes, deceleration lanes, weaving areas, and

diverge points) is utilized in the analysis. This analysis does not depend on whether or not a lane is defined as an auxiliary lane for purposes of a conformity analysis.

Fish-24 through
Fish-25

The comments ask if the lanes to be added would truly be “auxiliary” lanes.

The auxiliary lanes in question were accepted as auxiliary lanes by Caltrans, District 3, Office of Special Projects in the *Draft Traffic Operations Analysis Report – U.S. 50 Auxiliary Lane Project* (Sunrise Boulevard to Scott Road) 2007. As noted in the responses to comments Fish-21 through Fish-23, the DEIR/DEIS traffic analysis does not depend on whether or not a lane is defined as an auxiliary lane for purposes of a conformity analysis.

Fish-26 through
Fish-27

The comments suggest that the capacity of the corridor would be limited to the capacity of the through lanes under the bridge over the freeway (i.e., the existing capacity); therefore, the effective mitigation would be minimal.

Many factors control freeway traffic operations. In addition to the number of lanes "under the bridge," the effects of entering and exiting traffic at interchanges are very substantial. As noted in the responses to comments Fish-21 through Fish-23, the specific geometry of each element of the freeway (e.g., through lanes, merge points, acceleration lanes, deceleration lanes, weaving areas, and diverge points) is utilized in the analysis. In some cases, auxiliary lanes begin before the bridge at the loop ramp for entering traffic, and thereby pass "under the bridge." The reported results in DEIR/DEIS Section 3A.15 "Traffic and Transportation" are the product of analyses based on detailed information regarding the proposed improvements at each interchange.

Fish-28 through
Fish-31

The comments suggest that if a series of auxiliary lanes are intended to be continuous along a corridor, they would be through lanes and should be modeled as such. The comments state that, if this is the case, the additional lanes would not be approved by Caltrans. The comments reference a sentence from a document stating that the 1991 Intermodal Surface Transportation Efficiency Act bars a highway project that adds capacity in a metropolitan area that is a “non-attainment area” for air quality unless the project is found to be in conformance with the state's air quality implementation plan under the Clean Air Act. The comments state that no such determination exists in the DEIR/DEIS and that even if the added lanes qualified as “auxiliary lanes,” if they were used to add capacity, they might not pass approval based on the criteria above.

On March 20, 2008, SACOG's Board of Directors approved the Metropolitan Transportation Plan for 2035 (MTP 2035), after more than 2 years of extensive public input. The MTP process included a corresponding Environmental Impact Report (both Draft and Final) and Air Quality Conformity Determination. MTP 2035 includes auxiliary lanes on U.S. 50 between Hazel Avenue and Prairie City Road. MTP 2035 also includes the new U.S. 50 interchanges at Oak Avenue Parkway and Empire Ranch Road, with their associated auxiliary lanes. Thus, the auxiliary lanes that are the subject of the comments already have passed conformity analysis. Note that a conformity analysis is determined on a regional basis, not on a project-by-project basis.

Fish-32 through
Fish-34

The comments reference a City of Folsom 1997 development EIR for the same area that found 6 additional through lanes would be required to handle the additional traffic, and note that this is different from what is now being proposed. The comments ask if the two documents have been reconciled.

The earlier analysis, which was performed 14 years ago, is not based on the same regional land use, network, and specific project assumptions that are appropriate for use in the analysis in the DEIR/DEIS today. Therefore, direct comparisons of results between the two documents would be inappropriate.

Fish-35 through
Fish-39

The comments state that the City's LOS goal is LOS C; however, the mitigation measures in Table ES-1 of the DEIR state that the mitigation proposed is to bring the intersection to an "acceptable LOS." The comments indicate that at least one location shown in the table indicates that LOS D would be acceptable. The comments ask who would define acceptable.

The LOS policy for the City of Folsom is LOS C; however, the FPASP proposes an amended LOS policy within the SPA to accept LOS D on a case-by-case basis to avoid needing to build improvements beyond normally accepted maximum improvements that are incompatible with "Complete Streets" principles, as outlined on the bottom of page 3A.15-22 of the DEIR/DEIS.

Fish-40 through
Fish-42

The comments indicate that the mitigation measures inside the City would add turn lanes at intersections, and asks why additional through lanes were not considered.

Additional through lanes were considered as mitigation for impacts to intersections on East Bidwell Street; however, this was not recommended because widening the roadway to eight lanes would adversely affect non-motorized traffic (pedestrian and bicycle) and adjacent development.

Fish-43 through
Fish-44

The comment states that the commenter has several concerns related to the project's water supply [as specified in separately-coded comments]. The comment states that one of the major landowners in the proposed Specific Plan Area (SPA) is also a major stakeholder in the NCMWC.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

Fish-45

The comment states that the City has not yet acquired any entitlements to the water supply to be used for the project.

The comment is partially correct; however, the comment fails to acknowledge the NCMWC-SFP agreement. Under that agreement, SFP has an initial period of 5 years to complete its acquisition of 8,000 AFY from NCMWC, and that 5-year period can be extended in 1-year increments (see the NCMWC-SFP agreement, Section 8.7, on page 6 in Subappendix E, Appendix M1 of the DEIR/DEIS). Once closed, SFP's acquisition of that supply would be permanent. (NCMWC-SFP agreement, Section 3.1, on page 3 in

Subappendix E, Appendix M1 of the DEIR/DEIS). See also Master Response 13 – Relationship of the “Water” Component of the Project to the Natomas Central Mutual Water Company and the U.S. Bureau of Reclamation.

Fish-46

The comment states that the one of the SPA landowners also owns other significant sized parcels in the region, intended for speculative purposes (for sale to development interests) that also will require large water supplies.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

Fish-47 through
Fish-49

The comments state that the ownership of lands outside the SPA by landowners in the SPA could lead to a conflict of interest that potentially could hold the City hostage to extract favorable conditions for the landowner.

The comments do not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comments do not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comments are noted.

Fish-50

The comment states that negotiations between the City and developers in the past have left current residents holding the bag and paying very high costs for infrastructure expansion, including expanding the existing water treatment plant.

Mitigation Measures 3A.18-1, 3A.18-2a, and 3A.18-2b, beginning on page 3A.18-8 in the DEIR/DEIS, address this subject. Furthermore, as stated on page 2-26 of the DEIR/DEIS, under the terms of Measure W, adopted by Folsom voters in 2004 and incorporated into the City’s Charter as Section 7.08, a new water source for the SPA must be identified and provided, and shall not be paid for by City residents north of U.S. 50.

Fish-51

The comment states that numerous examples exist of developer requests being agreed to that resulted in loss of, or reduction in, promised facilities and amenities.

See response to comment Fish-50. Furthermore, the DEIR/DEIS contains mitigation measures that would ensure infrastructure is available to serve the proposed development. (See, for example, Mitigation Measure 3A.18-1 [page 3A.18-14] as revised in Chapter 5, “Errata” of this FEIR/FEIS, that requires the project applicant(s) to demonstrate the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration must consist of information showing that both existing sources are available and needed supplies and improvements would be in place prior to occupancy.)

Fish-52 through
Fish-53

The comments state that provision of parks and open space are prime examples of unfunded developer commitments. The comments further state that the DEIR/DEIS provides no evidence of even a tentative signed agreement that, if this water source is secured, it would be used for the City’s proposed development.

See responses to comments Fish-45 and Fish-50.

Fish-54

The comment text from the beginning of page 3A.18-12 of the DEIR/DEIS, under “Proposed Water Supply.”

The comment restates text contained on page 3A.18-12 of the DEIR/DEIS; the comment is noted.

Fish-55 through
Fish-56

The comments state that water supplies in California are heavily over-allocated (water rights exceed available supply) and, considering the never-ending litigation over water in this state and the complexity of the proposed delivery system, the project’s water supply plan appears on the surface to be a “house of cards.”

The discussion under Impacts 3A.9-4 (beginning on page 3A.9-43) and 3A.18-1 (beginning on page 3A.18-8) of the DEIR/DEIS adequately describes the complexities and uncertainties of the project’s water supply. Furthermore, the DEIR/DEIS also considers these complexities in relation to cumulative conditions in Chapter 4, “Other Statutory Requirements.”

Fish-57 through
Fish-59

The comments state that an appropriate mitigation measure would be to allow no rezoning, including pre-zonings, for development or other entitlements granted to landowners and developers until all agency and landowner agreements regarding all aspects of the water source were secured.

Mitigation Measures 3A.18-1, 3A.18-2a, and 3A.18-2b, beginning on page 3A.18-14 of the DEIR/DEIS, are intended to ensure the provision of an adequate water supply prior to approval of tentative maps or improvement plans. The commenter suggests new mitigation that would go beyond what is already required by law under Senate Bills 610 and 221 (see discussion on DEIR/DEIS pages 3A.18-3 through 3A.18-5). The City believes that implementation of the proposed mitigation measures contained in the DEIR/DEIS, together with compliance with Senate Bills 610 and 221, are sufficient to ensure the provision of an adequate water supply before the approval of any commercial or residential development within the SPA.

Fish-60 through
Fish-65

The comments state that the City has been disingenuous in meeting State-required affordable housing goals. The comments refer to, as an example, a “closed door” deal with a landowner, Elliot Homes. The comments suggest that the City passed the “deal” off to its residents, claiming that Elliott Homes was helping the City to avoid an affordable housing lawsuit and judgment. The comments state that the majority of Council members who agreed to the Elliot agreement are still on the Council, including a member who stated that he would look into shifting affordable housing obligations to south of [U.S.] 50. The comments ask what assurances the DEIR/DEIS provides to current Folsom residents that the City would not incur further judgments in the future over noncompliance with affordable housing goals.

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

The comments regard the proposed development calling for 30% open space. The comments state that the City has previously ignored and/or diminished open space requirements. The comments inquire as to what assurance the DEIR/DEIS provides to future residents south of U.S. 50 that 100% of the proposed open space and parks would be honored. The comments further state that the MOU with LAFCo would no longer be binding after annexation, thus the MOU would no longer provide such assurance, and Measure W would provide little assurance. The comments also state that the Council has ignored requirement in the City's Charter and General Plan in the past. The comments suggest that the only effective remedy would be a lawsuit brought against the City to force compliance. The comments state the hope that this issue will be strengthened in the FEIR/FEIS, to a point "where the City will see that trying to reduce open space and park requirements would be a losing legal proposition." The comments offer evidence of a Council member wanting to reduce open space requirements, quoting a recorded public statement in which the Council member stated his objection that it limited financial opportunities. The comments request a response as to what assurances the DEIR/DEIS would provide to current Folsom residents that the City would not agree to a developer's request to reduce open space and parks.

Measure W amended the City's Charter to require the FPASP (Appendix N of the DEIR/DEIS) to preserve 30% of the project site as open space. In addition, City Charter Article 7.08C requires the City Council to adopt a plan "requiring 30 percent of the Area to be maintained as natural open space to preserve oak woodlands and sensitive habitat areas." Although not required to create a specific plan as a condition of annexation for its sphere of influence, the City determined that preparation and approval of a specific plan and accompanying EIR/EIS, along with a mitigation monitoring and reporting program as required by CEQA, would be the most practical way of demonstrating compliance with the LAFCo conditions of approval and requirements of the MOU. Although the foundation of the FPASP is based on preserving 30% open space and is part of the project evaluated in the DEIR/DEIS, the City will amend the specific plan to include an additional Open Space Planning Policy to further ensure that the plan could not be amended in any manner that would result in reducing natural open space less than the 30% required, as follows:

8.x All entitlements within the FPASP shall be reviewed to ensure that 30 percent of the Area is maintained as natural open space to preserve oak woodlands and sensitive habitat areas.

The FEIR/FEIS does not need to provide additional mitigation or assurances because the requirement for 30% open space is part of the project.

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September 10, 2010

By E-mail and U.S. Mail

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Re: Comments on Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS

Dear Ms. Furness de Pardo and Ms. Gibson:

Thank you for the opportunity to review and comment on the Draft EIR/EIS for the Folsom South of U.S. Highway 50 Specific Plan. On behalf of the Folsom Plan Area Ownership Group ("Project applicants"), I provide the following comments:

AIR QUALITY

Page 3A.2-32, 39, MMs 3A.2-1b, -1g; page 3A.4-14, MM 3A.4-1: The measures required to reduce NOx emissions would, in many instances, also reduce the greenhouse gas emissions of the project associated with construction, and vice versa. The calculation of the off-site mitigation fee required to be paid to SMAQMD under the construction NOx measures should be determined *after* applying whatever additional reductions will be achieved through the application of all feasible GHG reduction measures. In other words, the implementation of the two mitigation schemes should be considered together so that Project applicants do not have to pay more in NOx fees than truly warranted for the project because of the synchronous reductions in pollutants. Please confirm that the calculation of the SMAQMD off-site mitigation fees will

1
2
3

take into account the further reductions in NOx that will be achieved through simultaneous implementation of the reduction measures required for GHG emissions during construction.

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Page 3A.2-43, MM 3A.2-2: To reduce operational emissions, the Project applicants are supposed to implement all measures prescribed in the SMAQMD-approved Air Quality Management Plan. Enclosed please find a copy of the August 2, 2010, letter sent by SMAQMD approving the project applicants' proposed Air Quality Management Plan (Exhibit 1). The SMAQMD has reviewed the plan and has determined that the plan would lead to a 43 percent or greater reduction in operational emissions from the project. The SMAQMD further notes that the AQMP is consistent with the District's *Recommended Guidance for Land Use Emission Reductions* and is expected to reduce the operational emissions associated with the project to a less than significant level. Additionally, as indicated by the superior score given by the SMAQMD, the AQMP prepared for the project well exceeds the 35 percent minimum reduction required per the LAFCo MOU, which itself exceeds the Sacramento County General Plan's standard of 15 percent reduction. The SMAQMD has therefore determined that the plan provides a model example of air pollutant reduction efforts for large-scale, long-term land use plans in the Sacramento region.

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BIOLOGICAL RESOURCES

General: For many of the proposed mitigation measures, the Draft EIR/EIS would require substantial amounts of on- and off-site acreage to be set aside or obtained for habitat preservation or creation. Although the document does not expressly acknowledge it, the Project applicants assume that wherever the habitat values are appropriate, "stacking" of mitigation credit will be allowed by the regulatory agencies. We understand this practice, by which a particular parcel, where scientifically defensible, may be used to mitigate more than one category of biological impact, is routinely allowed by the Corps, Fish & Wildlife Service and other responsible wildlife agencies with jurisdiction over the project. Please confirm that "stacking" habitat credit will be allowed wherever the evidence supports a finding that the offered mitigation land supports overlapping habitat values.

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The following specific comments on the information and conclusions presented in this chapter are based on the expert opinion (based on facts, observations, surveys and other reputable sources) provided by Bjorn Gregerson, of ECORP Consulting, Inc., and Dr. Ken Whitney, of Foothill Associates. Their resumes are attached hereto as Exhibits 2 and 3.

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Page 3A.3-6, 3rd Paragraph: The DEIR/DEIS states that "Hydrophytic plant species...such as cattail...occur within the...drainage channels on site." This should be corrected to read "Hydrophytic plant species...occur within the...perennial drainage channels on site." Intermittent drainages typically do not support the plant species listed in this paragraph.

Also, the description of the "blackberry scrub" should note that this species is a non-native invasive species.

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Page 3A.3-7, 4th Paragraph: Since the term “open space” has meaning in a primarily planning and zoning sense, the phrase stating that the SPA is a “...large and mostly contiguous block of open space...” should be corrected to read “...a large and mostly contiguous block of non-native grassland and oak woodland...”

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Table 3A.3-1: The “Potential for Occurrence” column should be revised to note the results of recent special-status species surveys on SPA lands. Surveys with either positive or negative results need to be included in this column. Including only CNDDDB “hits” and not the results of focused on-site surveys does not present a complete picture of special-status species occurrences (and the lack thereof) on the project site.

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This is especially true of listed vernal pool crustaceans. Virtually all of the site has been surveyed with negative results.¹ For example, two years of Wet Season Surveys for Federally-Listed Branchiopods (including vernal pool fairy shrimp and vernal pool tadpole shrimp) were conducted for all properties except Country Day School and J&Z (portions of these projects were surveyed as part of the Backbone Infrastructure Surveys). Vernal pool fairy shrimp were found in only two wetland features on the Prairie City Road Business Park project. Thus, the conclusion in the “potential for occurrence” column should be revised to state that they “could occur.” (Table 3A.3-1, Page 3A.3-11.)

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No Vernal Pool tadpole shrimp were found to occur. The conclusion should be revised to state that they are “not likely to occur” or “could occur” for this species.

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Page 3A.3-12: No Swainson’s hawks have been observed during any site surveys, delineations, etc conducted for the properties. The conclusion should be revised to state that they “could occur.”

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Page 3A.3-15: The Swainson’s hawk occurrence on the map (at the center of the project along White Rock Road) is a 28-year old single soaring observation – not a nest. Please see Exhibit 6 attached to this letter, a copy of a printout from the DFG’s Natural Diversity Database documenting the only documented observation. The closest known nest is two miles to southwest.

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Page 3A.3-17: The discussion of *Chlorogalum angustifolium* plants as “...weak indicators of serpentine...” does not include any reference to support this assertion (see Stafford, et al., *Madrono* 52(4)). Stafford’s findings were that *Chlorogalum angustifolium* may be found on serpentine soils, but that it is not a so-called serpentine endemic. Since there are actual soil surveys for the SPA, and since these show no serpentine soils on the project site, the presence of

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¹ We note that the list of surveys conducted to date at pages 3A.3-1—3A.3-2 of the Biology Land section did not include: (1) a Focused Survey for Special Status Amphibians and Reptiles for Folsom South, dated April 26, 2006, prepared by Foothill Associates; and (2) a 90-Day Report: 2008-2009 Wet Season Survey for Listed Vernal Pool Branchiopods, Folsom South Property, dated July 24, 2009, prepared by Foothill Associates. We have attached copies of these reports to this letter as Exhibits 4 and 5.

Chlorogalum angustifolium is irrelevant regarding the potential for occurrence of big-scale balsam root or other serpentine endemics.

19 cont.

Further, as noted above, the sentence stating that, “The remainder of the SPA and off-site elements have not been surveyed for special-status plant species” is not correct. Special-status plant surveys were conducted according to CNPS protocols on the Folsom South property in 2006 and again in 2009. Thus, all species observed during those surveys would have been documented.

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Page 3A-3-26, Recovery Plan, Paragraph 1: The FSOI is not located within a USFWS Core Recovery Area. As the DEIR/DEIS states, the vernal pool species Recovery Plan does not have regulatory force, i.e., the implementation of the measures contained in the recovery plan are not required to be conditions of any Biological Opinion. However, the statement that “...the Recovery Plan needs to be taken into consideration...to ensure that projects to not prevent or impair the plan’s future long term [sic] implementation success...” would require compliance with a plan “...that does not have regulatory force...” Further, the vernal pool species Recovery Plan was not subject to NEPA review, and therefore to set a standard of analysis that requires compliance with that plan is not appropriate.²

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Page 3A.3-27, Analysis Methodology, Paragraph 2: The DEIR/DEIS states that in the AG-80 zone “...row crops, tree crops, and dairies are not consistent with this land use designation.” There is nothing in the Sacramento County zoning code, however, that prohibits such uses. Further, any use of the site as irrigated pasture would result in unregulated indirect impacts to seasonal wetland and vernal pool habitat on the site, under the No Project Alternative.

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Page 3A.3-28, On-Site Elements NCP, Paragraph 3: The conclusion that the NCP Alternative would have lesser indirect impacts than the Proposed Project Alternative is contradicted by the fact that in the NCP Alternative, the preserve edge of the avoidance area would be markedly larger than in the Proposed Project Alternative. Thus, the indirect effects noted under the Proposed Project Alternative would be exacerbated under the NCP Alternative. Further, in the absence of a Clean Water Act permit, there would be no preservation mechanism that would include a conservation easement and long-term management of the wetland preserves.

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Page 3A.3-33: The statement that “All portions of the SPA, with the exception of 25-foot buffers around preserved wetlands, would be subject to contour grading, which could affect wetland hydrology and water quality...” is not correct. A substantial portion of the open space preserve is not subject to grading. For example, the oak-tree preservation areas will not be graded.

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² / On the subject of the lack of regulatory force behind recovery plans, see *The Fund for Animals v. Rice*, 1995 U.S. Dist LEXIS 22389 (M.D. Fla. 1995); *Oregon Natural Resource Council v. Turner*, 863 F. Supp. 1277, 1284 (D. Or. 1994); and *National Wildlife Federation v. National Park Service*, 669 F. Supp. 384, 388-89 (D. Wy. 1987.)

Further, the discussion of adverse affects on hydrology and water quality in Alder Creek should be revised to provide some additional context. Within the SPA, Alder Creek receives urban flows from the development areas north of Highway 50. Alder Creek downstream of the property flows past the Folsom Auto Mall and other urban uses before entering Lake Natoma, and Lake Natoma receives urban flows from the surrounding areas. It is difficult to imagine a significant impact to hydrology or water quality from the SPA development, considering that the projects within the SOI must implement construction stormwater BMPs, post-project stormwater treatment, and wetland preservation, etc. Furthermore, the intermittent drainage corridors have minimum 25' no-disturbance and additional 50' minimum open space areas. Alder Creek generally has a 100' minimum no-disturbance area as some trails and backbone infrastructure components are required to be located closer than 100' in some areas.

Finally, the NCP Alternative would be subject to virtually the same "impacts" to hydrology and water quality as the Proposed Project Alternative, so that portion of the discussion should be revised to reflect that fact.

Table 3A-3-4: The column headings should replace the term "Preserved" with "Not Impacted" or "Avoided". The No Project alternative would not necessarily result in wetland preservation.

Page 3A.3.38, Second "Arrow" Bullet: The use of CRAM requires specific field data collection for various wetland types. Currently there are no modules for several types of wetlands on site, and many of the aquatic features are not wetlands, but rather, waters of the U.S. The EIR/EIS should make clear that CRAM will only be required if the appropriate modules are available or applicable. Thus, we propose to revise the text in the second bullet point describing the wetland compensation section of the habitat MMP as follows:

- A complete assessment of the existing biological resources in both the on-site preservation areas and off-site compensatory mitigation areas, including wetland functional assessment using the California Rapid Assessment Method (CRAM) (Collins et al. 2008), or other appropriate assessment and monitoring protocol as determined through consultation with the USACE and the USFWS, to establish baseline conditions;

Page 3A.3-38, Fourth "Arrow" Bullet: Since the DEIR/DEIS requires a pre-construction CRAM of the impact site, there is no need for "reference" wetlands. The highest possible CRAM score is scaled against the highest quality wetland for each wetland type, and the CRAM scores from the impact site assessment can be readily compared to the mitigation site CRAM scores. This provides a much more sensitive analytical tool regarding replacement of impact site functions and values than comparison to an arbitrary set of reference wetlands.

Page 3A.3-41, Paragraph 3: See comments regarding NCP above. Regardless of whether this alternative has fewer wetland impacts, the indirect impacts are virtually identical to those of the Proposed Project Alternative. Greater preserve area means greater edge (this is readily apparent in comparing the two alternative figures). Since comparable land uses are proposed under both

alternatives, the RIM Alternative will have at least as great, if not greater, indirect impacts, not “lesser” indirect impacts.

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Page 3A.3-49, Paragraph 3: The conclusion that the mitigation measures “...would reduce significant impacts on jurisdictional wetlands... but not necessarily to a less-than-significant level...” and that “Creating compensatory wetlands cannot be guaranteed to fully replace the functions of wetlands lost...” would seem to be at odds with the Corps’ longstanding “no net loss of wetlands” policy, which assumes that “net loss” can be avoided through off-site restoration or re-creation.

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The projects would all require preparation of mitigation plans, monitoring programs, remediation methodology, etc., to ensure that no-net loss of wetland functions and values will occur. Compensatory wetlands must meet performance standards during the monitoring period, and further corrective measures are required if those standards are not being met.

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Further, the DEIR/DEIS does not acknowledge the considerable preservation that will occur on-site with project development. That preservation comes with conservation easements, preserve management and monitoring, and other factors that add value to the wetlands and habitats so preserved, over that which exists in the “no-project” scenario.

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While we do not dispute the conservative conclusion that the near-term wetlands loss and the time it will take to develop and construct fully functioning compensatory wetlands warrant a conclusion of significance, at least in the short term, we believe it would be incorrect to conclude or even to imply that such mitigation will not be ultimately successful. This impact would appear to be one where the distinction between short-term and long-term impacts, as set forth in CEQA Guidelines section 15126.2, subdivision (a), should apply. Indeed, the extensive requirements proposed in the mitigation measures *require* that the mitigation be successful, as measured by verifiable, quantified performance standards set forth therein, as well as corrective measures if initial efforts are not successful. It is inappropriate to suggest that the lead and responsible agencies overseeing the implementation of this mitigation would not adequately enforce compliance with these criteria, as we believe that is surely not the intended message.

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Page 3A.3-49, Paragraph 4: The statement that “...there is a limited amount of undeveloped, unspoken for land that supports existing wetlands that could be preserved, or that is suitable for creation of compensatory aquatic habitats...” warrants reconsideration for two reasons.

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First, the Proposed Project Alternative results in preservation of 1,050 acres of open space. Second, there is abundant land suitable for wetland creation/restoration in Sacramento County. The Natural Resources Conservation Service’s (NRCS) SSURGO dataset (October 2005) shows that in Sacramento County south of the American River, over 81,000 acres of leveled San Joaquin soils were present. These soils are appropriate for construction of compensatory wetlands of the types found in the SPA.

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Page 3A.3-49, “Arrow” Bullets: It is not clear what is referred to by the bullet “...the amount of habitat loss and degradation is extensive and contributes significantly to the loss of this habitat

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type in the region[.]” What habitat type? What region? There is no regional context or analysis presented on which to base such a conclusion. | 58

The bullet about “...micro watersheds...” lacks context explaining its significance. | 59

Page 3A.3-50, Impact 3A.3-2: The DEIR/DEIS states that “Take of several listed species, including...Swainson’s hawk, could also occur.” The thresholds of take are different for federally listed and state-listed species. Unlike the take of federally listed species under the Endangered Species Act, which can be triggered by actions that “harm” or “harass” individual members of a species, take of a state-listed species, like Swainson’s hawk, requires physical harm leading to death. Take, under CESA, is limited to the following actions: “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The proposed project will not result in any of these actions that would warrant the need for compliance with the incidental take provision of CESA. Our understanding is that DFG does not require ITPs for the loss of foraging habitat, but only for the loss of occupied nests, which the project site does not have. | 60
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Page 3A.3-50, NP, Paragraph 1: The DEIR/DEIS states that “The AG-80 zoning designation is considered to provide 100% foraging habitat value for Swainson’s hawk.” This is not correct. Although a particular tract of land subject to the AG-80 designation might contain good habitat of that kind, the AG-80 zoning does not indicate, by itself, whether a particular AG-80 parcel is suitable Swainson’s hawk foraging habitat. The applicable county code (§ 16.130) states in §16.130.030(B)(2) that Swainson’s hawk impacts will be | 64
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“...identified through the CEQA process, based on the DFG staff report regarding mitigation for impacts to Swainson’s Hawks in the Central Valley of California, to provide suitable Swainson’s Hawk foraging habitat...” | 66

Here, the SPA contains large areas of oak woodlands that are not considered to be Swainson’s hawk foraging habitat. | 67

Page 3A.3-50, NCP, Paragraph 1: See comments on indirect impacts in Page 3A.3-28, On-Site Elements NCP, Paragraph 3, above. | 68

Page 3A.3-55, Mitigation Measure 3A.3-2e, Paragraph 2: As stated above, the vernal pool Recovery Plan is advisory only and has not been subject to NEPA analysis. It is therefore not appropriate to require any HCP prepared to be consistent with the Recovery Plan. | 69

Page 3A.3-56, Mitigation Measure 3A.3-2f, Paragraph 1: The statement that the project must wait until a “...BO...” has been issued by USFWS before project construction can commence is not quite correct. This should reflect the receipt of a Section 10 Incidental Take Permit, not the receipt of a Biological Opinion. | 70

Page 3A.3-57, PP, Paragraph 1: The DEIR/DEIS statement that “Special-status wildlife listed under ESA that could be substantially affected by the Proposed Project Alternative include | 71

vernal pool fairy shrimp, vernal pool tadpole shrimp, ..." is contradicted by the multi-year, negative-result vernal pool invertebrate surveys that have been conducted for most of the project site. Further, the terrestrial species listed in this section will be impacted to virtually the same degree by the NCP alternative as the Proposed Project Alternative. 71 cont.
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Page 3A.3-57, Wildlife Associated with Vernal Pools, Paragraph 1: The discussion of these species notes that there are "...approximately 5 acres of vernal pools, 5 acres of seasonal wetlands, and 26 acres of seasonal wetland swales that are considered potential habitat for [fairy shrimp and tadpole shrimp] and western spadefoot toad." Again, this section ignores the negative results of surveys for nearly all of the SPA. Further, seasonal wetland swales do not represent suitable habitat for larval western spadefoot toads. The larvae require permanent inundation for growth and development, and seasonal wetland swales do not have the continuous periods of extended inundation necessary for larval maturation. 73
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Page 3A.3-58 Second para.: Two years of Wet Season Surveys for Federally-Listed Branchipods (including vernal pool fairy shrimp and vernal pool tadpole shrimp) were conducted for the majority of the SPA. Portions of Country Day School and J&Z were surveyed as part of the Backbone Infrastructure Surveys. Folsom Heights did not support potential habitat. The Folsom 138 property owners have completed one year of wet-season surveys. Vernal pool fairy shrimp were found in only two wetland features on the Prairie City Road Business Park project. Therefore, the conclusion should state that they "could occur." 76
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Moreover, it should be noted that most of the SPA is in different watersheds or is upstream from the single occurrence noted in the DEIR/DEIS. Further, the occurrence of California linderiella in the SPA does not counter the multi-year negative surveys for listed vernal pool crustaceans on the project site. 78
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Additionally, no Vernal Pool tadpole shrimp were found to occur in surveys to date. The conclusions should state that Vernal Pool tadpole shrimp are "not likely to occur" or "could occur". 80

Page 3A.3-58, Paragraph 3: The conclusions on the potential for spadefoot toad occurrence are not consistent with the survey results. Even if one agrees that there is "potential" for this species to occur on site, the negative survey findings argue against any findings of significant impact to this species. 81
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Page 3A.3-59: The land within the boundaries of the Plan area is at the very eastern edge of the Swainson's hawk's known geographic range in Sacramento County. Yet the measure proposed to mitigate for the loss of Swainson's hawk foraging habitat would require the project applicants to prepare and implement a mitigation plan that includes 1:1 habitat ratios for the preservation of foraging habitat. (Page 3A.3-52—54, MM 3A.3-2b.) Enclosed please find a copy of the Project applicants' draft Swainson's hawk mitigation plan (Exhibit 7). The plan proposes to replace lost foraging habitat at appropriate off-site locations on an ongoing basis as individual development entitlements are approved, at the following ratios: 83
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- If the foraging habitat lost is greater than one mile and less than five miles from the nearest known (active) nest, the mitigation requirement shall be at a 0.75:1 acre ratio.
- If the foraging habitat lost is greater than five miles and less than ten miles from the nearest known (active) nest, the mitigation requirement shall be at a 0.50:1 acre ratio.

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These ratios are consistent with the ratios set forth in the California Department of Fish and Game's Swainson's Hawks Guidelines (1999). These proposed ratios also take into consideration the fact that, although the Plan area represents suitable hawk habitat, higher value foraging habitat exists in other portions of Sacramento County, more central to the hawks' geographic range. The ratios suggested above represent suitable mitigation acreages if foraging habitat of equal value to that being lost is secured and protected as mitigation. If mitigation sites are identified in areas where the City, agency staff and/or consulting biologists concur that habitat values are greater than those being impacted in the Plan area, it may be appropriate to reduce the number of acres required according to agreed-upon habitat value multipliers.

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ECORP has also prepared the enclosed list of mitigation banks with available Swainson's hawk foraging habitat credits. (Attached as Exhibit 8.) The list provides substantial evidence demonstrating there are likely to be sufficient available credits in Sacramento County to implement the proposed foraging habitat mitigation measure successfully as the Plan area builds out. The list indicates there would be sufficient additional credits available in the nearby counties of Yuba, or Placer; or Butte, Merced, and Madera, if necessary, to satisfy this requirement.

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Page 3A.3-59, Swainson's hawk and Other Raptors, Paragraph 2: The findings in this paragraph for the Proposed Project Alternative are virtually identical to those of all other alternatives except for the no-project alternative. All of these alternatives will have residential/commercial development in lands adjacent to open space, and the described impacts - crows, raccoons, domestic pets, etc. -- would occur in all development alternatives.

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Page 3A.3-63, Paragraph 3: The DEIR/DEIS requires that "Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented on a no-net-loss basis." The mitigation described following this sentence is not "no-net loss" but rather, a requirement to transplant existing shrubs and to make new plantings based on the size and condition of the impacted shrubs. The term "no-net loss" is not defined in this context.

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Page 3A.3-64, RIM, Wildlife Associated with Vernal Pools: As noted elsewhere, the indirect effects of this alternative could be as great as or greater than the Proposed Project Alternative, since the RIM alternative has substantially increased preserve edge. The conclusion that indirect impacts are "lesser" than those of the Proposed Project Alternative warrants further consideration on this basis.

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Page 3A.3-65, CD, Wildlife Associated with Vernal Pools: According to the DEIR/DEIS, the Centralized Development Alternative will result in "...about 1 acre less of potential habitat for vernal pool fairy shrimp, conservancy fairy shrimp, vernal pool tadpole shrimp, and western

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spadefoot toad.” This statement raises two issues. First, the actual difference is not 1 acre but 0.188 acre (based on the acreage tables in the exhibits).

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Second, the Centralized Development Alternative adversely affects more vernal pool habitat (0.213 acre) than the Proposed Project Alternative. Vernal pools are generally considered to provide greater habitat value for vernal pool invertebrate life history needs than either seasonal wetlands or seasonal wetland swales. How can it be, then, that the Centralized Development alternative is considered to have “lesser” direct and indirect impacts to vernal pool species when it preserves virtually the same overall wetland acreage and impacts a greater acreage of the more important vernal pool habitat?

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Page 3A.3-70, Mitigation Measure 3A.3-3: This measure should be revised to specify that, for portions of the SPA already surveyed, no further special-status plant surveys are required.

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Pages 3A.3-76—3A.3-87, MM 3A.3-5: As noted in our redline/strikeout comments on the attached copy of the Executive Summary table, the version of Mitigation Measure 3A.3-5 contained in the Executive Summary is not the same as the version presented in Section 3A.3. The version in Section 3A.3 is the preferred version, as it is more consistent with the proposed oak mitigation plan presented in the draft Specific Plan, as well as Public Resources Code section 21083.4 (which only applies to counties anyway) and the Folsom Municipal Code. That version was also the product of extensive consultation with, and substantial input by, the City’s arborist and staff.

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Additionally, we propose the following further clarifying revisions to the text of MM 3A.3-5 to improve consistency:

- At the bottom of page 3A.3-83 in the planting criteria section after “-One 15# container . . .” add “-One 24-inch box oak tree equals six units.”
- From the Specific Plan, page 10-14, the last bullet under Oak Woodlands Mitigation Planting Criteria, it references a requirement to plant up to 10% of non-oak species as part of the mitigation. This requirement should be included in this mitigation measure.
- At page 3A.3-84, second arrow, middle of the paragraph, it states that any replacement trees that die must be replaced, yet the next sentence requires an 80% survival rate. This is potentially confusing. We propose to revise this section to read: “Any replacement trees that die during the monitoring period shall be replaced in sufficient numbers to achieve an 80% survival rate for planted trees by the end of the eight-year maintenance and monitoring period. Dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved.”
- At page 3A.3-85, first arrow, replace the term “individual” with “isolated” and name this section “Isolated Oak Tree Mitigation Planting Criteria” to be consistent with the Specific Plan.
- The second and third mitigation bullet points should not reference the “normal FMC” but rather, should say “. . . the Isolated Oak Tree Mitigation Planting criteria shown below.”
- Next bullet point: Native (add the word Isolated) oaks measuring 24” . . . “ Please see the Specific Plan, page 10-15, 1st exception. This exception is supposed to pertain only to trees with a 3-5 rating, and these trees are supposed to be retained unless a retaining wall

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greater than 4 feet in height (from bottom of footing to top of wall) is required to save the tree. Trees rated 2 or less are not an exception.

- Next bullet point: Last sentence, the reference to the “normal FMC” should be replaced with “. . . the Isolated Oak Tree Mitigation Planting criteria shown below”.
- Next bullet: Reword “. . .but less than 12 inches dbh with rating of 4 or 5, shall not . . .” Also, same comment related to “normal FMC” as in bullet point immediately above.
- Next bullet: Typo in last line of the page – delete the word “they” (6th word from the end)
- Second to last paragraph (still on page 3A.3-86), last sentence should be revised to state “. . . Sac County Planning Dept (for County off-site impacts only) and/or the City of Folsom.”
- First paragraph under PP, RHD, 5th line add “Proposed Project” after “The.”

105 cont.

Page 3A.3-94: While the Project applicants do not dispute the overall conclusion that the impacts on wetlands and blue oak woodland habitat would be significant and unavoidable, we do disagree with one of the reasons given for that conclusion. The temporal aspect of the loss and mitigation – the time needed to restore or create replacement wetlands and oak habitat – justifies a conclusion that the impact of losing the existing resources is significant and unavoidable in the short term. (See CEQA Guidelines, § 15126.2, subd. (a).) The uncertainty expressed in the middle of the first paragraph, however, is not supported by the substantial evidence provided to date, and in fact, it casts unsupported doubt on the agencies’ commitment or ability to enforce their own proposed mitigation. The statement saying that “. . .it is unknown whether the acreage and functions of these habitats can be replaced through preservation and creation since mitigation sites have not been identified and a mitigation plan has not been developed” is both factually incorrect and legally unupportable.

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The Project applicants have, in fact, submitted a draft wetlands mitigation plan. Another copy is attached to these comments as Exhibit 9. While we have received no feedback or comments on the mitigation plan, it is incorrect to state that no mitigation plan has been developed.

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More importantly, however, the statement expressing uncertainty about whether the acreage and functions of these habitats can be replaced through preservation and creation appears to assume that the City and the Corps or other responsible agencies may be unwilling or unable to enforce the mitigation proposed in the Draft EIR/EIS. That mitigation, however, *requires* replacement habitat to be located, preserved and/or created, and for the Project applicants to engage in years of follow-up monitoring and reporting to demonstrate the success of the mitigation scheme and to take supplemental, corrective action to achieve the performance criteria if the initial efforts are not successful. In light of the comprehensive and enforceable mitigation framework set forth in the EIR for both of these impacts, and the commitments to implementation and enforcement to which the Project applicants, the City and the Corps are subject, by the mitigation’s own terms as well as applicable law, the statement should be revised to end after “. . . until performance standards and success criteria are met. . . .” This revision would make clear that the significant and unavoidable impact would occur only in the short term, not the long term.

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CULTURAL RESOURCES

Section ES.7.3 Resource Minimization Alternative: This discussion assumes that the alternative would preserve all of the on-site cultural resources. This statement is premature since, at this point, all resources are not known, especially with respect to relative distribution. It is therefore difficult to assess the alternative’s ability to “preserve” all resources. We recommend that the description should be revised to state that “many” of the resources are likely to be preserved under this alternative. 115
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Section 2.3.4 Resource Minimization Alternative: same comment as immediately above. 118

Section “Documented Cultural Resources”, Page 3A.5-5 “Methodology for identifying Documented Resources”: The first sentence of the second full paragraph should be revised to state “The NCIC records search indicates that while the entire SPA has been inventoried previously for cultural resources (Table 3A.5-1), some of the inventories may need to be updated. Approximately 260 prehistoric and historic era districts, sites, features, and isolated artifacts have been identified (Appendix E2).” 119

Page 3A.5-5 “Identified Resources”: This paragraph should be revised to state that the remains of historic-era activities also include ranch and farm complexes, stone walls, fences and roadways. 120

Page 3A.5-6 – Table 3A.5-1: This table does not include several reports previously provided to the Corps. These reports, prepared by ECORP Consulting, are currently on file in the Information Center. 121

Page 3A.5-9 “Summary of Identified Resources”: The first full paragraph states that the entire SPA is “highly” sensitive for prehistoric resources. This overstates the nature of prehistoric artifacts in the SPA. The existing data set indicates only scattered prehistoric artifacts, with most located in drainage areas already impacted by historic mining activities. 122

Page 3A.5-10 “Phased Identification, Evaluation, and Management of Cultural Resources Under Section 106”: The first paragraph under this heading states that intensive cultural resource surveys have *not* been conducted. See page 3A.5-9, which states that intensive surveys *have been* conducted. 123

Bullet number 5 (Page 3A.5-11): This section states that SHPO and USACE will complete and report the results of all required intensive surveys of the undertaking’s APE in a manner consistent with applicable federal standards and guidelines. However, only the Corps is required to complete and report the results of surveys. The SHPO is the consulting agency on those reports. 124

Bullet number 13 (Page 3A.5-12): This section states that USACE will not issue an NTP for a development project that includes a portion of a NRHP-eligible district that will be adversely affected until all development projects that include a portion of that district have completed the 125

preparation of the Historic Properties Synthesis. This statement is incomplete. The Corps will not issue a NTP for a project with a portion of an identified district until completion of the Historic Properties Synthesis as set forth in the PA, but furthermore can't issue the NTP until mitigation required under the MOA and HPTP at the project level is completed to the satisfaction of the Corps and SHPO. In addition, NTP may be issued when: "1) USACE and the SHPO have determined that there are no cultural resources within the APE for a particular Section 404 permit; *or (not and)* 2) USACE and SHPO have determined . . ."

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Bullet number 14 (Page 3A.5-12): This bullet references "Stipulation 7." Since the PA is currently being negotiated, references to particular stipulations are problematic, since stipulation numbers may change. References should be generically to the PA.

127

Page 3A.5-13: the Criteria for Designation under the California Register are misstated. The correct criteria are:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation (Criterion 4).

128

**Section 3A.5.3 "Environmental Consequences and Mitigation Measures",
Mitigation Measure 3A-5.1a, Page 3A.5-18 states as follows:**

"Once SHPO, USACE, and other consulting parties agree on the project-specific APE, USACE or permit applicant (or designee, as directed by USACE) shall perform an inventory for cultural resources in the phase-specific APE consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 Federal Register [FR] 44720-23) and submit this inventory to the SHPO and any other relevant consulting parties for review as required under the PA. The same document shall evaluate identified resources for listing on the NRHP per the criteria provided above and the Secretary of the Interior's Standards and Guidelines for Evaluation (48 FR 44723-26)."

129

It is not clear why this measure (and the rest of the mitigation measures) do not simply refer to the description of the PA as mitigation and incorporate it by reference here. In fact, this statement does not correctly reflect the steps in the PA. Additionally, the inventory report and evaluation can be set forth in separate documents without affecting proper procedural requirements under Part 800.

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This section of the DEIR/DEIS further provides:

“Once the inventory is complete, USACE (or designee, as directed by USACE) shall prepare a Finding of Effect (FOE) to assess the effect of the buildout of the individual development phase upon identified historic properties by applying the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1). If the FOE identifies adverse effects, the project applicant or USACE, or designee) shall prepare treatment measures and protocols to minimize these impacts to the extent possible. These treatment measures shall be appended to the PA in a treatment plan prepared for the specific project development phase. Treatment measures may include, but are not limited to, avoidance and preservation in places where possible. Where avoidance is not possible or feasible, treatment shall consist of either: 1) recovery of a suitable sample of material from archaeological sites that have the potential to contribute to research, or 2) documentation of historic resources to capture their significance and relationship to important historical themes. Documentation of historical resources shall be performed according to the Historic American Building Survey or Historic American Engineering Record (HABS/HAER) specifications or an equivalent standard when existing architecture or engineered features are subject to adverse effects. Where appropriate, treatment plans may specify the preparation and circulation of interpretive brochures, narrative descriptions, and photographic documentation for the general public.”

132

Because some of the CWA section 404 applicants will proceed with project permitting at different times, we believe this paragraph should describe the compliance steps more generically. Also, the PA incorporates requirements for inventory, evaluation, finding of effect, and development of mitigation. Finally, documentation of historic resources is not limited to HABS/HAER specifications. We believe the paragraph should read:

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“Once SHPO, USACE, and other consulting parties agree on the project-specific APE, the USACE shall ensure that the stipulations of the PA are implemented. This includes the required steps of inventory, evaluation and finding of effect, as specified in the PA and in the Preliminary Historic Properties Synthesis, and the subsequent review of the documentation by SHPO. In the event that historic properties (NRHP-eligible) will be adversely affected by any project, the USACE and SHPO shall enter into a property-specific MOA with HPTP to resolve those adverse effects.

135

~~“Once the inventory is complete, USACE (or designee, as directed by USACE) shall prepare a Finding of Effect (FOE) to assess the effect of the buildout of the individual development phase upon identified historic properties by applying the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1). If the FOE identifies adverse effects, the project applicant or USACE, or designee) shall prepare treatment measures and protocols to minimize these impacts to the extent possible. These treatment measures shall be appended to the PA in a treatment~~

~~plan prepared for the specific project development phase. Treatment measures may include, but are not limited to, avoidance and preservation in places where possible. Where avoidance is not possible or feasible, treatment shall consist of either: 1) recovery of a suitable sample of material from archaeological sites that have the potential to contribute to research, or 2) documentation of historic resources to capture their significance and relationship to important historical themes. Documentation of historical resources shall be performed according to the Historic American Building Survey or Historic American Engineering Record (HABS/HAER) specifications or an equivalent standard when existing architecture or engineered features are subject to adverse effects. Where appropriate, treatment plans may specify the preparation and circulation of interpretive brochures, narrative descriptions, and photographic documentation for the general public."~~

135 cont.

Page 3A.5-18, 19:

"Timing: The PA shall be prepared and executed (signed) prior to issuance of any Federal permit or authorization for any aspect or component of the specific plan project. Preparation of the phase-specific APE and inventory and evaluation of properties within the APE shall be performed prior to any ground-disturbing work in the APE for any Federal permitting or authorization of individual development phases.

Implementation of treatment measures for identified historic properties may be performed during construction and ground-disturbing work provided that no ground disturbing work is performed in the vicinity of resources subject to adverse effects and within an appropriate radius of the resource as determined by USACE, prior to completion of all treatment measures. The exact radius in which construction shall not occur shall be determined based upon the nature of the resource the potential for outlying undiscovered elements of that resource."

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The PA is specific with respect to the steps required. This mitigation measure ought to simply refer to the discussion of the PA, and incorporate the PA as required mitigation. This language does not accurately reflect the steps prior to project groundbreaking. Under the PA, more is required than just inventory and evaluation prior to project initiation.

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Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.

"To reduce potential impacts to previously undiscovered cultural resources, the project applicant(s) of all project phases shall do the following:

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► Before the start of ground-disturbing activities, the project applicant(s) of all project phases shall retain a qualified archaeologist to conduct training for construction workers,

to educate them about the possibility of encountering buried cultural resources, and inform them of the proper procedures should cultural resources be encountered.

139 cont.

Individual MOAs will not necessarily require that such training occur; the same is true for construction monitoring. This would depend on the project-specific findings regarding the nature of the historic features on-site, if any. This portion of the mitigation measure should be revised to reflect this point, rather than making this a blanket requirement.

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► As a result of the work conducted for Mitigation Measures 3A.5-1a and 3A.5-1b, if the archaeologist determines that any portion of the SPA or the off-site elements should be monitored for potential discovery of as-yet-unknown cultural resources, the project applicant(s) of all project phases shall implement such monitoring in the locations specified by the archaeologist.

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This bullet should be revised to add the following sentence at the end of the paragraph: “The Corps should review and approve any recommendations by archeologists with respect to monitoring.”

Page 3A.5-19: Bullet number 3 should also state that avoidance of historic properties is required in certain circumstances under 36 Part 800 as well as the Public Resources Code.

142

Mitigation Measure: Implement Mitigation Measure 3A.5-2 states as follows:

“Implementation of Mitigation Measure 3A.5-2, and Mitigation Measures 3A.5-1a and 3A.5-1b if required, would reduce the potentially significant impacts from possible damage or destruction of previously unknown cultural resources under the No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development Alternatives, but not to a less-than-significant level. Although construction worker personnel training would be conducted, construction monitoring would occur (if determined to be necessary by the qualified archaeologist) . . .”

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The Corps should review and approve any recommendations by archeologists with respect to monitoring.

3B.5 – CULTURAL RESOURCES-WATER

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This chapter should refer to the PA in the same manner as the AECOM authored chapter on cultural resources.

Section 3.B.5.2 “Research Survey Methodology”, “Results” Section: This section incorrectly states that SAC-308H is listed in the National Register. In fact, while the Chinese Diggings component of the site was assigned an NPS number, it was not actually listed, because at some point the property owners objected. Additionally, we understand that the NPS number

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only pertains to a portion of the property, not the entire site. We encourage you to consult again with SHPO to confirm this information and to correct this statement. | 146

Page 3B.5-7: Subsection 4 should be revised to state that the significant effects to the Elder Creek Corridor Mining District are being mitigated by the Glenborough and Easton projects. | 147
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3A.8 – HAZARDS-LAND

Pages 3A.8-31—3A.8-33: “Mitigation Measure 3A.8-6: Prudent Avoidance and Notification of EMF Exposure” provides:

A policy of “prudent avoidance” to EMF exposure shall be incorporated into planning activities for residential developments near the transmission lines, which shall include consideration of up-to-date information on potential hazards of EMF, especially information from the California Public Utilities Commission.

In addition, potential purchasers of properties near the transmission lines shall be made aware of the controversy surrounding EMF exposure. The California Department of Real Estate shall be requested to insert an appropriate disclosure statement into the applicant’s final Subdivision Public Report application, which shall be provided to purchasers of properties within 100 feet from the 100-115kV power line easement, or within 150 feet from the 220-230 kV power line easement. | 149

The above mitigation measure was purportedly formulated based on guidance issued by the National Association of Certified Home Inspectors (NACHI), which cites to a report by the Office of Technology Assessment of the U.S. Congress (OTA), to recommend a policy of “prudent avoidance” with respect to EMFs. As defined in the Draft EIR, “prudent avoidance” means to measure fields, determine the sources, and act to reduce exposure. (Draft EIR, p. 3A.8-32.) The Draft EIR explains further that “[t]he National Association of Certified Home Inspectors suggests that exposure to EMFs should be limited to 2.5 mG or less.” (*Ibid.*)

The inferences drawn from the NACHI guidance, and the Draft EIR’s reliance on this guidance, are misplaced. First, the report by the OTA provides a much more detailed explanation of the meaning of “prudent avoidance” than is discussed by the Draft EIR. (Biological Effects of Power Frequency Electric and Magnetic Fields, NTIS order #PB89-209985, <http://www.princeton.edu/~ota/disk1/1989/8905/8905.PDF>.) As explained by OTA, prudent avoidance “mean[s] undertaking only those avoidance activities which carry moderate costs.” (OTA Report, pp. 78-79.) In other words, OTA recommended only adopting measures “which look to be ‘prudent’ investments given their costs and our current level of scientific understanding about possible risks.” (OTA Report, p. 77.)³ The OTA Report, rather than | 150
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³ The OTA Report tries to define “prudent avoidance” further using several analogies:

For example, broccoli and cauliflower may contain anti-carcinogens. Dietary fiber may help to reduce the risk of certain cancers. Conversely char-grilled meats may

prohibiting or even suggesting that transmission lines should not be located within a certain proximity to homes, proposed a fee based approach. (OTA Report, p. 80.) Under this approach, a fee would be assessed for projects bringing transmission lines and homes within a certain, unspecified, distance of each other. OTA proposed that the revenue from such a fee could “be used to support 60 Hz health effects research.” (*Ibid.*)

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Second, the OTA Report acknowledges the danger of establishing express standards that are not based on science. As explained in the OTA Report, if in the spirit of prudent avoidance an electric blanket company is required to redesign their blankets to make them “field free,” then “[i]t seems only a matter of time before the company will be facing litigation from leukemia victims which argues that the electric blankets caused their cancer and that the fact that the company has recently redesigned their blankets ‘proves’ their claim.” (OTA Report, p. 80.) Without scientific support, the approach taken in the Draft EIR suggest that EMF may cause risks at certain distances, and for this reason falls into the trap warned against in the OTA Report.

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Third, as demonstrated by the OTA Report, the standard established in the report was based on the “current level of scientific understanding.” (OTA Report, p. 77.) The report was released in 1989. (OTA Report, title page (emphasis added).) Therefore, the guidance was developed 21 years ago based on the scientific understanding in 1989. Since 1989 numerous additional studies have been conducted and new standards have been developed to address potential EMF concerns. An article published in a scientific journal in 2010, for example, systematically and critically reviewed all available electric-fields literature and concluded that “there seems little basis to suppose there might be a risk for electric fields, and . . . there seems little basis for continued research into electric fields.” (Leeka Kheifets, Extremely low frequency electric fields and cancer: Assessing the evidence, *Bio Electroelectromagnetics* 31:89-101.)

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In January of 2006, the California Public Utilities Commission (PUC) released a decision regarding the proper approach to EMF concerns. The PUC did not adopt a “moderate costs” approach like OTA did in 1989, rather – based on seventeen additional years of research - the

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carry increased risks of cancer. The evidence on these things is suggestive but inconclusive. As a matter of prudence many people have tried to increase the frequency with which they eat cauliflower vegetables, increase their fiber intake, and reduce the amount of char-grilled meat they eat. But reasonable people do not rent a helicopter to fly high fiber bread in to them when they spend a week at a mountain ski resort which serves only regular bread. Families who eat meat, would not buy lobster for their kids every night for a week at that same ski resort if it is the only meat on the menu that is not charbroiled. Nor do reasonable people rent their own refrigerated truck to supply them with broccoli and cauliflower when they travel in places where these foods are not available. Such steps go beyond prudence. At the least they would be foolishly expensive, at the worst, signs of serious paranoia.

(OTA Report, p. 79.)

PUC adopted a “low-cost/no-cost, policy to mitigate EMF exposure.” (PUC Opinion on Commission Policies Addressing Electromagnetic Fields Emanating from Regulated Utility Facilities, Rulemaking 04-08-020, http://docs.cpuc.ca.gov/w0rd_pdf/FINAL_DECISION_53181.pdf, p. 1.) The low-cost / no-cost policy has been defined by the PUC as measures adopted to reduce exposure by 15% where such measures “cost 4% or less of the total project cost, which is also referred to as the 4% benchmark.” (*Id.* at pp. 19-20.) For example, in D.04-08-046, the PUC found acceptable mitigation within the 4% benchmark that would reduce the magnetic field levels near residential and commercial buildings to 3.0 mG at median loads. (In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project (2004) 236 P.U.R.4th 406 (D.04-08-046), pp. 163-165 (emphasis added).) Therefore, the PUC has held that mitigation measures equal to 4% of the cost of a project is adequate and that a reduction to 3.0 mG at median loads is acceptable in areas with residential and commercial buildings. Curiously, even though the Draft EIR emphasizes the important role played by the PUC, the Draft EIR relies on the over-twenty-year-old NACHI data rather than significantly more current PUC standards. (See Draft EIR, p. 3A.8-32 [A policy of “prudent avoidance” . . . shall include consideration of up-to-date information on potential hazards of EMF, especially information from the California Public Utilities Commission.])

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Moreover, in 2007 the World Health Organization published a report containing the collective views of an international group of experts on EMF concerns. (WHO, Extremely Low Frequency Fields, WHO Environmental Health Criteria 238, http://www.who.int/entity/peh-emf/publications/Comple DEC_2007.pdf.) First, the report points out that “average magnetic fields encountered are usually significantly less than the theoretical maximum field a line is capable of producing.” (WHO Report, p. 31.) Second, the report states that “[t]here is scientific uncertainty as to whether chronic exposure to EMF magnetic fields causes an increased risk of childhood leukaemia. In addition, given the small estimated effect resulting from such a risk, the rarity of childhood leukaemia, the rarity of average exposures higher than 0.4 μT and the uncertainty in determining the relevant exposure metric . . . , it is unlikely that the implementation of an exposure limit based on the childhood leukaemia data and aimed at reducing average exposure to ELF magnetic fields to below 0.4 μT, would be of overall benefit to society.” (*Id.* at p. 362.) 0.4 μT is equivalent to approximately 4.0 mG. Therefore, the WHO Report suggests that the scientific data does not even support a standard limiting exposure to 4.0 mG. The WHO Report, however, suggests that it may be appropriate to adopt “very low-cost precautionary procedures to reduce exposures.” (*Id.* at p. 372.) Thus, the more recent data by the PUC and WHO demonstrate that NACHI’s 20-year old “moderate cost” standard and 2.5 mG maximum exposure standard are outdated and unsupported by the current scientific research.

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Additionally, the Draft EIR’s discussion of the California Department of Education (CDE) guidelines is also misguided in several respects. First, it should be noted that the policy was last amended in 2000. Therefore, the CDE policy is also somewhat dated. Second, this policy was developed for school sites, not for residential uses or any other types of occupied facilities. Thus, using this standard for residential impacts takes the standard out of its proper context. Third, as recognized by the Department of Health Services (DHS), the CDE standard was “not

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based on specific biological evidence, but on the rationale that the electric field drops to background levels at the specified distances.” (DHS factsheet, Electric and Magnetic Fields measurements and possible effects on human health, www.ehpb.org/emf/longfactsheet.PDF, p. 7.) Therefore, the CDE standard represents a no-impact baseline level standard. Neither CEQA nor the current PUC guidelines require such an extreme standard to ensure that potential EMF-related health impacts are less-than-significant.

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The CDE concluded “in the absence of conclusive scientific evidence, there is no sufficient basis for enacting laws or regulations to limit people’s exposure to EMF, so it is up to individuals to decide what avoidance measures to take, based on the information available.” (*Id.* at p. 8.) This approach appears most logical. Using NACHI’s outdated “prudent avoidance” standard suggests that there is a proximity to the transmission lines that would not be prudent. And, coupling that standard with the requirement to inform purchasers within 100 to 150 feet of the easement line suggests these distances are the points where prudence merits caution. Yet the most recent scientific and regulatory evidence does not support a conclusion that EMF related health impacts are significant with this project.

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While we believe the impact is appropriately characterized as less than significant, we would be supportive of adding a specific plan policy requiring only the notification of proximity to residential purchasers. The notification would include a discussion of the scientific studies and conclusions reached to date, acknowledge that the notification distance is not based on specific biological evidence but rather the distance where background levels may increase, and provide that - given some uncertainty in the data - this notification is merely provided to allow purchasers to make an informed decision. This very low-cost approach is adequate under CEQA and supported by the research and current state of the regulatory environment, as discussed above. The DEIR/DEIS’ proposed adoption of a “prudent avoidance” standard or any other standard that implies that a danger exists is simply improper.

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Finally, it should also be noted that in an attempt to reconcile the PUC EMF policy with the CDE policy, the CDE released Power Line Setback Exemption Guidance in May of 2006 in consultation with the PUC. (See <http://www.cde.ca.gov/ls/fa/sf/powerlinesetback.asp>.)⁴ The guidance includes numerous exemptions from the setback requirement. One exemption clarifies that the point of reaching background levels is 100 feet from a 50 to 133kV line and 150 feet from a 220 to 230 kV line, not from the easement line. Therefore, a setback exemption allows CDE to measure the setback from ground level of the closest or highest kilo-voltage transmission line (whichever creates the largest setback onto the site) instead of from the edge of easement, if it can be reasonably determined by CDE that it is unlikely that new or relocated overhead transmission lines of at least 50kV would be placed closer to the school within the easement, unless such planned lines would result in a net reduction of magnetic fields on the usable

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⁴ In adopting the exemption guidelines, the CDE stated that “[t]he proposed guidance acknowledges the scientific uncertainty of the health effects of EMFs, the lack of any state or nationally established standard for EMF exposure, and the PUC’s recently reconfirmed reliance upon no/low cost measures targeted to only reduce fields from new power transmission lines.” (<http://www.cde.ca.gov/ls/fa/sf/powerlinesetback.asp>.)

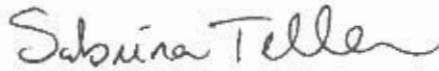
portions of the school site. (*Id.* at Section II.A.2.) Because no evidence suggests that additional lines will be constructed closer to proposed housing than the existing lines in the transmission corridor, it would be appropriate for the EIR/EIS to measure the notification point from the existing power lines, rather than from the edge of the existing easement.

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Thank you for all of your hard work on this document and for the opportunity to provide these comments.

Sincerely,


Sabrina V. Teller

Enclosures

Edits to the Folsom South of U.S. 50 Specific Plan Project DEIR/DEIS Executive Summary Table (ES-1), found at the end of the exhibits.

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EXHIBIT 1

August 2, 2010

SENT VIA EMAIL

Ardie Zahedani
Principal
RCH Group
1640 Lead Hill Boulevard, Suite 220
Rancho Cordova, CA 95661

Subject: **Folsom Plan Area Specific Plan Air Quality Mitigation Plan
SMAQMD # SAC200500886**

Dear Mr. Zahedani:

Thank you for submitting the updated version of the *Folsom Plan Area Specific Plan Air Quality Mitigation Plan (AQMP)* to the Sacramento Metropolitan Air Quality Management District (District) for review.

The District endorses the updated version of the AQMP received on August 1, 2010. The District anticipates that implementation of the Mitigation Measures described in the plan will lead to a 43 percent or greater reduction in operational emissions from the project. This AQMP is consistent with the District's *Recommended Guidance for Land Use Emission Reductions* and is anticipated to reduce the operational emissions associated with the project to a less than significant level.

Please contact me at (916) 874-2694 or jhurley@airquality.org if you have any questions.

Sincerely,



Joseph J. Hurley
Assistant Air Quality Planner Analyst

C: Larry Robinson, Sacramento Metropolitan Air Quality Management District

EXHIBIT 2

Bjorn T. Gregersen**Vice President**

Mr. Gregersen is Vice President and project principal for a number of major clients and projects. Mr. Gregersen has over twenty years project experience including Section 404 permitting, Endangered Species Act consultation, and mitigation planning, implementation and monitoring. He coordinates work among regulatory compliance specialists, biologists, mitigation design staff, and GIS analysts to produce the necessary technical data, designs and technical reports to support regulatory permitting processes and habitat restoration and compliance for the company's projects.

Education

B.A., Art/Graphic Design, California State University, Sacramento

Registrations, Certifications, and Affiliations

- Society for Ecological Restoration
- Association of Environmental Professionals

Professional Experience

- Mr. Gregersen has successfully managed/managing the environmental regulatory processes for a number of large-scale master-planned projects and specific plan areas in the Sacramento region. As project manager, Mr. Gregersen is often responsible for coordinating many aspects of the regulatory process including pre-project planning and constraints analysis, conceptual land use design alternatives, providing biological resource information and studies to support CEQA/NEPA processing, preparing applications to state and federal agencies, identifying mitigation areas and designing mitigation plans to offset project impacts.
 - Mr. Gregersen processed and managed the Clay Station mitigation bank project in Sacramento County. The initial mitigation plan and performance specifications set forth for the mitigation site were upheld in a thorough review by the Corps' Waterways Experiment Station after the Churchill Downs permit decision was elevated by U.S. Fish and Wildlife Service (USFWS) and the Environmental Protection Agency (EPA) (the first elevation under Section 404(q) of the Clean Water Act). Wetland habitat construction plans for off-site mitigation were approved and constructed at the Clay Station mitigation site during the summer of 1994. In October 1995, Mr. Gregersen obtained the USFWS's approval of Clay Station as a mitigation bank.
 - Mr. Gregersen has participated in numerous interagency task forces that have focused on a variety of complex regulatory issues. These have included discussions pertaining to regional land use planning, challenges with the regulation of irrigated lands in the context of Section 404 of the federal Clean Water Act, and general procedures and processing of federal regulatory permits. He has served on several advisory panels and has presented at several professional organizations and events including CLE International and the Sacramento Metro Chamber Capitol to Capitol events.
-

Environmental Permitting

Mr. Gregersen's area of expertise is in the permitting arena. Specifically, as a project principal, he is responsible for taking development projects from the conceptual stages through all aspects of environmental permitting. This typically includes assessment of the subject properties for wetland and sensitive species and analysis of potential impacts to natural resources. Mr. Gregersen acts as a liaison to regulatory agencies and prepares applications to agencies including; U.S. Army Corps of Engineers, California Regional Water Quality Control Board, US Fish and Wildlife Service, California Department of Fish and Game, Environmental Protection Agency, and various state, county and city departments.

Sample of Projects Managed by Mr. Gregersen:

- Rio Del Oro - Rancho Cordova, CA
- Glenborough at Easton and Easton Place - Sacramento County, CA
- Folsom Specific Plan Area - Folsom, CA
- SunCreek Specific Plan Area, Sacramento County, CA
- North Vineyard Specific Plan Area Drainage Master Plan - Sacramento County, CA
- Broadstone Master Plan Area - Folsom, CA
- Elliott Ranch (Lakeside) - Sacramento, CA
- Stoneridge Specific Plan Area - Roseville, CA
- Whitney Ranch (Sunset Ranchos) - Rocklin, CA
- Prairie Oaks, Folsom - CA
- Churchill Down - Sacramento, CA
- East Franklin Specific Plan Area - Sacramento, CA
- Double Diamond Ranch - Reno, NV
- Empire Ranch - Folsom, CA
- Weidemann Ranch - San Ramon, CA
- Clay Station Mitigation Bank - Sacramento County, CA

Other:

Mr. Gregersen served as a Board member and president of the American River Parkway Foundation for over 10 years.

EXHIBIT 3



FOOTHILL ASSOCIATES

ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE

FSAG

Kenneth D. Whitney, Ph.D.
President

Education

Ph.D. (Botany) University of North Carolina, Chapel Hill

Master of Arts (Botany) California State University, Chico

Bachelor of Arts (Biological Sciences) California State University, Chico

Certification

Professional Wetland Scientist (PWS#1004)

Professional Activities

The Habitat Management Foundation, Board of Directors and CEO

Certification Review Panel, Professional Wetland Scientist Certification Program (1999-2002)

Experience

Foothill Associates, President

Sugnet & Associates, Senior Biologist

Research Associates, Senior Biologist

Ken Whitney has over 16 years of experience as a consultant in biological and wetlands impact assessment, mitigation planning, and restoration design. He is an expert in provisions of both state and federal Endangered Species Acts, Section 404 of the Clean Water Act, and the California Environmental Quality Act. He has authored numerous articles for publication in refereed journals and trade publications and has made technical presentations at the national, state, and local level. Dr. Whitney's vernal pool floristic evaluation methods have been reviewed by the U.S. Army Corps of Engineers Waterways Experiment Station and the U.S. Fish and Wildlife Service and have been accepted for use in wetland mitigation performance standards. Dr. Whitney has been regularly involved in consultation and project negotiations with state and federal agency staff, including the Environmental Protection Agency, the Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game for issues related to wetlands, biotic resources, and special-status species. He has served as vice president of the Western Chapter of the Society of Wetland Scientists and also served as a member of the Certification Review Panel for the Professional Wetland Scientist Certification Program.

Selected Publications and Presentations

K. Whitney, Glazner, J., and Sugnet, P. 1994. *Vascular Plant Frequency and Dominance in Constructed and Historic Vernal Pools.* In: Western Wetlands-Selected Proceedings of the 1993 Conference of the Society of Wetlands Scientists, Western Chapter. D. Kent and J. Zentner, eds.

Kenneth Whitney and Gregersen, B. March/April 1994. *Wetland Regulations-A Federal Case.* Sacramento Valley Builder/Architect.

Whitney, Kenneth. 1994. *Perspectives on Vernal Pool Monitoring and Vernal Pool Performance Standards.* In: Selected Proceedings of the 1994 Conference of the Society of Wetland Scientists, Western Chapter.

Whitney, Kenneth. 1995, September/October. *Clay Station Wetland Habitat Restoration Project.* Land and Water: Volume 39.

Whitney, Kenneth. 1995. *Rapid Assessment of Vernal Pool Floristics.* In: National Interagency Workshop on Wetlands: Technology Advances for Wetlands Science.

Cook, Terry and Kenneth Whitney. 2000. *Anthropogenic Landscapes and Soils Due to Constructed Vernal Pools.* In: First International Conference on Soils of Urban, Industrial, Traffic and Mining Areas: Proceedings, Vol. 1 The Unknown Urban Soil, Detection, Resources and Faces.

Whitney, Kenneth. 2005. *Central Valley Vernal Pool Construction and Restoration.* Presented to Association of Environmental Professionals State Conference, Sacramento, CA. May 2005.



EXHIBIT 4



April 26, 2006

Mike McDougall
MJM Properties
1037 Suncast Lane, Suite 111
El Dorado Hills, CA 95762

Subject: Special-status Amphibian and Reptile Surveys on the Folsom South Site

Dear Mr. McDougall:

At the request of MJM Properties and AKT Development, Foothill Associates conducted a focused survey for special-status reptiles and amphibians including western pond turtle (*Clemmys marmorata*) and western spadefoot toad (*Spea hammondi*) on the ±1500-acre Folsom South site located in eastern Sacramento County. A habitat assessment was also conducted on the site for California red-legged frog (*Rana aurora draytonii*).

Methods

Foothill Associates biologists conducted the survey and habitat assessment on April 14, 18, and 20, 2006. The entire project site was walked on foot, with special attention given to examining areas with suitable habitat for the species mentioned previously. Specific habitat elements such as ponds, slow-moving riverine systems, and vernal pools were examined for the presence of special-status reptiles and amphibians. Where applicable, vernal pools and ponds were sampled using a dip net to examine ponds for western spadefoot larvae (tadpoles). Weather conditions during the survey were good with clear to cloudy skies and light winds.

Results

The subject property is bounded by State Highway 50 to the north, residential development to the east, annual grassland and White Rock Road to the south, and oak woodland to the west (**Figure 1**).

No western pond turtles or western spadefoot toads were found on the site. The ponds generally lack vegetative cover or basking sites that would make them more suitable western pond turtle habitat. Most suitable features on the site contain large populations of bullfrogs (*Rana catesbeiana*). The high populations of bullfrogs on the site reduce the likelihood of western spadefoot toads co-existing within vernal pools or pond habitat since bullfrog adults and tadpoles are predators of other amphibian species.

The ponds and other permanent water features on the site provide potential habitat for California red-legged frog. However, there are no known extant populations of this species in the vicinity of the site and the high prevalence of bullfrogs within permanent water sources reduces the suitability of the habitat for red-legged frogs.

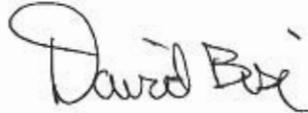
Conclusions

As mentioned previously, no special-status amphibian or reptile species were found on the Folsom South site. Given the current habitat conditions and the competition from exotic predatory species such as bullfrogs, it is unlikely that these species occur on the site.

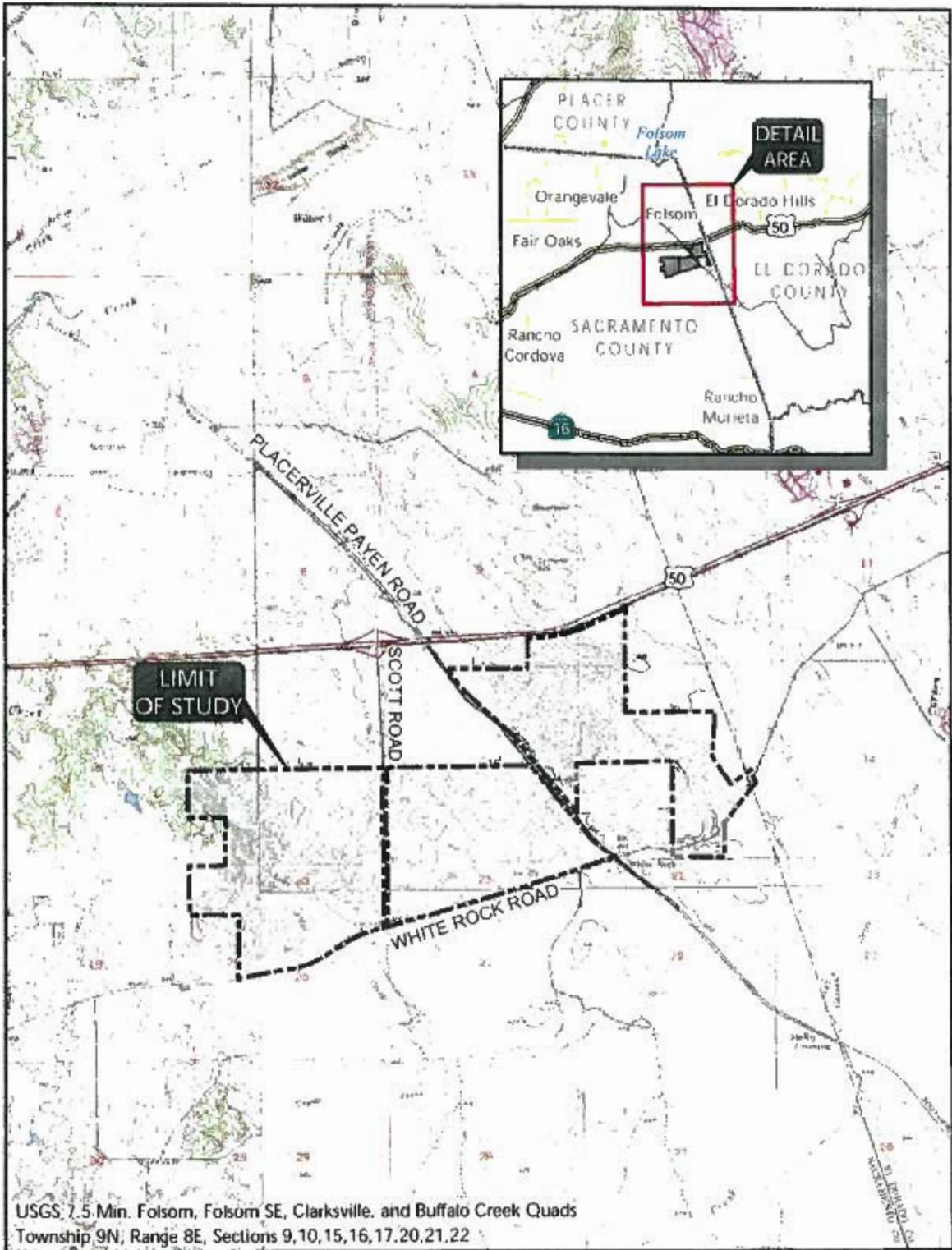
The site is also unlikely to support California red-legged frogs based on the lack of known occurrences for this species in the vicinity of the site and the high population of bullfrogs within suitable California red-legged frog habitat.

If there are any questions or concerns regarding this summary memo, please feel free to contact me.

Sincerely,

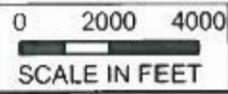


David Bise
Biologist



USGS 7.5 Min. Folsom, Folsom SE, Clarksville, and Buffalo Creek Quads
Township 9N, Range 8E, Sections 9,10,15,16,17,20,21,22

SITE AND VICINITY



Drawn By: BF
Date: 11/03/05

FIGURE 1

EXHIBIT 5

**90-Day Report
2008-2009 Wet-Season Survey
for Listed Vernal Pool Branchiopods**

Folsom South Property
Sacramento County, California

Prepared for: MJM Consulting

July 24, 2009

Submitted by:
 **FOOTHILL ASSOCIATES**
© 2009

FOLSOM SOUTH PROJECT
(SACRAMENTO COUNTY)

90-Day Report

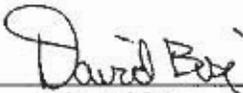
Prepared for:
MJM CONSULTING

Data Collection and Report Preparation by:

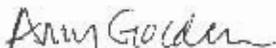
Foothill Associates
590 Menlo Drive, Suite 1
Rocklin, CA 95765

Permit TE810380-3

I certify that the information in this survey report and attached exhibits fully and accurately represent my work.



David Bise



Amy Golden

July 24, 2009

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- Appendix A — Photo Documentation
- Appendix B — Invertebrate Sampling Data Sheets

1.0 EXECUTIVE SUMMARY

This report presents the results of the 2008-2009 wet-season survey for listed vernal pool branchiopods conducted on the Folsom South Property located in Sacramento County, California. The purpose of this survey was to sample for the possible presence of listed vernal pool branchiopods within the depression seasonal wetlands and vernal pools on the site.

During our 2008-2009 survey, no listed invertebrate species were found on the Folsom South site.

2.0 INTRODUCTION

This report presents the results of the 2008-2009 wet-season survey for listed vernal pool branchiopods conducted on the Folsom South property. The site is located in the County of Sacramento approximately 1/4 of a mile south of Highway 50 and immediately north of White Rock Road within Township 9 North, Range 8 East, in Sections 9, 10, 15, 16, 17, 20, 21, and 22 of the USGS 7.5-minute series *Folsom*, *Folsom SE*, *Clarksville*, and *Buffalo Creek* topographic quadrangles (**Figure 1**). The site is composed of annual grassland with wetland features totaling 29.76 acres. Seasonal wetland habitat that could potentially support listed invertebrates totals approximately 1.1 acres.

3.0 METHODS

A wet-season survey for listed vernal pool branchiopods was conducted within the site on January 7, January 21, February 3, February 17, March 4, March 17, April 1, April 14, and April 27. The survey was conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) protocol survey for listed vernal pool branchiopods, as outlined in 1996 *Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods*. The depressions and scour pools were sampled by pulling a D-frame, 150-micron aquatic dip-net through the water column. The dip-net was undulated up and down through the water column to ensure a representative sample from each wetland feature. A minimum of three, five-foot passes were made with the dip-net.

The estimated number (e.g., 10s, 100s, 1,000s, etc.) of invertebrates, insects, and other wildlife species within each feature was indicated on the data sheets. Other data collected during each sampling included the feature number, water depth, estimated maximum depth, and surface area of each feature at time of sampling, estimated maximum surface area of feature, water temperature, whether a voucher specimen was collected, and habitat and weather conditions. Representative site photos were taken with a digital camera during the survey.

4.0 RESULTS

4.1 Biological Community Description

The features on the site are surrounded by annual grassland habitat. The annual grassland in the property supports numerous grasses and herbaceous species. Dominants include Italian ryegrass (*Lolium multiflorum*), spring vetch (*Vicia* sp.), false dandelion (*Agoseris* sp.), rose clover (*Trifolium hirtum*), curly dock (*Rumex crispus*), white-tipped clover (*Trifolium variegatum*), wild oats (*Avena* sp.), and ripgut brome (*Bromus diandrus*).

The dominant plant species observed in vernal pool and seasonal wetland features include coyote thistle (*Eryngium vaseyi*), mannagrass (*Glyceria occidentalis*), and annual hairgrass (*Deschampsia danthonioides*).

4.2 Sampling Results

Data were collected from 46 features within the site (**Figure 2**). This includes a combination of areas mapped as vernal pools and depressional seasonal wetlands and some scour pools within riverine wetland features. No listed invertebrate species were found on the site during the 2009 wet-season surveys.

Non-listed aquatic invertebrates found during the survey included water fleas (*cladocera*), copepods (*copepoda*), seed shrimp (*ostracoda*), and flatworms (*planaria*). Diving water beetles (*dytiscidae*) and backswimmers (*notonectidae*) were also found within the features on the site. Photo documentation of the site and the field survey data sheets are included in **Appendix A** and **Appendix B**, respectively.

4.3 Project Site Conditions

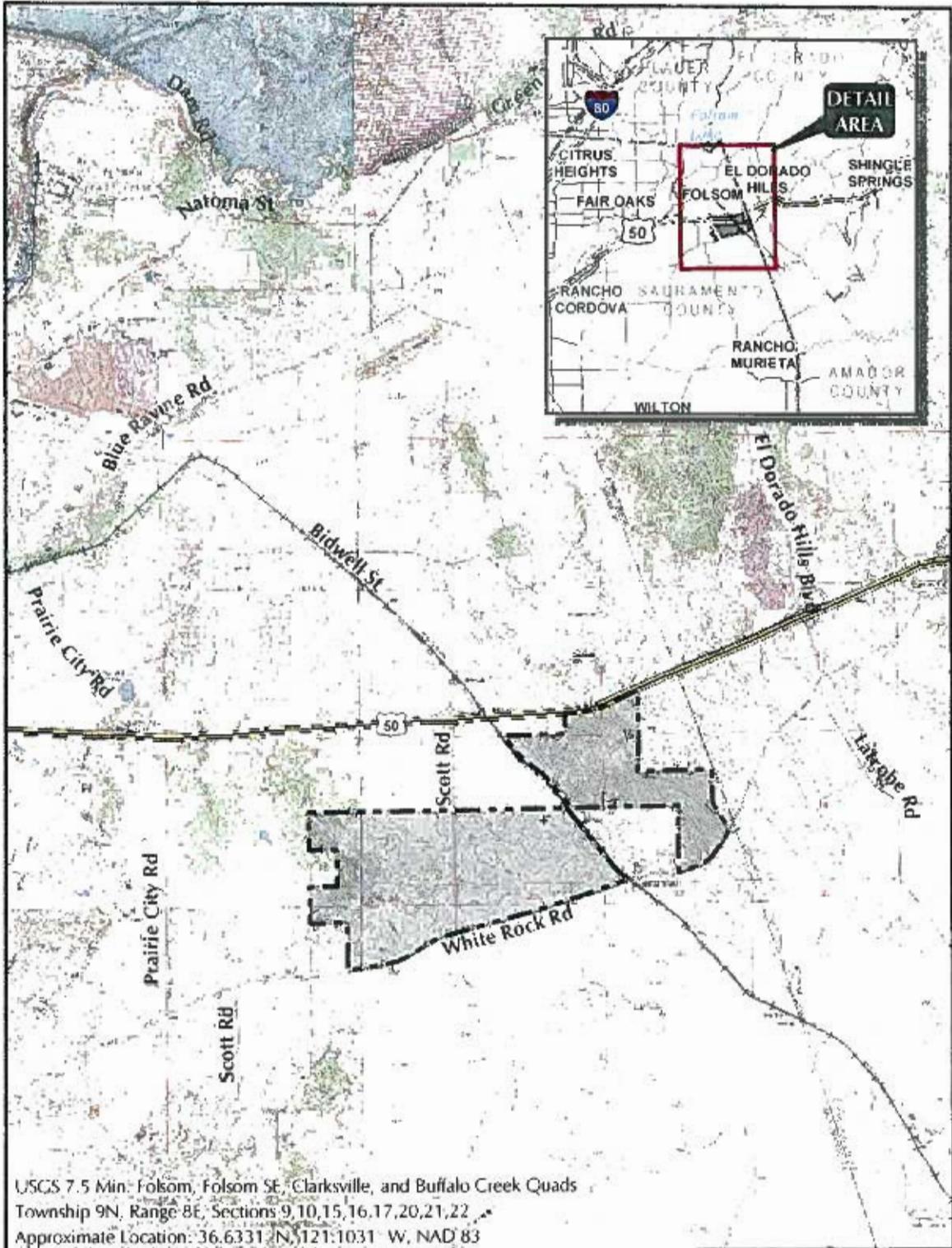
During our survey, the site was found to be in good condition. There were no significant problems with trash dumping, off-road vehicle use, or other signs of disturbance. The site is currently being utilized for grazing operations. Most of the sampled features are scour pools within larger riverine features. During high flow events, these scour pools have high volumes of water flowing through them. Therefore, they are unlikely to support vernal pool invertebrates due to their hydrology that prevents the establishment of cysts during wet season high flow events.

5.0 CONCLUSIONS

As discussed, no listed invertebrate species were found on the Folsom South site during the 2009 wet season surveys. These findings are in agreement to a 2007 wet season and dry season survey which also had negative findings for listed invertebrates on the site. The majority of the sampled features on the site are hydrologically connected to riverine features during high flow events in the winter months. Therefore, the large volume of water flowing through these features during the winter months likely prevents the establishment of conditions suitable for establishment of vernal pool invertebrates in most sampled features.

6.0 REFERENCES

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- Pennak, R.W. 1989. *Fresh-Water Invertebrates of the United States*. John Wiley & Sons, Inc.: New York.
- Reed, P.B., Jr. 1988. National List of Plant Species That Occur in Wetlands: California (Region 0). U.S. Fish and Wildlife Service. *Biological Report 88(26.10)*.
- U.S. Fish and Wildlife Service. 1996. *Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for Listed Vernal Pool Branchiopods*.



SITE AND VICINITY

FOOTHILL ASSOCIATES
ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE



0 0.5 1
SCALE IN MILES

Drawn By: MJ
Date: 08/22/18

FIGURE 1

Appendix A — Photo Documentation



Folsom South Property
General Landscape: West-central portion of property looking north
05/05/06 Photographer: DB



Folsom South Property
General Landscape: West-central portion of property looking west
01/24/06 Photographer: DB

PHOTO DOCUMENTATION



Folsom South Property
Pool 4
03/04/09 Photographer: AG



Folsom South Property
Pool 11
03/04/09 Photographer: AG

PHOTO DOCUMENTATION



Folsom South Property
Pool 17
03/04/09 Photographer: EC



Folsom South Property
Pool 9
03/17/09 Photographer: DB

PHOTO DOCUMENTATION



Folsom South Property
Pool 28 (Scour Pool in Riverine Feature)
03/17/09 Photographer: AG



Folsom South Property
Pool 29 (Scour Pool in Riverine Feature)
03/17/09 Photographer: DB

PHOTO DOCUMENTATION

Appendix B — Invertebrate Sampling Data Sheets

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1		0		0		N/A	no		overcast, light wind
2		0	14	0		N/A	no		overcast, light wind
3		0	12	0		N/A	no		overcast, light wind
4		0		0		N/A	no		overcast, light wind
5	yes	2	12	75		40	no		overcast, light wind
6	yes	36	40	90		40	no		overcast, light wind
7	yes	4	24	40		40	no		overcast, light wind
46	yes	12	24	80		40	no	within riverine channel	overcast, light wind
8		0	12	0		N/A	no	within riverine channel	overcast, light wind
9		0		0		N/A	no		overcast, light wind
10		0		0		N/A	no		overcast, light wind
11		0		0		N/A	no		overcast, light wind
12		0		0		N/A	no		overcast, light wind
13		0		0		N/A	no		overcast, light wind
14		0		0		N/A	no		overcast, light wind
15	yes	6	28	70		40	no		overcast, light wind
16	yes	2	12	50		40	no		overcast, light wind
17		0	12	0		N/A	no		overcast, light wind
18		0	18	0		N/A	no		overcast, light wind
19		0	16	0		N/A	no		overcast, light wind
20		0	12	0		N/A	no		overcast, light wind
21		0	10	0		N/A	no		overcast, light wind
22		0	12	0		N/A	no		overcast, light: wind
23		0		0		N/A	no		overcast, light wind
24		0		0		N/A	no		overcast, light wind

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
25	no	0		0		N/A	no		overcast, light wind
26	no	0		0		N/A	no		overcast, light wind
27	no	0		0		N/A	no		overcast, light wind
28	yes	10	36	40		42	no	within riverine channel	overcast, light wind
29	yes	7	36	40		42	no	within riverine channel	overcast, light wind
30	yes	14	36	40		42	no	within riverine channel	overcast, light wind
31	yes	16	36	50		42	no	within riverine channel	overcast, light wind
32	yes	14	36	50		42	no	within riverine channel	overcast, light wind
33	yes	12	40	50		42	no	within riverine channel	overcast, light wind
34	yes	16	40	60		42	no	within riverine channel	overcast, light wind
35	no	20	40	70		42	no	within riverine channel	overcast, light wind
36	no	12	35	60		42	no	within riverine channel	overcast, light wind
37	no	10	24	50		42	no	within riverine channel	overcast, light wind
38	no	6	24	40		42	no	within riverine channel	overcast, light wind
39	no	12	36	40		42	no	within riverine channel	overcast, light wind
40	no	24	50	75		42	no	within riverine channel	overcast, light wind
41	no	0		0		N/A	no		overcast, light wind
42	no	0		0		N/A	no		overcast, light wind
43	no	0		0		N/A	no	excavated pit	overcast, light wind
44	no	0		0		N/A	no	excavated pit	overcast, light wind
45	no	0		0		N/A	no	excavated pit	overcast, light wind

Invertebrate Sampling Data

Vernal Pool Number	Phoxs	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1		0		0		N/A	no		overcast
2	yes	12	14	50		42	no		overcast
3		0	12	0		N/A	no		overcast
4		0		0		N/A	no		overcast
5		0	12	0		N/A	no		overcast
6		0	40	0		N/A	no		overcast
7		0	24	0		N/A	no	within riverine channel	overcast
46	yes	5	24	30		42	no	within riverine channel	overcast
8		0	12	0		N/A	no	within riverine channel	overcast
9		0		0		N/A	no		overcast
10		0		0		N/A	no		overcast
11		0		0		N/A	no		overcast
12		0		0		N/A	no		overcast
13		0		0		N/A	no		overcast
14		0		0		N/A	no		overcast
15		0	28	0		N/A	no		overcast
16		0	12	0		N/A	no		overcast
17		0	12	0		N/A	no		overcast
18		0	18	0		N/A	no		overcast
19		0	16	0		N/A	no		overcast
20		0	12	0		N/A	no		overcast
21		0	10	0		N/A	no		overcast
22		0	12	0		N/A	no		overcast
23		0		0		N/A	no		overcast
24		0		0		N/A	no		overcast

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1		0		0		N/A	no		clear, light wind
2	yes	5	14	40		42	no		clear, light wind
3	yes	6	12	50		44	no		clear, light wind
4		0		0		N/A	no		clear, light wind
5	yes	2	12	60		48	no		clear, light wind
6		0		0		N/A	no		clear, light wind
7		0		0		N/A	no	within riverine channel	clear, light wind
46	yes	6	24	80	*	42	no	within riverine channel	clear, light wind
8	yes	6	12	70	*	N/A	no	within riverine channel	clear, light wind
9		0		0		N/A	no		clear, light wind
10		0		0		N/A	no		clear, light wind
11		0		0		N/A	no		clear, light wind
12		0		0		N/A	no		clear, light wind
13		0		0		N/A	no		clear, light wind
14		0		0		N/A	no		clear, light wind
15		0		0		N/A	no		clear, light wind
16	yes	4	12	65	*	40	no		clear, light wind
17	yes	2	12	50	*	43	no		clear, light wind
18	yes	12	18	80		39	no		clear, light wind
19	yes	2	16	15		39	no		clear, light wind
20	yes	5	12	30		48	no		clear, light wind
21	yes	6	10	70		49	no		clear, light wind
22	yes	4	12	50		50	no		clear, light wind
23		0		0		N/A	no		clear, light wind
24		0		0		N/A	no		clear, light wind

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	no	0		0		N/A	no		clear, light wind
2	no	0	14	40		N/A	no		clear, light wind
3	yes	6	12	50		44	no		clear, light wind
4	yes	12	12	50		42	no		clear, light wind
5	no	0	12	0		N/A	no		clear, light wind
6	yes	4	12	50		44	no		clear, light wind
7	yes	11	13	60		42	no	within riverine channel	clear, light wind
46	yes	6	24	80		42	no	within riverine channel	clear, light wind
8	yes	11	12	70		42	no	within riverine channel	clear, light wind
9	yes	17	20	70		42	no		clear, light wind
10	no	0		0		N/A	no		clear, light wind
11	yes	12	14	70		40	no		clear, light wind
12	yes	7	12	70		42	no		clear, light wind
13	yes	12	14	70		40	no		clear, light wind
14	yes	12	14	75		40	no		clear, light wind
15	yes	10	12	75		42	no		clear, light wind
16	yes	11	12	80		42	no		clear, light wind
17	yes	12	12	80		42	no		clear, light wind
18	yes	12	18	80		42	no		clear, light wind
19	yes	5	16	50		42	no		clear, light wind
20	yes	5	12	30		48	no		clear, light wind
21	yes	6	10	70		49	no		clear, light wind
22	yes	4	12	50		50	no		clear, light wind
23	no	0		0		N/A	no		clear, light wind
24	no	0		0		N/A	no		clear, light wind

Invertebrate Sampling Data

Quad: Folsom, Folsom SE
 Time: 10:00
 Section: 20
 Temp: 52°F

Date: February 17, 2009
 Collectors: DWB, EMC
 Range: 8E

Project Site: Folsom South
 County: Sacramento
 Township: 9N
 Permit #: TE 810380-4

Vernal Pool Number	Crustacea						Turbellaria	Insecta				Incidental Observations		
	Anostraca		Notostraca		Cladocera	Conchostraca		Copepoda	Ostracoda	Dytiscidae	Helplidae		Nemonectidae	Chironomidae
	Vernal Pool Fairy Shrimp (B. lynchi)	California Linderella	Vernal Pool Tadpole Shrimp	Water Fleas	Clam Shrimp	Copepods		Seed Shrimp	Diving Water Beetles	Crawling Water Beetles	Backswimmers		Midge	
25													not inundated	
26													not inundated	
27													not inundated	
28													water boatman, scuds, odonate,	
29								10s					odonate, mayfly, water boatman, scuds	
30								100s					mayfly, water boatman, scuds	
31								10s					mayfly, water boatman	
32								10s					Hyla tadpole, mayfly, odonate, scuds	
33								10s					snail, mayfly, scuds	
34								10s					mayfly, water boatman, snail	
35								10s					scuds, trichopteran, snail	
36								10s					scuds	
37								10s					water boatman	
38								10s						
39								10s					not inundated	
40								10s					not inundated	
41								10s					not inundated	
42								10s					not inundated	
43								10s					not inundated	
44								10s					not inundated	
45								10s					not inundated	

Invertebrate Sampling Data

Quad: **Folsom, Folsom SE**
 Time: **9:40**
 Section: **20**
 Temp: **58°F**

Date: **March 17, 2009**
 Collectors: **DWB, AWG**
 Range: **8E**

Project Site: **Folsom South**
 County: **Sacramento**
 Township: **9N**
 Permit #: **TE 810380-4**

Vernal Pool Number	Crustacea						Turbellaria	Insecta				Incidental Observations
	Anostraca	Nostraca	Cladocera	Conchostraca	Copepoda	Ostracoda		Dytiscidae	Halipidae	Nolomeciidae	Chironomidae	
1	Vernal Pool Fairy Shrimp (B. lynchi)	Vernal Pool Tadpole Shrimp	Water Fleas	Clam Shrimp	Copepods	Seed Shrimp	Flatworms	Diving Water Beetles	Crawling Water Beetles	Backswimmers	Midge	
2			100s		1000s	100s	100s				100s	
3			10s		100s	100s	100s				10s	
4			100s		100s	100s	10s				10s	
5												
6												
7												
46			10s	10s	100s	10s	10s	10s	10s	10s	10s	Hyla tadpoles
8												Hyla tadpoles
9					10s	10s		10s				not inundated
10					100s	100s	100s	10s				not inundated
11												not inundated
12												water boatman
13												not inundated
14												not inundated
15			10s	10s	100s	100s	100s	10s				not inundated
16			100s				100s	10s				
17			1000s		100s	100s	1000s				10s	
18			1000s		1000s	1000s	1000s				10s	
19												not inundated
20			10s	10s	10s	100s	100s					Hyla tadpoles
21												not inundated
22												not inundated
23												not inundated
24												not inundated

FSAG

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	no	9	11	95		50	no		overcast, 57F, light wind
2	yes	9	11	95		50	no		overcast, 57F, light wind
3	yes	10	13	90		50	no		overcast, 57F, light wind
4	yes	11	13	95		50	no		overcast, 57F, light wind
5	no	0	12	0		N/I	no	scour pool in riverine channel	overcast, 57F, light wind
6	no	0	0	0		N/I	no		overcast, 57F, light wind
7	no	0	0	0		N/I	no	within riverine channel	overcast, 57F, light wind
46	no	12	24	70		49	no	within riverine channel	overcast, 57F, light wind
8	no	0	0	0		N/I	no	within riverine channel	overcast, 57F, light wind
9	yes	4	11	70		50	no		overcast, 57F, light wind
10	yes	5	11	50		50	no		overcast, 57F, light wind
11	no	0	0	0		N/I	no		overcast, 57F, light wind
12	no	0	0	0		N/I	no		overcast, 57F, light wind
13	yes	8	11	85		52	no		overcast, 57F, light wind
14	no	0	0	0		N/I	no		overcast, 57F, light wind
15	yes	7	12	90		50	no		overcast, 57F, light wind
16	yes	6	8	80		50	no		overcast, 57F, light wind
17	yes	4	8	80		50	no		overcast, 57F, light wind
18	yes	14	16	90		50	no		overcast, 57F, light wind
19	no	0	16	0		N/I	no		overcast, 57F, light wind
20	yes	3	6	50		50	no		overcast, 57F, light wind
21	no	0	10	0		N/I	no		overcast, 57F, light wind
22	no	0	12	0		N/I	no		overcast, 57F, light wind
23	no	0	0	0		N/I	no		overcast, 57F, light wind
24	no	0	0	0		N/I	no		overcast, 57F, light wind

Invertebrate Sampling Data

Project Site: **Folsom South**
 County: **Sacramento**
 Township: **9N**
 Permit #: **TE 810380-4**

Date: **March 17, 2009**
 Collectors: **DWB, AWG**
 Range: **8E**

Quad: **Folsom, Folsom SE**
 Time: **9:30**
 Section: **20**
 Temp: **55°F**

Vernal Pool Number	Crustacea						Turbellaria	Insecta				Incidental Observations	
	Anostraca	Notostraca	Cladocera	Conchostraca	Copepoda	Ostracoda		Dytiscidae	Halipidae	Notonectidae	Chironomidae		
25	Vernal Pool Fairy Shrimp (B. lynchi)	California Linderiella	Vernal Pool Tadpole Shrimp	Water Fleas	Clam Shrimp	Copepods	Seed Shrimp	Flatworms	Diving Water Beetles	Crawling Water Beetles	Backswimmers	Midge	
26													not inundated
27													not inundated
28								100s					not inundated
29													snails
30													scuds
31									10s				scuds
32													scuds, waterboatmen
33													waterboatmen, dragonfly larvae, scuds
34													waterboatmen, scuds
35													scuds
36													waterboatmen
37													waterboatmen, hyla tadpoles
38													not inundated
39													not inundated
40													not inundated
41													not inundated
42													not inundated
43													not inundated
44													not inundated
45													not inundated

FSAG

Invertebrate Sampling Data

Project Site: **Folsom South**
 County: **Sacramento**
 Township: **9N**
 Permit #: **TE 810380-4**

Date: **March 4, 2009**
 Collectors: **DWB, EMC**
 Range: **8E**

Quad: **Folsom, Folsom SE**
 Time: **10:00**
 Section: **20**
 Temp: **52°F**

Vernal Pool Number	Crustacea						Turbellaria	Insecta			Incidental Observations	
	Anostraca		Cladocera		Conchostraca			Dytiscidae	Halplidae	Notonectidae		Chironomidae
	Vernal Pool Fairy Shrimp (B. lynchi)	California Linderella	Vernal Pool Tadpole Shrimp	Water Fleas	Clam Shrimp	Copepods						
1												
2							100s					
3							100s					
4							10s					
5							10s					
6							100s					10s
7							100s					
46						10s	100s					
8							10s					10s
9							100s					10s
10							100s					10s
11						10s	100s					
12							100s					
13							100s					
14							100s					
15							100s					
16							10s					
17							10s					
18							10s					
19							100s					
20							100s					
21							10s					
22							10s					
23							100s					10s
24							100s					100s

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	yes	10	10	100		44	no		cloudy, light rain, wind 5-10 mph
2	yes	10	10	100		44	no		cloudy, light rain, wind 5-10 mph
3	yes	16	16	100		44	no		cloudy, light rain, wind 5-10 mph
4	yes	16	16	100		42	no		cloudy, light rain, wind 5-10 mph
5	yes	12	12	100		42	no		cloudy, light rain, wind 5-10 mph
6	yes	2	10	25		44	no		cloudy, light rain, wind 5-10 mph
7	yes	10	12	100		44	no		cloudy, light rain, wind 5-10 mph
46	yes	24	24	100		42	no		cloudy, light rain, wind 5-10 mph
8	yes	12	12	100		42	no		cloudy, light rain, wind 5-10 mph
9	yes	11	11	100		42	no		cloudy, light rain, wind 5-10 mph
10	yes	11	11	100		42	no		cloudy, light rain, wind 5-10 mph
11	yes	11	11	100		42	no		cloudy, light rain, wind 5-10 mph
12	yes	12	12	100		42	no		cloudy, light rain, wind 5-10 mph
13	yes	14	14	100		42	no		cloudy, light rain, wind 5-10 mph
14	yes	10	10	100		42	no		cloudy, light rain, wind 5-10 mph
15	no	12	12	100		42	no		cloudy, light rain, wind 5-10 mph
16	yes	12	12	100		42	no		cloudy, light rain, wind 5-10 mph
17	yes	12	12	100		43	no		cloudy, light rain, wind 5-10 mph
18	yes	18	18	100		43	no		cloudy, light rain, wind 5-10 mph
19	yes	16	16	100		43	no		cloudy, light rain, wind 5-10 mph
20	yes	12	12	100		43	no		cloudy, light rain, wind 5-10 mph
21	yes	10	10	100		43	no		cloudy, light rain, wind 5-10 mph
22	yes	12	12	100		43	no		cloudy, light rain, wind 5-10 mph
23	yes	8	8	100		43	no		cloudy, light rain, wind 5-10 mph
24	yes	8	8	100		43	no		cloudy, light rain, wind 5-10 mph

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	No	0		0		N/I	no		clear, wind 10-15 mph, 65
2	No	0	14	40		N/I	no		clear, wind 10-15 mph, 65
3	No	0	12	50		N/I	no		clear, wind 10-15 mph, 65
4	No	0		0		N/I	no		clear, wind 10-15 mph, 65
5	No	2	12	60		52	no	scour pool in riverine channel	clear, wind 10-15 mph, 65
6	No	0		0		N/I	no		clear, wind 10-15 mph, 65
7	No	0		0		N/I	no	within riverine channel	clear, wind 10-15 mph, 65
46	No	6	24	70		53	no	within riverine channel	clear, wind 10-15 mph, 65
8	No	5	10	70		52	no	within riverine channel	clear, wind 10-15 mph, 65
9	No	0		0		N/I	no		clear, wind 10-15 mph, 65
10	No	0		0		N/I	no		clear, wind 10-15 mph, 65
11	No	0		0		N/I	no		clear, wind 10-15 mph, 65
12	No	0		0		N/I	no		clear, wind 10-15 mph, 65
13	No	0		0		N/I	no		clear, wind 10-15 mph, 65
14	No	0		0		N/I	no		clear, wind 10-15 mph, 65
15	No	0		0		N/I	no		clear, wind 10-15 mph, 65
16	No	0		0		N/I	no		clear, wind 10-15 mph, 65
17	No	0		0		N/I	no		clear, wind 10-15 mph, 65
18	No	3		50		54	no	shallow pool	clear, wind 10-15 mph, 65
19	No	0	16	0		N/I	no		clear, wind 10-15 mph, 65
20	No	0	12	0		N/I	no		clear, wind 10-15 mph, 65
21	No	0	10	0		N/I	no		clear, wind 10-15 mph, 65
22	No	0	12	0		N/I	no		clear, wind 10-15 mph, 65
23	No	0		0		N/I	no		clear, wind 10-15 mph, 65
24	No	0		0		N/I	no		clear, wind 10-15 mph, 65

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions: Comments
25	no	0		0		N/I	no		clear, wind 10-15 mph, 65
26	no	0		0		N/I	no		clear, wind 10-15 mph, 65
27	no	0		0		N/I	no		clear, wind 10-15 mph, 65
28	no	5	36	50		54	no	within riverine channel	clear, wind 10-15 mph, 65
29	no	4	36	50		54	no	within riverine channel	clear, wind 10-15 mph, 65
30	no	8	40	70		53	no	within riverine channel	clear, wind 10-15 mph, 65
31	no	12	40	70		53	no	within riverine channel	clear, wind 10-15 mph, 65
32	no	12	36	60		53	no	within riverine channel	clear, wind 10-15 mph, 65
33	no	12	40	50		53	no	within riverine channel	clear, wind 10-15 mph, 65
34	no	0		0		N/I	no		clear, wind 10-15 mph, 65
35	no	0		0		N/I	no		clear, wind 10-15 mph, 65
36	no	0		0		N/I	no		clear, wind 10-15 mph, 65
37	no	0		0		N/I	no		clear, wind 10-15 mph, 65
38	no	0		0		N/I	no		clear, wind 10-15 mph, 65
39	no	0		0		N/I	no		clear, wind 10-15 mph, 65
40	no	0		0		N/I	no		clear, wind 10-15 mph, 65
41	no	0		0		N/I	no		clear, wind 10-15 mph, 65
42	no	0		0		N/I	no		clear, wind 10-15 mph, 65
43	no	0		0		N/I	no	excavated pit	clear, wind 10-15 mph, 65
44	no	0		0		N/I	no	excavated pit	clear, wind 10-15 mph, 65
45	no	0		0		N/I	no	excavated pit	clear, wind 10-15 mph, 65

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	No	0		0		N/I	no		clear, wind 10-15 mph, 57
2	No	0	14	0		N/I	no		clear, wind 10-15 mph, 57
3	No	0	12	0		N/I	no		clear, wind 10-15 mph, 57
4	No	0		0		N/I	no		clear, wind 10-15 mph, 57
5	No	2	12	60		56	no	scour pool in riverine channel	clear, wind 10-15 mph, 57
6	No	0		0		N/I	no		clear, wind 10-15 mph, 57
7	No	0		0		N/I	no	within riverine channel	clear, wind 10-15 mph, 57
46	No	6	24	70		58	no	within riverine channel	clear, wind 10-15 mph, 57
8	No	0	10	0		N/I	no	within riverine channel	clear, wind 10-15 mph, 57
9	No	0		0		N/I	no		clear, wind 10-15 mph, 57
10	No	0		0		N/I	no		clear, wind 10-15 mph, 57
11	No	0		0		N/I	no		clear, wind 10-15 mph, 57
12	No	0		0		N/I	no		clear, wind 10-15 mph, 57
13	No	0		0		N/I	no		clear, wind 10-15 mph, 57
14	No	0		0		N/I	no		clear, wind 10-15 mph, 57
15	No	0		0		N/I	no		clear, wind 10-15 mph, 57
16	No	0		0		N/I	no		clear, wind 10-15 mph, 57
17	No	0		0		N/I	no		clear, wind 10-15 mph, 57
18	No	0		50		N/I	no	shallow pool	clear, wind 10-15 mph, 57
19	No	0	16	0		N/I	no		clear, wind 10-15 mph, 57
20	No	0	12	0		N/I	no		clear, wind 10-15 mph, 57
21	No	0	10	0		N/I	no		clear, wind 10-15 mph, 57
22	No	0	12	0		N/I	no		clear, wind 10-15 mph, 57
23	No	0		0		N/I	no		clear, wind 10-15 mph, 57
24	No	0		0		N/I	no		clear, wind 10-15 mph, 57

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
25	no	0		0		N/A	no		clear, wind 10-15 mph, 57
26	no	0		0		N/A	no		clear, wind 10-15 mph, 57
27	no	0		0		N/A	no		clear, wind 10-15 mph, 57
28	no	5	36	50		56	no	within riverine channel	clear, wind 10-15 mph, 57
29	no	4	36	50		56	no	within riverine channel	clear, wind 10-15 mph, 57
30	no	8	40	70		56	no	within riverine channel	clear, wind 10-15 mph, 57
31	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
32	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
33	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
34	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
35	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
36	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
37	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
38	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
39	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
40	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
41	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
42	no	0		0		N/A	no	within riverine channel	clear, wind 10-15 mph, 57
43	no	0		0		N/A	no	excavated pit	clear, wind 10-15 mph, 57
44	no	0		0		N/A	no	excavated pit	clear, wind 10-15 mph, 57
45	no	0		0		N/A	no	excavated pit	clear, wind 10-15 mph, 57

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
1	No	0		0		N/I	no		clear, wind 5-10 mph, 57
2	No	0	14	0		N/I	no		clear, wind 5-10 mph, 57
3	No	0	12	0		N/I	no		clear, wind 5-10 mph, 57
4	No	0		0		N/I	no		clear, wind 5-10 mph, 57
5	No	10	12	60		58	no	scour pool in riverine channel	clear, wind 5-10 mph, 57
6	No	0		0		N/I	no		clear, wind 5-10 mph, 57
7	No	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
46	No	6	24	70		53	no	within riverine channel	clear, wind 5-10 mph, 57
8	No	0	10	0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
9	No	0		0		N/I	no		clear, wind 5-10 mph, 57
10	No	0		0		N/I	no		clear, wind 5-10 mph, 57
11	No	0		0		N/I	no		clear, wind 5-10 mph, 57
12	No	0		0		N/I	no		clear, wind 5-10 mph, 57
13	No	0		0		N/I	no		clear, wind 5-10 mph, 57
14	No	0		0		N/I	no		clear, wind 5-10 mph, 57
15	No	0		0		N/I	no		clear, wind 5-10 mph, 57
16	No	0		0		N/I	no		clear, wind 5-10 mph, 57
17	No	0		0		N/I	no		clear, wind 5-10 mph, 57
18	No	0		0		N/I	no	shallow pool	clear, wind 5-10 mph, 57
19	No	0	16	0		N/I	no		clear, wind 5-10 mph, 57
20	No	0	12	0		N/I	no		clear, wind 5-10 mph, 57
21	No	0	10	0		N/I	no		clear, wind 5-10 mph, 57
22	No	0	12	0		N/I	no		clear, wind 5-10 mph, 57
23	No	0		0		N/I	no		clear, wind 5-10 mph, 57
24	No	0		0		N/I	no		clear, wind 5-10 mph, 57

Invertebrate Sampling Data

Vernal Pool Number	Photos	Water Depth (inches)	Estimated Maximum Depth (inches)	Surface Area at time of sampling (ft ²)	Estimated Maximum Surface Area (ft ²)	Water Temperature (°F)	Voucher Specimens	Habitat Conditions	Weather Conditions/ Comments
25	no	0		0		N/I	no		clear, wind 5-10 mph, 57
26	no	0		0		N/I	no		clear, wind 5-10 mph, 57
27	no	0		0		N/I	no		clear, wind 5-10 mph, 57
28	no	5	36	45		58	no	within riverine channel	clear, wind 5-10 mph, 57
29	no	4	36	45		58	no	within riverine channel	clear, wind 5-10 mph, 57
30	no	8	40	60		58	no	within riverine channel	clear, wind 5-10 mph, 57
31	no	0	40	0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
32	no	0	36	0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
33	no	0	40	0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
34	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
35	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
36	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
37	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
38	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
39	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
40	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
41	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
42	no	0		0		N/I	no	within riverine channel	clear, wind 5-10 mph, 57
43	no	0		0		N/I	no	excavated pit	clear, wind 5-10 mph, 57
44	no	0		0		N/I	no	excavated pit	clear, wind 5-10 mph, 57
45	no	0		0		N/I	no	excavated pit	clear, wind 5-10 mph, 57

EXHIBIT 6

Buteo swainsoni

Swainson's hawk

Element Code: ABNKC19070

----- Status ----- NDDB Element Ranks ----- Other Lists -----
Federal: None Global: G5 CDFG Status:
State: Threatened State: S2

----- Habitat Associations -----

General: BREEDS IN GRASSLANDS WITH WITH SCATTERED TREES, JUNIPER-SAGE FLATS, RIPARIAN AREAS, SAVANNAHS, & AGRICULTURAL OR RANCH

Micro: REQUIRES ADJACENT SUITABLE FORAGING AREAS SUCH AS GRASSLANDS, OR ALFALFA OR GRAIN FIELDS SUPPORTING RODENT POPULATIONS.

Occurrence No. 200 Map Index: 12012 EO Index: 27098 ----- Dates Last Seen -----
Occ Rank: Unknown Element: 1982-06-28
Origin: Natural/Native occurrence Site: 1982-06-28
Presence: Presumed Extant
Trend: Unknown Record Last Updated: 1989-08-10

Quad Summary: Folsom SE (3812151/511D)

County Summary: Sacramento

Lat/Long: 38.62129° / -121.11550° Township: 09N
UTM: Zone-10 N4276436 E664054 Range: 08E
Mapping Precision: NON-SPECIFIC Section: 20 Qtr: NW
Symbol Type: POINT Meridian: M
Radius: 1/5 mile Elevation: 400 ft

Location: INTERSECTION OF WHITE ROCK AND SCOTT RDS, ABOUT 1.5 MI S OF HWY 50.

Location Detail:

Ecological:

Threat:

General: DFG SWHA #SA001. 1 ADULT OBS IN AREA BOTH 1979 AND 1982. NO NESTS FOUND.

Owner/Manager: PVT

----- Sources -----

DFG84U0003 DEPARTMENT OF FISH & GAME. SWAINSON'S HAWK NEST RECORDS, FROM DFG NONGAME BIRDS AND MAMMALS SECTION. 1984-10-XX.

EXHIBIT 7

Folsom Specific Plan Area

Proposed Swainson's Hawk Mitigation Plan
03 NOV 2009

The 3559-acre Folsom Specific Plan Area (FSPA) site provides approximately 2700 acres of suitable foraging habitat (grassland and oak savannah) for the State-listed Swainson's hawk. The FSPA is situated on the eastern edge of the Swainson's hawks' geographic range in Sacramento County and provides potential foraging habitat for hawks nesting in the vicinity. Approximately 80% of the site is within 5 miles of a documented nest location and 20% of the area is situated more than 5 miles from the nearest known nest.

Approximately 2314 acres of potential foraging habitat will be lost thorough development of the Specific Plan. The FSPA proposes to mitigate potential impacts to Swainson's hawk by preserving and protecting suitable habitat at appropriate ratios at an offsite location. Each phase of the FSPA will be required to secure and protect foraging habitat to offset losses of Swainson's hawk foraging habitat at the ratios shown below or at other ratios as may be determined appropriate by the City of Folsom through consultation with the California Department of Fish and Game (CDFG) and qualified biologist(s).

Mitigation Requirements

If the foraging habitat lost is greater than one mile and less than five miles from the nearest known (active) nest, mitigation requirement shall be at a 0.75:1 ratio.

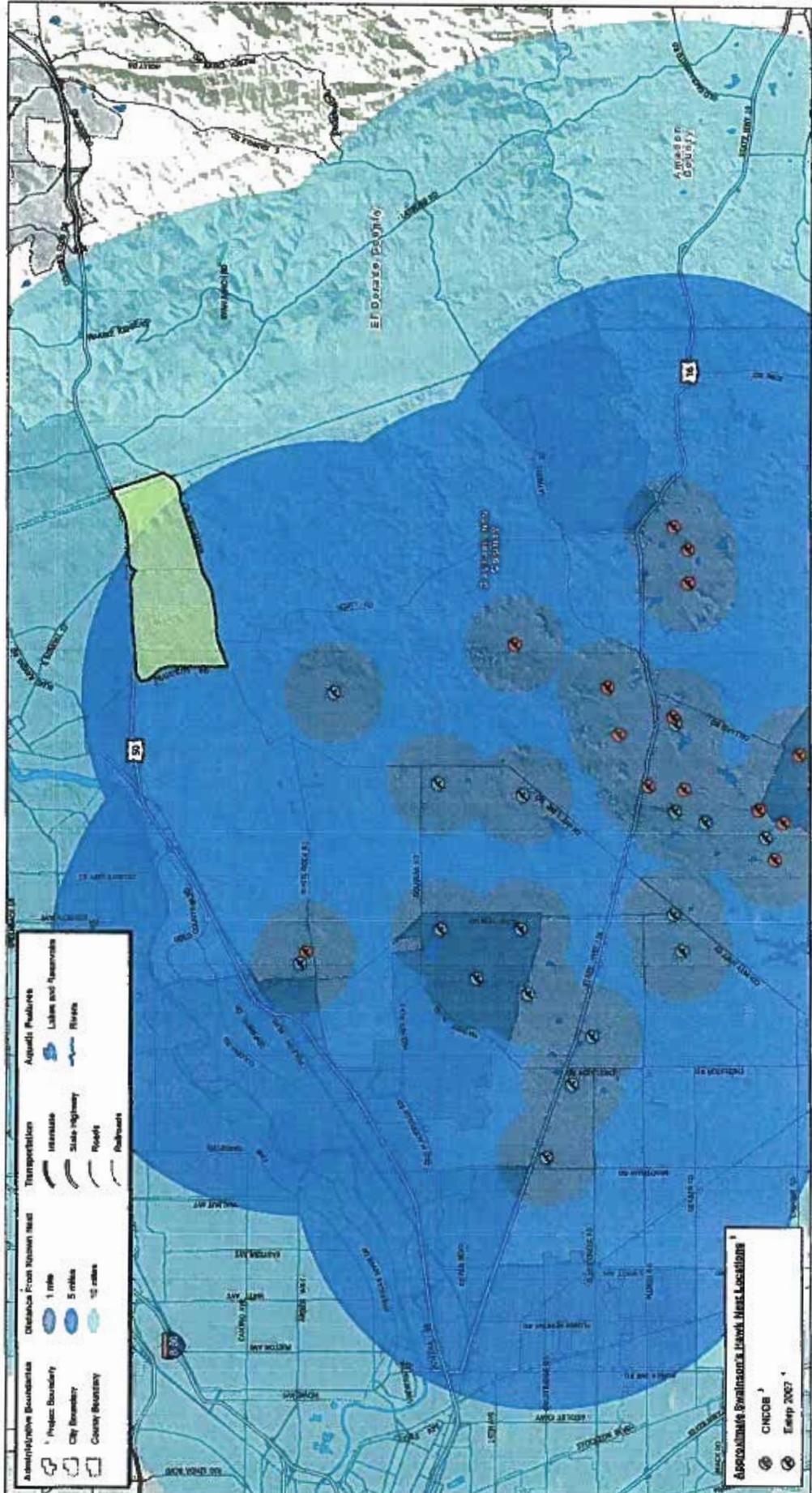
If the foraging habitat lost is greater than five miles and less than ten miles from the nearest known (active) nest, mitigation requirement shall be at a 0.50:1 ratio.

These ratios are consistent with the ratios set forth in CDFG's Swainson's Hawks Guidelines (1999).

Habitat Value

The FSPA is located on the eastern edge of the Swainson's hawks' geographic range in Sacramento County. Although the FSPA represents suitable habitat, higher value foraging habitat exists in other portions of Sacramento County. The ratios stipulated above represent mitigation acreages necessary if foraging habitat of equal value is secured and protected as mitigation.

If mitigation sites are identified in areas where the City, agency staff and/or biologists concur that habitat values are greater than those being impacted at the FSPA, the number of acres required may be reduced according to agreed-upon habitat value multipliers.

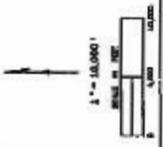


Administrative Boundaries	Distance From Nest	Transportation	Aquatic Features
Project Boundary	1 mile	Interstate	Lakes and Reservoirs
City Boundary	5 miles	State Highway	Rivers
County Boundary	10 miles	Roads	Streams
		Railroads	

Alameda Swainson's Hawk Nest Locations

- CHCOB
- Excep 2007

Map Date: 10/18/2006
 File: Alameda SWH_06.dwg



- NOTES**
- Project Boundary: CHCOB
 - Locations are approximately 100-foot buffers within 1/8 mile of actual nest locations.
 - CHCOB California Natural Diversity Database (CHCOB), October 2006 Update
 - Trans: Geographical Databases, 2005. Digitized from PDF format.
 - Map Source: Located on USGS 7.5' Quadrangle: Buffalo Creek, Oroville, California, 1991



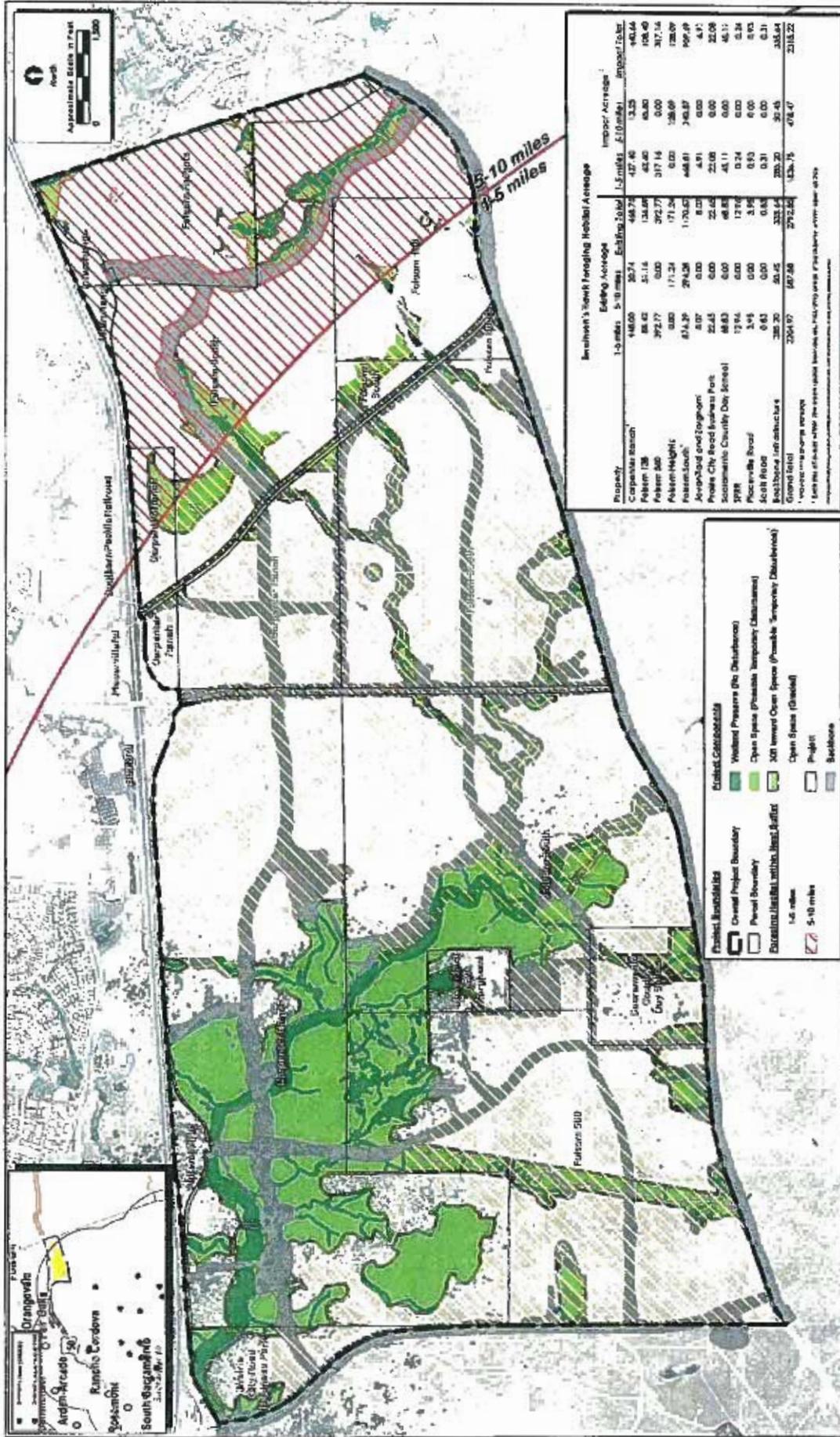
Exhibit A. Folsom SOI Historic Swainson's Hawk Nest Locations

2005-179 Folsom South Area Group

J:\RIS_Maps\3006_205_Folsom_South_Group\CHCOB\FSAG_06D06_000000.mxd



Map Date: 10/20/09



DRAFT

Swainson's Hawk Foraging Habitat Within Swainson's Hawk Nest Buffer
2005-429 Fullerton Plan Area Specific Plan

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EXHIBIT 8

Bank Name	Bank Location	Owner	Credit Types	Agency	Credits Available	Price (per acre/credit)	Service Area
Apple Road*	Sacramento County	Westervelt	Swainson's hawk foraging habitat	Service	300	\$10,000	
Beel Slough*	Yuba County	Wildlands	Swainson's hawk foraging habitat	Service	60	\$12,500	Click here for map
Bryle Ranch	Sacramento County	Stephan Hughes	Swainson's hawk foraging habitat	Service	250	\$17,000	
Deer Creek*	Sacramento County	Wildlands	Swainson's hawk foraging habitat		279.91	\$12,500	Web link
Laguna Terrace East	Sacramento County	Wildlands	Swainson's hawk*		152.41	\$12,500	
Lazy K Ranch*	Merced & Madras Counties	Lazy K Ranch Heritage Preserve B, LLC	Swainson's Hawk	Service	149	Unknown	
Locust Road Mitigation Preserve*	Placer County	Wildlands	Swainson's hawk foraging habitat	Service	59.3	\$12,500	Click here for map
Mariner*	Placer County	Westervelt	Swainson's hawk	Service/CDFG	125	\$10,000	
Meridian Mitigation Bank*	Butte County	Westervelt	Swainson's hawk foraging habitat		428.46		10 miles around property
Placer Fitzgerald Ranch*	Placer County	Placer Fitzgerald Ranch	Swainson's hawk foraging habitat	Service/CDFG	61.504		Click here for map
River Ranch*	Yolo County	Wildlands	Swainson's hawk*	Service	1490.95	\$10,000	Web link
SMUD Mitigation Preserve*	Sacramento	SMUD	Swainson's hawk foraging habitat	Service	--1,140		Click here for map
Table Mountain Mitigation Bank*	Butte County	EG Properties Limited, LLC	Swainson's hawk foraging habitat		91.5		Click here for map
Toad Hill Ranch*	Placer County	Wildlands	Swainson's hawk		1485	\$12,500	
Twin City*	Sacramento County	Wildlands	Swainson's hawk foraging habitat		186.21	\$12,500	
Van Vleck Ranch	Sacramento County	Westervelt	Swainson's hawk foraging habitat	Service/CDFG	505	\$10,000	
Western Placer Schools	Placer County	Wildlands	Swainson's hawk foraging habitat		169	\$12,500	

*These banks are currently going through the prepayment process and as yet to receive approval of service areas or number of allowed credits.

EXHIBIT 9

Folsom Specific Plan Area

Mitigation Plan Summary

07-08-2010

Introduction

This summary outlines the wetland avoidance strategy and compensatory mitigation plan for the Folsom Specific Plan Area (FSPA). The FSPA mitigation plan focuses on the preservation of Alder Creek, its tributaries and adjacent wetlands. The plan also focuses on the permanent protection of the majority of the oak woodland community that surrounds the wetlands and waters present in the western portion of the project.

The on-site project components consist of eight individual properties and backbone infrastructure. Of the eight individual properties, six have submitted an application for an individual Section 404 permit (November 2008). The applications have been completed to enable each development project to proceed, relying on common infrastructure improvements, but independent of the other development projects.

Mitigation for impacts will occur in phases as the FSPA is developed. Each property, or phase of a property, will be responsible for securing mitigation sufficient to offset its own impacts as well as impacts associated with any portion of the backbone infrastructure project that may be required to be implemented for the property/phase.

Avoidance and Minimization

Approximately 1,050 acres of open space will be established for the 3,559-acre Folsom Plan Area Specific Plan. This open space includes wetland and oak tree preservation zones and other areas that may experience temporary disturbance, but will ultimately be designated as open space in perpetuity. A large contiguous open space area, located in the northwest portion of the site has been established to protect Alder Creek, ponds, vernal pools and drainages that occur throughout the oak woodland habitat in that area. Open space areas for the balance of the project focus on preserving and protecting the functions and values of the drainages that drain (primarily) into the Alder Creek Open space area (Figure 1. Proposed Project).

Within the Open Space area, a Wetland Preserve area will be designated and protected by Deed Restrictions and/or Conservation Easements and managed as wetland/wildlife habitat in perpetuity. The Wetland Preserve area will be established to permanently protect and maintain all preserved wetlands and waters and will provide buffers ranging from 25-100 feet in width. Long-term monitoring and maintenance funding will be provided through a Community Facilities District or similar entity such as a Mello-Roos District. An Operations and Management Plan (draft attached) describes the overall management of the preserve.

Impacts

Wetlands

A total of 40.590 acres of unavoidable impacts will occur onsite, of which 39.335 acres are waters of the U.S. Most of the impacts are to small intermittent drainages, channels, ditches and swales (27.220 acres) that occur throughout the FSPA (Table 1). The broad distribution of these small ephemeral features make avoidance difficult.

Table 1. Folsom Specific Plan Area Mitigation Table

Waters	Existing Total*	Total Impact*	Total Avoided*	Compensatory 1:01	Compensatory Acres Needed	Preservation Acres Needed**
Vernal Pool	4.642	2.919	1.723	2.919	24.316	2.754
Seasonal Wetland	4.657	3.763	0.894	3.763		
Seasonal Wetland Swale	25.479	17.634	7.845	17.634		
Seep	10.803	4.478	6.325	4.478		
Marsh	0.211	0.069	0.142	0.069		
Creek/Channel	17.187	3.386	13.801	3.386		
Intermittent Drainage	11.716	4.401	7.316	4.401		
Ditch	1.959	1.405	0.554	1.405		
Pond	6.875	1.167	5.708	1.167		
Willow Scrub	0.114	0.114	0	0.114		
Total	83.643	39.335	44.308	39.335	39.335	2.754
Isolated / Non-Jurisdictional				0		
Isolated Vernal Pool	0.031	0.013	0.019	0.013	0.015	0.009
Isolated Seasonal Wetland	0.004	0.002	0.003	0.002		
Ditch/Canal (NJ)	0.42	0.394	0.026	0.394		
Pond (NJ)	0.846	0.846	0	0.846	1.24	
Total	1.301	1.254	0.047	1.254	1.254	0.009
Grand Total	84.944	40.590	44.355	40.590	40.590	2.763

*Wetland Acreages includes off-site and backbone infrastructure (interchanges, waterline, and backbone).

**Vernal Pool Habitat Preservation is calculated for Javanifard & Zarghami, Sacramento Country Day School, and portions of Prairie City Road Business Park only, as these properties either have no or incomplete surveys

Mitigation

Mitigation Banks

Mitigation for wetland impacts within the Folsom Plan Area Specific Plan is proposed to be accomplished at an agency-approved mitigation bank authorized to sell credits to offset impacts in the FSPA. The table below lists wetland and ESA banks that have service areas that appear to include the FSPA. Based on mitigation ratios of 1:1 at approved banks, there are currently sufficient available compensatory (or creation) credits to satisfy the needs of the FSPA. Only a small fraction of the FSPA wetlands may be considered habitat for listed crustaceans and require preservation habitat (Table 2).

	Creation			Fairy Shrimp Habitat (VP, SW, SWS)*
	Vernal Pool (1:1)	Seasonal Wetland (1:1)	Seasonal Marsh (1:1)	
Bryte Ranch				57
Clay Station	10			
Deer Creek				20
Elsie Gridley	25.21	35	2	12.5
Fitzgerald Ranch				6.5
Laguna Terrece East				32
North Suisun	16.65			97
Sunrise Douglas (Sacramento County)				
Twin City	4.5			12
Gill Ranch Conservation Bank				61
Mariner				
Dillard Road Mitigation Bank				
Total*	31.15	228	TBD	285.5
Folsom SPA needs	2.919	20.797		2.754

* Availability not confirmed and subject to change

Off-site Mitigation Site

In addition to or in conjunction with purchase of credits at a mitigation bank, the FSPA may satisfy compensatory and/or preservation mitigation needs at an agency-approved offsite mitigation site. If an offsite mitigation site is utilized, the Corps and USFWS will be consulted to ensure that the site is appropriate to provide the functions and values necessary to offset impacts at the FSPA. Conceptual construction/preservation plans (including mitigation ratios, success criteria, long-term management plans and funding) would be submitted to and approved by the Corps and Service (if the offsite location includes mitigation habitat for federally-listed species).

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.1 AESTHETICS - LAND		
3A.1-1: Substantial Adverse Effect on a Scenic Vista. Project implementation would result in the degradation of the visual quality of a scenic vista.	Land	ON- & OFF-SITE NP: direct LTS, no indirect ON-SITE NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE Direct LTS, no indirect
<p>ON-SITE</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-1: Construct and Maintain a Landscaped Corridor <u>Natural Parkway</u> Adjacent to U.S. 50. The project applicant(s) for all project phases <u>any particular discretionary development application adjacent to U.S. 50</u> shall fund, construct, and maintain a landscaped corridor <u>natural parkway</u> within the SPA, south of U.S. 50. This corridor area <u>area</u> shall be 50 feet wide, except that the landscaped corridor <u>natural parkway</u> width shall be reduced to 25 feet adjacent to the proposed regional mall. Landscaping plans and specifications shall be approved by Caltrans and the City of Folsom, and constructed by the project applicant(s) before the start of earthmoving activities associated with residential or commercial units. Landscaped areas would not be required within the preserved or created oak woodlands. As practicable, landscaping shall primarily contain native and/or drought tolerant plants. Landscaped corridors <u>Natural parkways</u> shall be maintained in perpetuity to the satisfaction of the City of Folsom.</p> <p>Implementation: Project applicant(s) of all project phases <u>for any particular discretionary development application adjacent to U.S. 50.</u></p> <p>Timing:</p> <ol style="list-style-type: none"> Plans and specifications: before approval of grading plans and building permits Construction: before the start of earthmoving activities <u>approval of occupancy permits</u> associated with residential and commercial units Maintenance: in perpetuity <p>Enforcement: City of Folsom Community Development Department and Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p> <p>OFF-SITE</p> <p>No mitigation measures are required.</p> <p>Significance after Mitigation: significant and unavoidable</p>		

Comment [svt1]: This is the terminology used in the Specific Plan. It is defined in Section 8.4.3 of the Plan. The Plan proponents believe this landscaped area should include the same design elements (native plantings, natural theme) as the other Natural Parkways throughout the Plan area, except for the paved trail element. Because development would not be allowed in this area, it should also be included in the Plan area's calculation of open space.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.1-2: Damage to Scenic Resources Within a Designated Scenic Corridor. Project implementation could damage the character of the viewshed from a County-designated scenic corridor.	Land	ON- & OFF-SITE NP: direct LTS, no indirect ON-SITE NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE No direct or indirect
<p>ON-SITE</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: No feasible mitigation measures are available.</p> <p>OFF-SITE</p> <p>No mitigation measures are required.</p> <p>Significance after Mitigation: significant and unavoidable</p>		
3A.1-3: Substantial Degradation of Existing Visual Character or Quality of the Site and its Surroundings. Project implementation would substantially degrade the visual character of the SPA through conversion of rolling hills and oak woodland to developed urban uses.	Land	ON- & OFF-SITE NP: direct & significant, no indirect ON-SITE NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE Direct significant, no indirect (<i>detention basin</i>) Direct LTS, no indirect (<i>other off-site improvements</i>)
<p>ON-SITE</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: Implement Mitigation Measures 3A.1-1 and 3A.7-4a.</p> <p>OFF-SITE</p> <p>No feasible mitigation measures are available. (<i>detention basin</i>) No mitigation measures are required. (<i>other off-site improvements</i>)</p> <p>Significance after Mitigation: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.1-4: Temporary, Short-Term Degradation of Visual Character for Developed Project Land Uses During Construction. Project implementation would involve four phases of construction over a 20-year-buildout period. Construction activity would involve the temporary and short-term use of staging areas for construction equipment and materials, which would be visible to adjacent project land uses that have already been developed.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-4: Screen Construction Staging Areas. The project applicant(s) <u>for any particular discretionary development application for all project phases</u> shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be approved by the appropriate agency (identified below) before the approval of grading plans <u>and building permits</u> for all project phases and shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include, but are not limited to, the use of such visual barriers such as berms or fences. The screen design shall be approved by the appropriate agency to further reduce visual effects to the extent possible.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries shall be <u>developed/coordinate</u>d by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, and Caltrans) <u>to reduce to the extent feasible the visual effects of construction activities on adjacent project land uses that have already been developed.</u></p> <p>Implementation: Project applicant(s) <u>for any particular discretionary development application of all project phases.</u></p> <p>Timing: Before approval of grading plans <u>and building permits</u> and during construction for all project phases.</p> <p>Enforcement: <ol style="list-style-type: none"> For those improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For the two local roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Community Services Department. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect
<p>3A.1-5: Creation of a New Source of Substantial Light or Glare that would Adversely Affect Day or Nighttime Views in the Area New Light and Glare. Project implementation would require lighting of new development, which would cause new and increased light and glare.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan. To reduce impacts associated with light and glare, the City shall:</p>	Land	NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Establish standards for on-site outdoor lighting to reduce high-intensity nighttime lighting and glare as part of the Folsom Specific Plan design guidelines/standards. Consideration shall be given to design features, namely directional shielding for street lighting, parking lot lighting, and other substantial light sources, that would reduce effects of nighttime lighting. In addition, consideration shall be given to the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light. Use shielded or screened public lighting fixtures to prevent the light from shining off of the surface intended to be illuminated. <p>To reduce impacts associated with light and glare, the project applicant(s) of all project phases shall:</p> <ul style="list-style-type: none"> Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties. <u>Place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security shall be screened or aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway as not to disturb adjacent residential areas and passing motorists.</u> For public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash. Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways. Design exterior on-site lighting as an integral part of the building and landscape design in the Folsom Specific Plan area. Lighting fixtures shall be architecturally consistent with the overall site design. Lighting of off-site facilities within the City of Folsom shall be consistent with the City's General Plan standards. Lighting of the off-site detention basin shall be consistent with Sacramento County General Plan standards. Lighting of the two local roadway connections from Folsom Heights off-site into El Dorado Hills shall be consistent with El Dorado County General Plan standards. <p>A lighting plan for all on- and off-site elements within the each agency's jurisdictional boundaries (specified below) shall be submitted to the relevant jurisdictional agency for review and approval, which shall include the above elements. The lighting plan may be submitted concurrently with other improvement plans, and shall be submitted before the installation of any lighting or the approval of building permits for each phase. The project applicant(s) <u>of all project phases for any particular discretionary development application</u> shall implement the approved lighting plan.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) <u>of all project phases for any particular discretionary development application.</u></p> <p>Timing: Before approval of building permits <u>for each project phase.</u></p> <p>Enforcement: <ol style="list-style-type: none"> For all on-site and off-site facilities that would be located within the City of Folsom: City of Folsom Neighborhood Services </p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

AECOM
Executive Summary

ES-14

Folsom South of U.S. 50 Specific Plan Project DERIVEDS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
Department and City of Folsom Community Development Department. 2. For the off-site detention basin: Sacramento County Planning Department. 3. For the two local roadways off-site into El Dorado Hills: El Dorado County Community Services Department. Significance after Mitigation: less than significant					
3A.1-6: New Skyglow Effects. Project implementation would require lighting of new development that would result in the generation of new and increased skyglow effects, obscuring views of stars, constellations, and other features of the night sky. NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.1-5. Significance after Mitigation: significant and unavoidable	Land	NP: direct & LTS, no indirect NCP, PP, RIM, CD, RHD: significant & direct, no indirect			
3B.1 AESTHETICS - WATER					
3B.1-1: Substantial Adverse Effect on a Scenic Vista. Implementation of the Off-site Water Facility Alternatives would not result in the degradation of the visual quality of a scenic vista. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &4A: No mitigation measures are required. Significance after Mitigation: less than significant	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &4A: direct & indirect LTS			
3B.1-2: Substantial Degradation of Existing Visual Character or Quality of the "Water" Study Area. Implementation of the Off-site Water Facility Alternatives could substantially degrade the existing visual character or quality of the "Water" Study Area and its surroundings. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &4A: Mitigation Measure 3B.1-2a: Enhance Exterior Appearance of Structural Facilities. The external appearance of above-ground facilities, including the choice of color and materials, shall seek to reduce the visual impact of the proposed WTP, pump station, and above-ground storage tank facilities. Bright reflective materials and colors shall be avoided. As appropriate, the exterior design of these facilities should follow design guidelines provided in applicable land use plans. Minimum exterior design requirements shall include, but are not limited to, the following: <ul style="list-style-type: none"> ▶ painting (with earth-colored tones) of structural façades to blend with surrounding land uses, ▶ use of fencing or structural materials similar to those used by nearby land uses, ▶ installation of berms and/or landscaping around the facility (see Mitigation Measure 3B.2-2b for additional detail), and ▶ clustering of structural facilities to maximize open space buffering. 	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &4A: direct & indirect PS			
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVEDS
City of Folsom and USACE

ES-15

AECOM
Executive Summary

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
Implementation: City of Folsom Utilities Department Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities. Enforcement: <ol style="list-style-type: none"> 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. Mitigation Measure 3B.1-2b: Prepare Landscaping Plan. The City shall develop a landscaping plan for each structural facility site that uses a combination of locally-derived native vegetation, earthen features (e.g., boulders), and, if appropriate, topographical separations (e.g., berms) to maximize site appearance and shield the new facilities from nearby sensitive receptors to the extent feasible. In addition to complying with local standards, the landscaping plan shall require the following at each site: <ul style="list-style-type: none"> ▶ Vegetation shall be arranged in a hierarchy of plant groupings to enhance the visual and scenic qualities of the site(s). To the extent practical, the design will minimize the need for supplemental irrigation. ▶ New or replacement vegetation shall be compatible with surrounding vegetation and shall be adaptable to the site with regard to rainfall, soil type, exposure, growth rate, erosion control, and energy conservation purposes. ▶ Plant materials chosen shall be species which do not present any safety hazards, which allow native flora to reestablish in the area, and which require minimal maintenance, including watering, pest control, and clean-up of litter from fruit and droppings. Implementation: City of Folsom Utilities Department Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities. Enforcement: <ol style="list-style-type: none"> 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. Significance after Mitigation: less than significant					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Comment [svt2]: It may not always be feasible to obtain "locally derived" native vegetation, and moreover, it's not entirely clear what is meant by this term. What distance would qualify as "local"?

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3B.1-3: Creation of a New Source of Substantial Light or Glare that would Adversely Affect Day or Nighttime Views in the "Water" Study Area. Implementation of the Off-site Water Facility Alternatives would create new sources of substantial light or glare, which could adversely affect day or nighttime views in the "Water" Study Area.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &4A: Mitigation Measure 3B.1-3a: Conformance to Construction Lighting Standards. The City shall limit construction to daylight hours to the extent possible. If nighttime lighting or construction is necessary, the City shall ensure that unshielded lights, reflectors, or spotlights are not located and directed to shine toward or be directly visible from adjacent properties or streets. To the extent possible, the City shall minimize the use of nighttime construction lighting within 500 feet of existing residences. This measure shall be identified on grading plans and in construction contracts.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. <p>Mitigation Measure 3B.1-3b: Prepare and Submit a Lighting Master Plan. The City shall prepare a Lighting Master Plan that covers all Off-site Water Facilities-related outdoor light sources. The Lighting Master Plan shall include the following minimum requirements:</p> <ul style="list-style-type: none"> outdoor lighting shall be properly shielded and installed to prevent light trespass on adjacent properties; flood or spot lamps installed as part of the Off-site Water Facilities shall be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway; prohibit the use of harsh mercury vapor, low-pressure sodium, or fluorescent bulbs for public lighting in residential neighborhoods; and comply with requirements of local jurisdiction, if applicable. <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. 		

Comment [svt3]: The se hours should be made consistent with the construction noise measures.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<i>Significance after Mitigation: less than significant</i>		
3A.2 AIR QUALITY - LAND		
<p>3A.2-1: Generation of Construction Emissions of NO_x and PM₁₀. Construction activities associated with the project would generate intermittent emissions of NO_x and PM₁₀. Because of the large size of the project, construction-generated emissions of NO_x, an ozone precursor, and fugitive PM₁₀ dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.</p> <p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, RHD, CD: Mitigation Measure 3A.2-1a: Implement Measures to Control Air Pollutant Emissions Generated by Construction of On-Site Elements. To reduce short-term construction emissions, the project applicant(s) for any particular discretionary development application at project phases shall require their contractors to implement SMAQMD's list of Basic Construction Emission Control Practices, Enhanced Fugitive PM Dust Control Practices, and Enhanced Exhaust Control Practices (list below) or whatever mitigation measures are recommended by SMAQMD in effect at the time individual portions of the site undergo construction. In addition to SMAQMD-recommended measures, construction operations shall comply with all applicable SMAQMD rules and regulations.</p> <p>Basic Construction Emission Control Practices</p> <ul style="list-style-type: none"> Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. <p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, RHD, CD: direct significant, no indirect</p> <p>OFF-SITE Direct significant, no indirect</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated. <p>Enhanced Fugitive PM Dust Control Practices – Soil Disturbance Areas</p> <ul style="list-style-type: none"> Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site. Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. <p>Enhanced Fugitive PM Dust Control Practices – Unpaved Roads</p> <ul style="list-style-type: none"> Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of SMAQMD and the City contact person shall also be posted to ensure compliance. <p>Enhanced Exhaust Control Practices</p> <ul style="list-style-type: none"> The project shall provide a plan, for approval by the City of Folsom Community Development Department and SMAQMD, demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NO_x reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The project applicant(s) of each project phase or its representative shall submit to the City of Folsom Community Development Department and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. SMAQMD's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (SMAQMD 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used on the SPA do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results 		

Comment [svt4]: Planting trees is not an effective or practical method of controlling fugitive dust during temporary construction activities such as grading. Additionally, solid fencing would be of little to no use in controlling dust beyond the few feet leeward of the fencing. For these reasons, this measure is infeasible and should be deleted.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVENS
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other SMAQMD or state rules or regulations.</p> <ul style="list-style-type: none"> If at the time of construction, SMAQMD has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if SMAQMD so permits. Such a determination must be supported by a project level analysis and be approved by SMAQMD. <p>Implementation: The project applicant(s) of all project phases. Timing: Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases. Enforcement: City of Folsom Community Development Department</p> <p>Mitigation Measure 3A.2-1b: Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO_x Emissions Generated by Construction of On-Site Elements. Implementation of the Proposed Project or the other four other action alternatives would result in construction-generated NO_x emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the project applicant(s) shall pay SMAQMD an off-site mitigation fee for implementation of any of the five action alternatives for the purpose of reducing NO_x emissions to a less-than-significant level (i.e., less than 85 lb/day). The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined: that is, if the City/USACE select and certify the EIR/EIS and approves the Proposed Project or one of the other four other action alternatives, the City and the applicants must establish the phasing by which development would occur, and the applicants must develop a detailed construction schedule. Calculation of fees associated with each project development phase shall be conducted by the project applicant(s) in consultation with SMAQMD staff before the approval of grading plans by the City. The project applicant(s) for all project phases any particular discretionary development application shall pay into SMAQMD's off-site construction mitigation fund to further mitigate construction-generated emissions of NO_x that exceed SMAQMD's daily emission threshold of 85 lb/day. The calculation of daily NO_x emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. At the time of writing this EIR/EIS the cost rate is \$16,000 to reduce 1 ton of NO_x plus a 5% administrative fee (SMAQMD 2008c). The determination of the final mitigation fee shall be conducted in coordination with SMAQMD before any ground disturbance occurs for any project phase. Based on information available at the time of writing this EIR/EIS, and assuming that construction would be performed at a consistent rate over a 19-year period (and averaging of 22 work days per month), it is estimated that the off-site construction mitigation fees would range from \$517,410 to \$824,149, depending on which alternative is selected. Because the fee is based on the mass quantity of emissions that exceed SMAQMD's daily threshold of significance of 85 lb/day, total fees would be substantially greater if construction activity is more intense during some phases and less intense during other phases of the 19-year build out period, and in any event, based on the actual cost rate applied by SMAQMD. (This fee is used by SMAQMD to purchase off-site emissions reductions. Such purchases are made through SMAQMD's Heavy Duty Incentive Program, through which select owners of heavy-duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.)</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before the approval of all grading plans by the City and throughout project construction for all project phases.</p>		

Comment [svt5]: This just re-states the requirement of CEQA for further review of any replacement mitigation measures. It doesn't need to be included in this measure.

Comment [svt6]: This fee should be calculated after consideration of all further reductions in NO_x emissions that may be achieved by the implementation of required mitigation for other impacts, such as GHG emissions. In other words, the calculation of the fee should be based on the level of emissions that will actually occur, after implementation of other relevant mitigation that may also affect the level of NO_x emissions, to avoid overpayment for actual emissions.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures	
Impact	Land/Water/GPA
Mitigation	
Enforcement:	The City of Folsom Community Development Department shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD.
Mitigation Measure 3A.2-1c:	Perform a Project Level Analysis to Disclose, Analyze and Disclose Projected PM₁₀ Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of On-Site Elements. Prior to construction of each discretionary development entitlement phase of on-site land uses, the project applicant shall perform a project-level CEQA analysis (e.g., supporting documentation for an exemption, negative declaration, or project-specific EIR) that includes detailed dispersion modeling of construction-generated PM ₁₀ to disclose what PM ₁₀ concentrations would be at nearby sensitive receptors. The dispersion modeling shall be performed in accordance with applicable SMAQMD guidance that is in place at the time the analysis is performed. At the time of writing this EIR/EIS, SMAQMD's most current and most detailed guidance for addressing construction-generated PM ₁₀ emissions is found in its Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009a). The project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur.
Implementation:	All detailed, project-level analysis shall be performed and funded by the project applicant(s) and fully funded by the project applicant or for each discretionary development phase entitlement. All feasible mitigation shall be also be funded by the project applicant(s).
Timing:	Before the approval of all grading plans by the City.
Enforcement:	City of Folsom Community Development Department
OFF-SITE	
Mitigation Measure 3A.2-1d:	Implement SMAQMD's Basic Construction Emission Control Practices during Construction of all Off-site Elements located in Sacramento County. The applicants responsible for the construction of each off-site element in Sacramento County shall require the their contractors to implement SMAQMD's Basic Construction Emission Control Practices during construction. A list of SMAQMD's Basic Construction Emission Control Practices is provided under Mitigation Measure 3A.2-1a.
Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be	coordinated/developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans) to implement SMAQMD's Basic Construction Emission Control Practices or comparable feasible measures.
Implementation:	The project applicant(s) responsible for construction of each off-site element in Sacramento County.
Timing:	Before the approval of all grading plans from SMAQMD.
Enforcement:	1. For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department. 2. For the U.S. 50 interchange improvements: Caltrans.
Mitigation Measure 3A.2-1e:	Implement EDCAQMD-Recommended Measures for Controlling Fugitive PM₁₀ dust During Construction of the Two Roadway Connections in El Dorado County. Prior to construction of each roadway extension in El Dorado County, the applicants or its contractors shall develop a fugitive dust control plan that is approved by EDCAQMD and the applicants shall require their contractors to implement the dust control measures identified in

Comment [svt7]: We would like this measure to make clear that requiring a "project-level CEQA analysis" does not necessarily preclude the use of exemptions that may otherwise be applicable to future development proposals, such as the exemption for purely residential projects that are consistent with the Specific Plan (Gov. Code, §65457, CEQA Guidelines, §15182). Future projects within the Specific Plan may very well require project-specific mitigated negative declarations or EIRs, but we would like to ensure that the intent of the measure is expressed in a way so as not to be susceptible to an interpretation that precludes the future use of any applicable exemptions.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures																					
Impact	Land/Water/GPA																				
Mitigation																					
the EDCAQMD-approved fugitive dust control plan. The fugitive dust control plan shall contain measures that are recommended by EDCAQMD at the time the plan is developed, which may include, but is not limited to, the current list of EDCAQMD-recommended dust control measures provided in Table 3A.2-5 below. Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated/developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado County).																					
<table border="1"> <thead> <tr> <th colspan="2">Table 3A.2-5 EDCAQMD-Recommend Fugitive Dust Control Measures</th> </tr> <tr> <th>Source</th> <th>Mitigation Measure</th> </tr> </thead> <tbody> <tr> <td>Soil Piles</td> <td>Enclose, cover, or water twice daily all soil piles</td> </tr> <tr> <td>Exposed Surface/Grading</td> <td>Automatic sprinkler system installed on soil piles</td> </tr> <tr> <td>Truck Hauling Road</td> <td>Water all exposed soil twice daily</td> </tr> <tr> <td>Truck Hauling Load</td> <td>Water exposed soil with adequate frequency to keep soil moist at all times</td> </tr> <tr> <td></td> <td>Water all haul roads twice daily</td> </tr> <tr> <td></td> <td>Pave all haul roads</td> </tr> <tr> <td></td> <td>Maintain at least two feet of freeboard</td> </tr> <tr> <td></td> <td>Cover load of all haul/dump trucks securely</td> </tr> </tbody> </table>		Table 3A.2-5 EDCAQMD-Recommend Fugitive Dust Control Measures		Source	Mitigation Measure	Soil Piles	Enclose, cover, or water twice daily all soil piles	Exposed Surface/Grading	Automatic sprinkler system installed on soil piles	Truck Hauling Road	Water all exposed soil twice daily	Truck Hauling Load	Water exposed soil with adequate frequency to keep soil moist at all times		Water all haul roads twice daily		Pave all haul roads		Maintain at least two feet of freeboard		Cover load of all haul/dump trucks securely
Table 3A.2-5 EDCAQMD-Recommend Fugitive Dust Control Measures																					
Source	Mitigation Measure																				
Soil Piles	Enclose, cover, or water twice daily all soil piles																				
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	Water all haul roads twice daily																				
	Pave all haul roads																				
	Maintain at least two feet of freeboard																				
	Cover load of all haul/dump trucks securely																				
Source: Table 4.12 of EDCAQMD's Guide to Air Quality Assessment (EDCAQMD 2002).																					
Implementation:	The project applicant(s) responsible for constructing the roadway connections in El Dorado County.																				
Timing:	Before the approval of grading plans by EDCAQMD.																				
Enforcement:	El Dorado County Development Services Department.																				
Mitigation Measure 3A.2-1f:	Implement SMAQMD's Enhanced Exhaust Control Practices during Construction of all Off-site Elements. Implement SMAQMD's Enhanced Exhaust Control Practices, which are listed in Mitigation Measure 3A.2-1a, in order to control NO _x emissions generated by construction of all off-site elements (in Sacramento and El Dorado Counties, or Caltrans right-of-way).																				
Implementation:	The project applicant(s) responsible for construction of each off-site element in Sacramento and El Dorado counties.																				
Timing:	Before the approval of all grading plans from the respective air district (i.e., SMAQMD or EDCAQMD).																				
Enforcement:	1. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. 2. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. 3. For the U.S. 50 interchange improvements: Caltrans.																				

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Mitigation Measure 3A.2-1g: Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO_x Emissions Generated by Construction of Off-site Elements. The off-site elements could result in construction-generated NO_x emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the responsible project applicant(s) for each off-site element in Sacramento County shall pay SMAQMD an off-site mitigation fee for implementation of each off-site element in Sacramento County for the purpose of reducing NO_x emissions to a less-than-significant level (i.e., less than 85 lb/day). The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined. This calculation shall occur if the City/USACE certify the EIR/EIS and select and approves the Proposed Project or one of the other four other action alternatives, the City, Sacramento County, and the applicants establish the phasing by which construction of the off-site elements would occur, and the applicants develop a detailed construction schedule. Calculation of fees associated with each off-site element shall be conducted by the project applicant(s) in consultation with SMAQMD staff before the approval of respective grading plans by Sacramento County. The project applicant(s) responsible for each off-site element in Sacramento County shall pay into SMAQMD's off-site construction mitigation fund to further mitigate construction-generated emissions of NO_x that exceed SMAQMD's daily emission threshold of 85 lb/day. The calculation of daily NO_x emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. At the time of writing this EIR/EIS the cost rate is \$16,000 to reduce 1 ton of NO_x plus a 5% administrative fee (SMAQMD 2008c). The determination of the final mitigation fee shall be conducted in coordination with SMAQMD before any ground disturbance occurs for any project phase. Because the fee is based on the mass quantity of emissions that exceed SMAQMD's daily threshold of significance of 85 lb/day, total fees for construction of the off-site elements would vary according to the timing and potential overlap of construction schedules for off-site elements. This measure applies only to those off-site elements located in SMAQMD's jurisdiction (i.e., in Sacramento County) because EDCAQMD does not offer a similar off-set fee program for construction-generated NO_x emissions in its jurisdiction. (This fee is used by SMAQMD to purchase off-site emissions reductions. Such purchases are made through SMAQMD's Heavy Duty Incentive Program, through which select owners of heavy-duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.)</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p> <p>Implementation: The project applicant(s) of all off-site elements in Sacramento County.</p> <p>Timing: Before the approval of each grading plan for the off-site elements in Sacramento County.</p> <p>Enforcement: <ol style="list-style-type: none"> For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD. For the U.S. 50 interchange improvements: Caltrans shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD. </p> <p>Mitigation Measure 3A.2-1h: Perform a Project-Level Analysis to Analyze and Disclose Projected PM₁₀ Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements. Prior to construction of each off-site element located in Sacramento County that would involve site grading or earth disturbance activity that would exceed 15 acres in one day, the responsible agency or its selected consultant shall conduct detailed dispersion modeling of construction-generated PM₁₀ emissions pursuant to SMAQMD guidance that is in place at the time the analysis is performed. At the time of writing this EIR/EIS, SMAQMD's most current and most detailed guidance for addressing construction-generated PM₁₀ emissions is found in its Guide to Air Quality</p>		

Comment [svt8]: Again, in this fee should be calculated after consideration of all further reductions in NOx emissions that may be achieved by the implementation of mitigation for other impacts, such as GHG emissions.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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City of Folsom and USAACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Assessment in Sacramento County SMAQMD 2009a). SMAQMD emphasizes that PM₁₀ emission concentrations at nearby sensitive receptors be disclosed in project-level CEQA analysis. Each project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur. If the modeling analysis determines that construction activity would result in an exceedance or substantial contribution to the CAAQS and NAAQS at a nearby receptor, then the project applicant(s) shall require their respective contractors to implement additional measures for controlling construction-generated PM₁₀ exhaust emission and fugitive PM₁₀ dust emissions in accordance with SMAQMD guidance, requirements, and/or rules that apply at the time the project-level analysis is performed. It is likely that these measures would be the same or similar to those listed as Enhanced Fugitive PM Dust Control Practices for Soil Disturbance Areas and Unpaved Roads and Enhanced Exhaust Control Practices included in Mitigation Measure 3A.2-1a. Dispersion modeling is not required for the two El Dorado County roadway connections because the total amount of disturbed acreage is expected to be less than the EDCAQMD screening level of 12 acres.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p> <p>Implementation: All detailed, project-level analysis shall be performed by the responsible lead agency or its selected consultant and funded by the project applicant(s). Implementation of the project-level modeling analysis and any necessary additional mitigation shall be fully funded by the project applicant(s) responsible for each off-site improvement.</p> <p>Timing: <ol style="list-style-type: none"> For all off-site improvements within unincorporated Sacramento County: Before the approval of the respective grading plans from the Sacramento County Planning and Community Development Department For the U.S. 50 interchange improvements: Before the approval of construction plans from Caltrans. </p> <p>Enforcement: <ol style="list-style-type: none"> For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Significance after Mitigation for NO_x emissions: less than significant Significance after Mitigation for PM₁₀ concentrations: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>3A.2-2: Generation of Long-Term Operational (Regional) Emissions of ROG, and NO_x. Operational area- and mobile-source emissions from project implementation would exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO_x, and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS for ozone. In addition, because of the large increase in emissions associated with project build out and the fact that the project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts in the SVAB.</p> <p>ON-SITE NP: No mitigation measures required. NCP: Mitigation Measure 3A.2-2: Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions. To reduce operational emissions, the project applicant(s) for all project phases any particular discretionary development application shall implement all measures prescribed in the SMAQMD-approved <i>Folsom Plan Area Specific Plan Air Quality Mitigation Plan (AQMP)</i> (Torrence Planning 2008), a copy of which is included in Appendix C2. The AQMP is intended to improve mobility, reduce vehicle miles traveled, and improve air quality as required by AB 32 and SB 375. The AQMP includes, among others, measures designed to provide bicycle parking at commercial land uses, an integrated pedestrian/bicycle path network, transit stops with shelters, a prohibition against the use the wood-burning fireplaces, energy star roofing materials, electric lawnmowers provided to homeowners at no charge, and on-site transportation alternatives to passenger vehicles (including light rail) that provide connectivity with other local and regional alternative transportation networks.</p> <p>Implementation: <u> </u> The project applicant(s) of all project phases for any particular discretionary development application.</p> <p>Timing: Before issuance of subdivision maps or improvement plans. Enforcement: City of Folsom Community Development Department. PP, RIM, RHD, CD: Implement Mitigation Measure 3A.2-2.</p> <p>OFF-SITE No mitigation measures required. Significance after Mitigation: significant and unavoidable</p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, RHD, CD: direct significant, no indirect OFF-SITE Direct LTS, no indirect</p>			
<p>3A.2-3: Generation of Local Mobile-Source CO Emissions. 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 or the 8-hour standard of 9 ppm.</p> <p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: No mitigation measures required. OFF-SITE No mitigation measures required. Significance after Mitigation: less than significant</p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE Direct LTS, no indirect</p>			
NP (No Action/No Project) CD (Centralized Development)	NCP (No USACE Permit) RHD (Reduced Hillside Development)	PP (Proposed Project) PA (Preferred Off-site Water Facility Alternative)	RIM (Resource Impact Minimization)		
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVIS City of Folsom and USAACE
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Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: No mitigation measures required. OFF-SITE No mitigation measures required. Significance after Mitigation: less than significant</p>					
<p>3A.2-4: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants. Project implementation would result in exposure of receptors to short- and long-term emissions of TACs from on-site stationary and mobile sources and from off-site mobile sources.</p> <p>ON-SITE NP: No mitigation measures required. NCP, RIM: Mitigation Measure 3A.2-4a: Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions. The project applicant(s) for all project phases any particular discretionary development application shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity associated with buildout of the selected alternative. Each plan shall be developed by the project applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p> <p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling. Applicable measures shall be included in all project plans and specifications for all project phases.</p> <p>The implementation and enforcement of all measures identified in each plan shall be funded by the project applicant(s) for the respective phase of development.</p> <p>Implementation: The project applicant(s) any particular discretionary development application of all project phases.</p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct PS, no indirect (Temporary, Short-Term Emissions from Construction Equipment; Emissions from On-Site Operational Mobile Sources; Land Use Compatibility with Off-site Corporation Yard) Direct LTS, no indirect (Stationary-Source Emissions, TAC Exposure from Remediation Activity, Land Use Compatibility with U.S. 50)</p> <p>OFF-SITE Direct PS, no indirect (Temporary, Short-Term Emissions from Construction Equipment) Direct LTS, no indirect (Operational TAC Emissions)</p>			
NP (No Action/No Project) CD (Centralized Development)	NCP (No USACE Permit) RHD (Reduced Hillside Development)	PP (Proposed Project) PA (Preferred Off-site Water Facility Alternative)	RIM (Resource Impact Minimization)		
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USAACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Timing: Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.		
Enforcement: City of Folsom Community Development Department.		
Mitigation Measure 3A.2-4b: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants. The following measures shall be implemented to reduce exposure of sensitive receptors to Toxic Air Contaminants.		
<ul style="list-style-type: none"> Proposed commercial and industrial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks) shall be located away from existing and proposed on-site sensitive receptors such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0. The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area. Where necessary to reduce exposure of sensitive receptors to an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0, proposed commercial and industrial land uses that would host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off. Signs shall be posted in at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by the California Office of Administrative Law in January 2005. Implement the following additional guidelines, which are recommended in ARB's <i>Land Use Handbook: A Community Health Perspective</i> (ARB 2005) and are considered to be advisory and not regulatory: <ul style="list-style-type: none"> Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry-cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines. Large gasoline stations (defined as facilities with a throughput of 3.6 million gallons per year or greater) and sensitive land uses shall not be sited within 300 feet of each other. Small gasoline-dispensing facilities (less than 3.6 million gallons of throughput per year) and sensitive land uses shall not be sited within 50 feet of each other. 		
Implementation: The project applicant(s) of all project phases.		
Timing: Before the approval of all grading plans by the SMAQMD and throughout project construction, where applicable, for all project phases.		
Enforcement: City of Folsom Community Development Department.		
PP, CD, RHD: Implement Mitigation Measures 3A.24a-4b.		
OFF-SITE		
Mitigation Measure: Implement Mitigation Measures 3A.2-1a and 3A.2-1b for the off-site improvements in Sacramento County; and Mitigation Measure 3A.2-1f		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USAACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
for the off-site improvements in El Dorado County. (Temporary, Short-Term Emissions from Construction Equipment)		
Mitigation Measure: No mitigation measures are required. (Operational TAC Emissions)		
Significance after Mitigation: significant and unavoidable		
3A.2-5: Exposure of Sensitive Receptors to Construction-Generated Emissions of Naturally Occurring Asbestos. Asbestos is a toxic air contaminant. Residents and other receptors located close to construction activity could be exposed to dust from asbestos rock and soils during earth disturbance activities.	Land	ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct PS, no indirect OFF-SITE Direct PS, no indirect
ON-SITE NP: No mitigation measures required.		
NCP, PP, RIM, RHD: Mitigation Measure 3A.2-5: Implement A Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan. A site investigation shall be performed to determine whether and where NOA is present in the soil and rock on the SPA. The site investigation shall include the collection of soil and rock samples by a qualified geologist. If the site investigation determines that NOA is present on the SPA then the project applicant shall prepare an Asbestos Dust Control Plan for approval by SMAQMD as required in Section 93105 of the California Health and Safety Code. "Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations." The Asbestos Dust Control Plan shall specify measures, such as periodic watering to reduce airborne dust and ceasing construction during high winds, that shall be taken to ensure that no visible dust crosses the property line. Measures in the Asbestos Dust Control Plan may include but shall not be limited to dust control measures required by Mitigation Measure 3A.2-1a. The project applicant shall submit the plan to the Folsom Community Development Department for review and SMAQMD for review and approval before construction of the first project phase. SMAQMD approval of the plan must be received before any asbestos-containing rock (serpentine) can be disturbed. Upon approval of the Asbestos Dust Control Plan by SMAQMD, the applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period.		
Implementation: The project applicant(s) of all project phases.		
Timing: Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.		
Enforcement: City of Folsom Community Development Department.		
CD: Implement Mitigation Measure 3A.2-5.		
OFF-SITE		
Mitigation Measure: Implement Mitigation Measure 3A.2-5. (However, for construction of the two roadway extensions into El Dorado County that occurs in El Dorado County, approval of the grading plans must be received from EDCAQMD.)		
Significance after Mitigation: less than significant		

Comment [svt9]: There is no section 93105 of the Cal. Health & Safety Code. We believe this reference should be corrected to Title 17, section 93105 of the California Code of Regulations, pertaining to airborne asbestos control measures promulgated by ARB.

Comment [svt10]: This is an infeasible standard. The smallest puff of wind could blow a small amount of dust over a property line. Moreover, to which property line would this apply? The Specific Plan is owned and controlled by numerous individual entities, some of whom could develop their adjacent properties simultaneously. Would the project applicants be required to mark and maintain property lines to ensure dust from each others' properties does not cross the lines? This particular standard is too vague and thus infeasible.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA		Significance		
Mitigation					
<p>3A.2-6: Possible Exposure of Sensitive Receptors to Odorous Emissions. Temporary, short-term construction and long-term operation of the project could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions.</p>					
<p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.2-1a and Mitigation Measure 3A.2-1f to Control Exposure of Sensitive Receptors to Construction-Related Odorous Emissions.</p>			<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct, significant (Short-Term Use of Construction Equipment for On-Site Land Uses and Off-site Elements-Land Use Compatibility with Off-site Corporation Yard, Land Use Compatibility with Off-site Agricultural Land Uses) Direct PS, no indirect (Long-Term Operation of On-Site Land Uses)</p>		
<p>OFF-SITE Direct LTS, no indirect</p>					
<p>Mitigation Measure 3A.2-6: Implement Measures to Control Exposure of Sensitive Receptors to Operational Odorous Emissions. The project applicant(s) for any particular discretionary development application all project phases shall implement the following measures:</p> <ul style="list-style-type: none"> The odor-producing potential of land uses shall be considered when the exact type of facility that would occupy areas zoned for commercial, industrial, or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors shall be located as far away as feasible from existing and proposed sensitive receptors. The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area. (This measure is also required by Mitigation Measure 3A.2-4b to limit exposure to TAC emissions.) Before the approval of building permits, odor control devices shall be identified to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy an area zoned for commercial, industrial, or mixed-use land uses. The identified odor control devices shall be installed before the issuance of certificates of occupancy for the potentially odor-producing use. The odor-producing potential of a source and control devices shall be determined in coordination with SMAQMD and based on the number of complaints associated with existing sources of the same nature. The deeds to all properties located within the plan area that are within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by a written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations, which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred. Truck loading docks and delivery areas shall be located as far away as feasible from existing and proposed sensitive receptors. 					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA		Significance		
Mitigation					
<ul style="list-style-type: none"> Signs shall be posted at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by California's Office of Administrative Law in January 2005. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.) Proposed commercial and industrial land uses that have the potential to host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.) <p>Implementation: The project applicant(s) of all project phases. Timing: Before the approval of building permits by the City and throughout project construction, where applicable, for all project phases. Enforcement: City of Folsom Community Development Department.</p>					
<p>OFF-SITE No mitigation measures required. <i>Significance after Mitigation for Construction Diesel Odor: significant and unavoidable</i> <i>Significance after Mitigation for Potential On-site Sources: less than significant</i> <i>Significance after Mitigation for Corporation Yard: significant and unavoidable</i></p>					
<p>3B.2 AIR QUALITY - WATER</p>					
<p>3B.2-1: Generation of Construction Emissions of NO_x and PM₁₀. Construction of the Off-site Water Facility Alternatives would produce construction-generated emissions of NO_x, an ozone precursor, and fugitive PM₁₀ dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation and/or expose sensitive receptors to substantial pollutant concentrations.</p>			Water	<p>NCP, PA, 1, 1A, 3, 3A, 4, & 4A: direct PS, no indirect (Temporary and Short-Term Construction Emissions) Direct & indirect LTS (Off-site Water Facilities Operations) 2, 2A, & 2B: direct & indirect LTS</p>	
<p>NCP, PA, 1, 1A, 3, 3A, 4, and 4A: Mitigation Measure 3B.2-1a: Construction NO_x Reduction Plan. Consistent with SMAQMD requirements, the City of Folsom shall provide a plan for demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NO_x reduction. Prior to construction, the City's contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction of the Off-site Water Facilities. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly quarterly throughout the duration of</p>					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the Off-site Water Facilities representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to construction of the Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD. <p>Mitigation Measure 3B.2-1b: Conduct Visible Emissions Testing and if Non-Compliance, Repair Equipment Immediately. Controlling visible emissions from off-road diesel powered equipment. The City shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least monthly, and a quarterly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: During construction of all Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD. <p>Mitigation Measure 3B.2-1c: Implement Fugitive Dust Control Measures and a Particulate Matter Monitoring Program during Construction. The City shall implement fugitive dust control measures and a particulate matter monitoring program during construction. The City shall ensure implementation of dust control measures and a particulate matter monitoring program during each phase of construction. Dust control measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> minimize on-site construction vehicle speeds on unpaved surfaces; 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> post speed limits; suspend grading operations when wind is sufficient to generate visible dust clouds; pave, water, use gravel, cover, or spray a dust-control agent on all haul roads; Prohibit no open burning of vegetation during project construction; Chip or deliver vegetative material to waste-to-energy facilities; reestablish vegetation as soon as possible after construction and maintain vegetation consistent with the parameters established in Mitigation Measure 3B.2.1a; clean earthmoving construction equipment with water once daily and clean all haul trucks leaving the site; and water and keep moist all-exposed earth surfaces, graded areas, storage piles, and haul roads at all times needed to prevent fugitive dust. <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: During construction of all Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD. <p>Alternatives 2, 2A, and 2B: No mitigation measures required. <i>Significance after Mitigation: significant and unavoidable</i></p> <p>3B.2-2: Generation of Long-Term Operational (Regional) Emissions of ROG, and NO_x. Operational area- and mobile-source emissions from implementation of the Off-site Water Facility Alternatives would not exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO_x.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A: No mitigation measures required. <i>Significance after Mitigation: less than significant</i></p>		
	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect LTS

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3B.2-3: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants. Implementation of the Off-site Water Facility Alternatives could expose sensitive receptors to short- and long-term emissions of TACs from on-site stationary sources.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.2-3a: Cite Pump Siting Buffers Away from Sensitive Receptors. New pumping stations including back-up diesel generators shall be located more than 200 feet away from sensitive receptors. Electrically-powered pumps shall be used to power new pumps, to the extent practicable.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to the approval of grading plans and building permits for all off-site water pumping facilities.</p> <p>Enforcement: <ol style="list-style-type: none"> For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD. </p> <p>Mitigation Measure 3B.2-3b: Conduct Project-Level DPM Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations. Screening-level DPM assessments shall be conducted for diesel-powered pump operations proposed within 200 feet of residences or other sensitive receptors. These analyses should include exact distances between the receptors and operations, and include the actual DPM emissions for the engines proposed. If the analysis shows an annual average DPM concentration from project operations at residences within 200 feet of the DPM source to be greater than 0.024 µg/m³, the engine location shall be moved to a location where the annual average DPM concentration from project emissions at the residences is less than 0.024 µg/m³. The acceptable concentration of 0.024 µg/m³ was determined using the current OEHHA cancer potency factor and methodology for diesel exhaust (OEHHA 2003). If diesel exhaust concentrations at the affected receptor would be below 0.024 µg/m³, then the cancer health risk would be less than 9.9 cancers in a million population.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to the approval of grading plans and building permits for all off-site water pumping facilities.</p> <p>Enforcement: <ol style="list-style-type: none"> For improvements that would be located within the City of Folsom: City of Folsom Community Development Department and SMAQMD. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and </p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
SMAQMD.		
<i>Significance after Mitigation: less than significant</i>		
<p>3B.2-3: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants. Implementation of the Off-site Water Facility Alternatives could expose sensitive receptors to short- and long-term emissions of TACs from on-site stationary sources.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A: No mitigation measures required.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
3A.3 BIOLOGICAL RESOURCES - LAND		
<p>3A.3-1: Loss and Degradation of Waters of the U.S., including Wetlands, and Waters of the State. Project implementation would result in the placement of fill material into jurisdictional waters of the U.S., including wetlands subject to USACE jurisdiction under the Federal CWA. Wetlands and other waters of the U.S. that would be affected by project implementation include seeps, vernal pools, seasonal wetlands and seasonal wetland swales, seeps, drainage channels, ditches, and ponds. Waters of the state would also be filled with project implementation.</p> <p>ON-SITE</p> <p>NP: LTS PP: direct & indirect significant RIM: direct & indirect significant CD: direct & indirect significant RHD: direct & indirect significant NF: direct & indirect significant</p> <p>OFF-SITE</p> <p>Direct & indirect significant</p>		
<p>PP: Mitigation Measure 3A.3-1a: Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions and Values of Wetlands, Other Waters of the U.S., and Waters of the State.</p> <p>Before the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct project-phasediscretionary development entitlement, the project applicant(s) of all project phases for any particular discretionary development application requiring fill of wetlands or other waters of the U.S. or waters of the state shall obtain all necessary permits under Sections 401 and 404 of the CWA or the state's Porter-Cologne Act for the respective phase. For each respective phasediscretionary development entitlement, all permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured before implementation of any grading activities within 250 feet of waters of the U.S. or wetland habitats or lesser distance deemed sufficiently protective by a qualified biologist with approval from USEFWS, including waters of the state, that potentially support Federally listed species. The project applicant(s) shall commit to replace, restore, or enhance on a "no net loss" basis (in accordance with USACE and the Central Valley RWQCB) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with implementation of project plans for that phaseddevelopment increment. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley</p>		

Comment [svt11]: It appears that many of the measures in the Executive Summary do not match up to the measures set forth in the impact chapters. For example, MM 3A.3-1a in Section 3A.3 pertains to Stormwater Drainage Plans and Erosion and Sediment Control Plans, not 404 Permits and no net loss of wetlands. This measure is labeled as MM 3A.3-1b in Section 3A.1. We presume the numbering of the measures will be corrected in the Final EIR/EIS, and therefore our comments from here on focus on the text of the measures themselves since the measures set forth in the Executive Summary are typically the substance and format that is carried forward into a Mitigation, Monitoring and Reporting Program at the time of project approval.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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**Table ES-1
Summary of Impacts and Mitigation Measures**

Impact	Land/Water/GPA	Significance
Mitigation		
<p>RWQCB, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes.</p> <p>As part of the Section 404 permitting process, a draft wetland mitigation and monitoring plan (MMP) shall be developed for the project on behalf of the project applicant(s). Before any ground-disturbing activities in an area that would adversely affect wetlands and before engaging in mitigation activities associated with each phase of discretionary development entitlement, the project applicant(s) shall submit the draft wetland MMP to USACE, the Central Valley RWQCB, Sacramento County, El Dorado County, and the City for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be finalized prior to issuance of a Section 404 permit impacting any wetlands. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of mitigation, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>As part of the MMP, the project applicant(s) shall prepare and submit plans for the creation of aquatic habitat in order to adequately offset and replace the aquatic functions and services that would be lost at the SPA, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. Restoration of previously altered and degraded wetlands shall be a priority of the MMP for offsetting losses of aquatic functions on the SPA because it is typically easier to achieve functional success in restored wetlands than in those created from uplands. The MMP must demonstrate how the aquatic functions and values that would be lost through project implementation will be replaced.</p> <p>The habitat MMP for jurisdictional wetland features shall be consistent with USACE's and EPA's April 10, 2008 <i>Final Rule for Compensatory Mitigation for Losses of Aquatic Resources</i> (33 CFR Parts 325 and 332 and 40 CFR Part 230). According to the <i>Final Rule</i>, mitigation banks should be given preference over other types of mitigation because a lot of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. This also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (USACE and EPA, 2008). However, the <i>Final Rule</i> also establishes a preference for compensating losses of aquatic resources within the same watershed as the impact site. The SPA includes portions of the Alder Creek, Buffalo Creek, Coyote Creek, and Carson Creek Watersheds. The majority of the SPA is within the Alder Creek Watershed. Alder Creek and Buffalo Creek are part of the Lower American River Watershed. Carson Creek and Coyote Creek are part of the Cosumnes River Watershed. Mitigation credits may be available within the Cosumnes Watershed, but not within the American River Watershed and not within the sub-watersheds of the SPA. Therefore aquatic habitats may need to be restored or created on the SPA and adjacent off-site lands, preferably within the affected watersheds, in order to successfully replace lost functions at the appropriate watershed scale where loss of function would occur. It is not likely feasible to provide compensatory mitigation for all aquatic resource impacts on site. Therefore, a combination of on-site and off-site permittee-responsible mitigation and mitigation banking would likely be necessary to achieve the no-net-loss standard.</p> <p>The SPA is located within the service areas of several approved mitigation banks (e.g., Bryte Ranch, Clay Station, Fitzgerald Ranch, and Sunrise Douglas Preservation Bank). The majority of compensatory mitigation for wetland impacts is proposed to be accomplished at an agency-approved mitigation bank authorized to sell credits to offset impacts in the SPA. The applicants' biological consultant, ECORP, has identified availability of approximately 3431 vernal pool credits and 225228 seasonal wetland credits at mitigation banks whose service area appears to include the SPA. Additional credits may also be available from pending, but not yet approved, mitigation banks. However, the availability of these credits has not been confirmed and availability is subject to change and, as noted above, a combination of mitigation bank credits and permittee-responsible on- and off-site mitigation may be necessary to fully offset project impacts on wetlands and other waters of the U.S.</p>		

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Comment [svt12]: The Biology section version of this measure says Twin City mitigation bank instead of Sunrise Douglas.

Comment [svt13]: ECORP confirmed these credits are available. ECORP's uncontroverted representation regarding the availability of the credits at the time of publication of this EIR/EIS constitutes substantial evidence that they were, in fact, available. AECOM or the City could do the same and confirm for themselves that the credits are available if there is any doubt.

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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**Table ES-1
Summary of Impacts and Mitigation Measures**

Impact	Land/Water/GPA	Significance
Mitigation		
<p>Compensatory mitigation for losses of stream and intermittent drainage channels shall follow the <i>Final Rule Guidelines</i>, which specify that compensatory mitigation should be achieved through in-kind preservation, restoration, or enhancement within the same watershed, subject to practicability considerations, as specified in the <i>Final Rule Guidelines</i>. The wetland MMP shall address how to mitigate impacts on vernal pool, seasonal swale, seasonal wetland, seep, marsh, pond, and intermittent and perennial stream habitat, and shall describe specific method(s) to be implemented to avoid and/or mitigate any off-site project-related impacts. The wetland compensation section of the habitat MMP shall include the following:</p> <ul style="list-style-type: none"> Compensatory mitigation sites and criteria for selecting these mitigation sites. In General, compensatory mitigation sites should meet the following criteria, based on the Final Rule; <ul style="list-style-type: none"> located within the same watershed as the wetland or other waters that would be lost; located in the most likely position to successfully replace wetland functions lost on the impact site considering watershed-scale features such as aquatic habitat diversity, habitat connectivity, available water sources and hydrologic relationships, land use trends, ecological benefits, and compatibility with adjacent land uses A complete assessment of the existing biological resources in both the on-site preservation areas and off-site compensatory mitigation areas, including wetland functional assessment using the California Rapid Assessment Method (CRAM) (Collins et al. 2008), or other appropriate assessment and monitoring protocol as determined through consultation with the USACE and the USFWS, to establish baseline conditions; Specific creation and restoration plans for each mitigation site; In kind reference wetland habitats for comparison with compensatory wetland habitats (using performance and success criteria) to document success; Description of methodology used to select reference wetlands for comparison; Monitoring protocol, including schedule and annual report requirements, and the following elements: <ul style="list-style-type: none"> ecological performance standards, based on the best available science, that can be assessed in a practicable manner (e.g., performance standards proposed by Barbour et al. 2007). Performance standards must be based on attributes that are objective and verifiable; CRAM assessments conducted annually for 5 years after construction or restoration of compensatory wetlands to determine whether these areas are acquiring wetland functions and to plot the performance trajectory of preserved, restored, or created wetlands over time. CRAM Assessment results/seeres for compensatory wetlands shall also be compared against scores for reference wetlands assessed in the same year; CRAM analysis/assessments conducted annually for 5 years after any construction adjacent to wetlands preserved on the SPA to determine whether these areas are retaining functions and values. CRAM scores/Assessment results for wetlands preserved on site shall also be compared against scores for reference wetlands assessed in the same year; analysis of CRAM assessment data, including assessment of potential stressors, to determine whether any remedial activities may be necessary; corrective measures if performance standards are not met; monitoring of plant communities as performance criteria (annual measure of success, during monitoring period) and success criteria (indicative of achievement of mitigation habitat requirement at end of monitoring period) for hydrologic function have become established and the creation site 		

Comment [svt14]: Fr on the Final Rule: The watershed approach accomplishes this objective by expanding the informational and analytic basis of mitigation project site selection decisions and ensuring that both authorized impacts and mitigation are considered on a watershed scale rather than only project by project. This requires a degree of flexibility so that district engineers can authorize mitigation projects that most effectively address the case-specific circumstances and needs of the watershed, while remaining practicable for the permittee.

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		S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>“matures” over time;</p> <ul style="list-style-type: none"> GIS analysis of compensatory wetlands to demonstrate actual acreage of functioning wetland habitat; adaptive management measures to be applied if performance standards and acreage requirements are not being met; responsible parties for monitoring and preparing reports; and responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions. <p>An draft operations and management plan (OMP) for all on- and off-site wetland preservation and mitigation areas shall be prepared and submitted to USACE and USFWS for review comment and preliminary approval prior to the issuance of any permits under Section 404 of the CWA. The plan shall include detailed information on the habitats present within the preservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the preservation and mitigation areas (e.g., conservation easement, declaration of restrictions), and funding mechanism information (e.g., endowment). A final OMP for each discretionary development entitlement affecting wetlands must be approved prior to construction.</p> <p>USACE has determined that the project will require an individual permit. In its final stage and once approved by USACE, the MMP for the project is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of aquatic functions in the project vicinity. Approval and implementation of the wetland MMP shall aim to fully mitigate all unavoidable impacts on jurisdictional waters of the U.S., including jurisdictional wetlands. In addition to USACE approval, approval by the City, Sacramento County, El Dorado County, and the Central Valley RWQCB, as appropriate depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes, will also be required. Approvals from Sacramento County and El Dorado County shall be required for impacts resulting from off-site project elements occurring in these counties, such as the off-site detention basin in Sacramento County and the roadway connections into El Dorado County. To satisfy the requirements of the City and the Central Valley RWQCB, mitigation of impacts on the nonjurisdictional wetlands beyond the jurisdiction of USACE shall be included in the same MMP. All mitigation requirements determined through this process shall be implemented before grading plans are approved. The MMP shall be submitted to USACE and approved prior to the issuance of any permits under Section 404 of the CWA.</p> <p>Water quality certification pursuant to Section 401 of the CWA will be required before issuance of the record-of-decision and before issuance of a Section 404 permit. Before construction in any areas containing wetland features, the project applicant(s) shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) for all project phases each discretionary development entitlement requiring fill of wetlands or other waters of the U.S. or waters of the state.</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for any project development phase containing wetland features or other waters of the U.S. The MMP must be approved before any impact on wetlands can occur. Mitigation shall be implemented on an ongoing basis throughout and after construction, as required.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development</p>		

Comment [svt15]: One component of a 401 certification application is a copy of the DFG 1602 application. The level of information required for a 1602 application is typically not developed before one has a permit and knows the project footprint/configuration will not change.

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Department.</p> <ol style="list-style-type: none"> For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. U.S. Army Corps of Engineers, Sacramento District; Central Valley Regional Water Quality Control Board as appropriate depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes and in compliance with the City’s Grading Ordinance (Folsom Municipal Code 14.29), or appropriate county grading ordinance for off-site detention basin and roadway connections from Folsom Heights to El Dorado Hills. <p>PP: Mitigation Measure 3A.3-1b: Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the SPA and Use Low Impact Development Features.</p> <p>To minimize indirect effects on water quality and wetland hydrology, the project applicant(s) for any particular discretionary development application of all project phases shall include stormwater drainage plans and erosion and sediment control plans in their improvement plans and shall submit these plans to the City Public Works Department for review and approval. For off-site elements within Sacramento County or El Dorado County jurisdiction (e.g., off-site detention basin and off-site roadway connections to El Dorado Hills), plans shall be submitted to the appropriate county planning department. Before approval of these improvement plans, the project applicant(s) for any particular discretionary development application of all project phases shall obtain a NPDES MS4 Municipal Stormwater Permit and Grading Permit, comply with the City’s Grading Ordinance and County drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site. Detailed information about stormwater runoff standards and relevant City and County regulation is provided in Chapter 3A.9, “Hydrology and Water Quality.”</p> <p>The project applicant(s) of all project phases for any particular discretionary development entitlement shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions in effect at the time the application is submitted (Sacramento Stormwater Quality Control Partnership 2007). Appropriate runoff controls such as berms, storm gates, off-stream detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants. Development plans shall incorporate Low Impact Development (LID) features, such as pervious strips, permeable pavements, bioretention ponds, vegetated swales, disconnected rain gutter downspouts, and rain gardens, where appropriate. Use of LID features is recommended by the EPA to minimize impacts on water quality, hydrology, and stream geomorphology and is specified as a method for protecting water quality in the proposed specific plan. In addition, free spanning bridge systems shall be used for all roadway crossings over wetlands and other waters that are retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events, as specified in the 404 permit.</p> <p>In addition to compliance with City ordinances, the project applicant(s) of all project phases for any particular discretionary development application shall obtain a General Construction Stormwater Permit from the Central Valley RWQCB prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) that comply with the General Construction Stormwater Permit from the Central Valley RWQCB to reduce water quality effects</p>		

Comment [svt16]: A n applicant doesn't really need to "obtain" the general permit, which already exists. It just needs to demonstrate how it will comply with its terms.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 3A.9, "Hydrology and Water Quality."		
Each project phase-development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The project applicant(s) shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-, and 20-year storm events . These baseline conditions shall be used to develop monitoring standards for the stormwater system on the SPA. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, "Hydrology and Water Quality," are met and shall be designed as off-stream detention basins. Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that preproject conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.		
The project applicant(s) shall design a land use plan that moves the proposed on-stream detention basin in the northeast corner of the SPA to a location that is off stream. All water quality and detention basins constructed as part of the project shall be designed and built off stream except as shown on the proposed plan .		
Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated-developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado County for the roadway connections, Sacramento County for the detention basin west of Prairie City Road, and Caltrans for the U.S. 50 interchange improvements) such that the performance standards described in Chapter 3A.9, "Hydrology and Water Quality," are met.		
Implementation:	Project applicant(s) of all project phases and on-site and off-site elements.	
Timing:	Before approval of improvement and drainage plans, and on an ongoing basis throughout and after project construction, as required for all project phases.	
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Public Works Department. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. U.S. Army Corps of Engineers, Sacramento District. Central Valley Regional Water Quality Control Board. 	
	RIM: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.	
	CD: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.	
	RHD: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.	
	NF: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.	
OFF-SITE		

Comment [svt17]: The applicants have already provided analysis of the 2, 5, and 100-year storm events. There is no analysis for 10 and 20-year events.

Comment [svt18]: The project applicants previously submitted a plan demonstrating that they had done this.

Comment [svt19]: There are several instream detention basins (no instream water quality basins) along White Rock Road and other areas. These are in areas where existing roads and culverts are in place, but also at edges of open space areas.

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation Measure: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.		
Significance after Mitigation: significant and unavoidable		
3A.3-2: Loss and Degradation of Habitat for Special-Status Wildlife Species and Potential Direct Take of Individuals. Project implementation would result in the loss and degradation of habitat for several special-status wildlife species. Take of several listed species, including vernal pool invertebrates, valley elderberry longhorn beetle, and Swainson's hawk, could also occur.	Land	ON-SITE NP: LTS PP, RIM, CD, RHD: (Wildlife Associated with Vernal Pools, Swainson's Hawk and Other Raptors, Valley Elderberry Longhorn Beetle) direct & indirect significant (Tricolored Blackbird) direct & potentially significant, indirect & LTS (Special-Status Bats) direct & potentially significant, no indirect (Other Special-Status Species) direct & indirect LTS NF: (Wildlife Associated with Vernal Pools) no direct & indirect significant (Swainson's Hawk and Other Raptors, Valley Elderberry Longhorn Beetle, Special-Status Bats) direct and indirect significant (Tricolored Blackbird) direct potentially significant & indirect LTS (Other Special-Status Species) direct & indirect LTS OFF-SITE PP, RIM, CD, RHD: (Wildlife Associated with Vernal Pools, Valley Elderberry Longhorn Beetle) direct & indirect significant (Swainson's Hawk and Other Raptors) direct & indirect potentially significant (Tricolored Blackbird) direct & potentially significant, indirect & LTS (Special-Status Bats) no direct or indirect (Other Special-Status Species) direct & indirect LTS
ON-SITE		
NP: No mitigation measures required.		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project/DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>PP: Mitigation Measure: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.</p> <p>Mitigation Measure 3A.3-2a: Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions.</p> <p>No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a biological opinion (BO) or Not Likely to Adversely Affect (NLAA) letter has been issued by USFWS and the project applicant(s) of all project phases for any particular discretionary development entitlements affecting such areas have abided by conditions in the BO (including conservation and minimization measures) or NLAA letter, intended to be completed before on-site construction. Conservation and minimization measures shall include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements.</p> <p>As described under Mitigation Measure 3A.3-1a, an MMP shall be developed that describes details how loss of vernal pool and other wetland habitats shall be offset, including details on creation of habitat, account for the temporal loss of habitat, contain performance standards to ensure success, and outline remedial actions if performance standards are not met.</p> <p>The project applicant(s) of all project phases for any particular discretionary development application potentially affecting vernal pool habitat shall complete and implement a habitat MMP that will result in no net loss of acreage, function, and value of affected vernal pool habitat. The final habitat MMP shall be consistent with guidance provided in <i>Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California</i> (USFWS 1996) or shall provide an alternative approach that is acceptable to the City, USACE, and USFWS and accomplishes no net loss of habitat acreage, function, and value.</p> <p>The project applicant(s) of all project phases for any particular discretionary development application "potentially affecting vernal pool habitat" shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. This standard shall be accomplished by requiring the project applicant(s) of all project phases for any discretionary development application affecting vernal pool or seasonal wetland habitat to shall identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation. If a lesser distance is pursued, this distance shall be approved by USFWS. The project applicant(s) shall preserve acreage of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat at a ratio approved by USFWS at the conclusion of the Section 7 consultation. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, and before any ground-disturbing activity within 250 feet of the habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS. The project applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan (i.e., if impacts on specific habitat acreage are mitigated by one project phase or element, the project applicant(s) will not be required to mitigate for it again in another phase of the project).</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, "Hydrology and Water Quality - Land" for the details of BMPs to be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated-developed by the project applicant(s) of each</p>		

Comment [svt20]: M M 3A.3-2a in Section 3A.3 pertains to Swainson's hawk mitigation. The numbering of the measures between this section and the Biology chapter don't always match up.

Comment [svt21]: The original wording reads as if there is only one BO and all phases must have complied before any one project or phase goes forward.

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NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any grading or improvement plans, before any ground-disturbing activities within 250 feet of said habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, and on an ongoing basis throughout construction as applicable for all project phases as required by the mitigation plan, BO, and/or BMPs.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> U.S. Army Corps of Engineers, Sacramento District; U.S. Fish and Wildlife Service. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the U.S. 50 interchange improvements: Caltrans. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. <p>Mitigation Measure 3A.3-2b: Avoid Direct Loss of Swainson's Hawk and Other Raptor Nests.</p> <p>To mitigate impacts on Swainson's hawk and other raptors (including burrowing owl), the project applicant(s) of all project phases shall retain a qualified biologist to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the SPA and active burrows on the SPA. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction for all project phases. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) shall be followed for surveys for Swainson's hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson's hawks and other raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination-consultation with DFG that reducing the buffer would not result in nest abandonment. DFG guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities. The City shall consult with DFG. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrow owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated-developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans), such that the</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures	
Impact	Land/Water/GPA
Mitigation	
<p>performance criteria set forth in DFG's guidelines are determined to be met.</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of grading and improvement plans, before any ground-disturbing activities, and during project construction as applicable for all project phases.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> California Department of Fish and Game. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the U.S. 50 interchange improvements: Caltrans. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. <p>Mitigation Measure 3A.3-2c: Prepare and Implement a Swainson's Hawk Mitigation Plan. To mitigate for the loss of Swainson's hawk foraging habitat, the project applicant(s) of all project phases shall prepare and implement a Swainson's hawk mitigation plan including, but not limited to the requirements described below.</p> <p>Before the approval of grading and improvement plans or before any ground-disturbing activities, whichever occurs first, the project applicant(s) shall preserve, to the satisfaction of the City or Sacramento County, as appropriate depending on agency jurisdiction, suitable Swainson's hawk foraging habitat to ensure 1:1 mitigation of habitat value for Swainson's hawk foraging habitat lost as a result of the project, as determined by the City, or Sacramento County, after consultation with DFG and a qualified biologist.</p> <p>The 1:1 habitat value shall be based on Swainson's hawk nesting distribution and an assessment of habitat quality, availability, and use within the City's planning area, or Sacramento County jurisdiction. The mitigation ratio shall be consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California. Such mitigation shall be accomplished through either the transfer of fee title or perpetual conservation easement. The mitigation land shall be located within the known foraging area and within Sacramento County. The City, or Sacramento County if outside City jurisdiction, after consultation with DFG, will determine the appropriateness of the mitigation land.</p> <p>Before approval of such proposed mitigation, the City, or Sacramento County for the off-site detention basin, shall consult with DFG regarding the appropriateness of the mitigation. If mitigation is accomplished through conservation easement, then such an easement shall ensure the continued management of the land to maintain Swainson's hawk foraging values, including but not limited to ongoing agricultural uses and the maintenance of all existing water rights associated with the land. The conservation easement shall be recordable and shall prohibit any activity that substantially impairs or diminishes the land's capacity as suitable Swainson's hawk habitat.</p> <p>The project applicant(s) shall transfer said Swainson's hawk mitigation land, through either conservation easement or fee title, to a third-party, nonprofit conservation organization (Conservation Operator), with the City and DFG named as third-party beneficiaries. The Conservation Operator shall be a qualified conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City or County, after consultation with</p>	

Comment [svt22]: See Project applicants' separate comments submitted herewith, describing the applicants' proposed hawk mitigation plan.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures	
Impact	Land/Water/GPA
Mitigation	
<p>DFG, The City, or County, after consultation with DFG and the Conservation Operator, shall approve the content and form of the conservation easement. The City, or County, DFG, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.</p> <p>The project applicant(s), after consultation with the City, or County of jurisdiction, DFG, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City's jurisdiction or Sacramento County for the off-site detention basin to be distributed to an appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and DFG. Mitigation lands established or acquired for impacts incurred at the off-site detention basin shall require approval from Sacramento County prior to sale or transfer of mitigation lands or conservation easement.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and DFG, or Sacramento County and DFG depending on jurisdiction of the affected habitat. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City's planning area is properly established and is functioning as habitat by conducting regular monitoring of the mitigation site(s) for the first 10 years after establishment of the easement. Sacramento County shall monitor habitat and ensure success for impacts on habitat at the off-site detention basin.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County and Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of grading, improvement, or construction plans and before any ground-disturbing activity in any project development phase that would affect Swainson's hawk foraging habitat.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. <p>Mitigation Measure 3A.3-2d: Obtain Incidental Take Permit for Impacts on Valley Elderberry Longhorn Beetle and Implement All Permit Conditions. Before each phase of the project, the project applicant(s) shall have a qualified biologist identify any elderberry shrubs within 100 feet of the project footprint and conduct a survey for valley elderberry longhorn beetle exit holes in stems greater than 1 inch in diameter. If no project activity, including grading or use of herbicides, would occur within 100 feet of an elderberry shrub, then no further mitigation shall be required for valley elderberry longhorn beetle in those areas.</p> <p>If project activities would occur within 100 feet of any elderberry shrubs, consultation with USFWS under Section 7 will be required. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the project applicant(s) of all project phases have abided by all pertinent conditions in the BO relating to the proposed construction, including conservation and minimization measures, intended to be</p>	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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City of Folsom and USAACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>completed before on-site construction. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area.</p> <p>Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented on a no-net-loss basis. Compensatory mitigation for elderberry shrubs that would be removed from their current locations would be developed in consultation with USFWS during the Section 7 consultation process. Compensatory mitigation may include planting replacement elderberry seedlings or cuttings and associated native plants within the open space areas of the SPA, planting replacement elderberry seedlings or cuttings and associated native plants at a suitable off-site location, purchasing credits at an approved mitigation bank, or a combination thereof. Relocated and replacement shrubs and associated native plantings shall be placed in conservation areas providing a minimum of 1,800 square feet per transplanted shrub. These conservation areas shall be preserved in perpetuity as habitat for valley elderberry longhorn beetle. The number of elderberry shrubs that would be affected by implementing the project is expected to be low because there are currently a total of less than 10 shrubs known to be present on the SPA. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 7 consultation process with USFWS, but shall be a minimum of "no net loss." USFWS uses stem count data, presence or absence of exit holes, and whether the affected elderberry shrubs are located in riparian habitat to determine the number of elderberry seedlings or cuttings and associated riparian vegetation that would need to be planted as compensatory mitigation for affected elderberry longhorn beetle habitat. The final VELB mitigation plan, including transplanting procedures, long-term protection, management of the mitigation areas, and monitoring procedures shall be consistent with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999).</p> <p>The population of valley elderberry longhorn beetles, the general condition of the conservation area, and the condition of the elderberry and associated native plantings in the conservation area must be monitored over a period of either ten consecutive years or for seven years over a 15-year period. A minimum survival rate of at least 60% of the elderberry plants and 60% of the associated native plants must be maintained throughout the monitoring period. Within one year of discovering that survival has dropped below 60%, the project applicant(s) shall replace failed plantings to bring survival above this level. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would be required in the BO.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be <u>coordinated/developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Caltrans) <u>and must be sufficient to achieve the performance criteria described above</u>.</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any grading or improvement plans or any ground-disturbing activity within 100 feet of valley elderberry longhorn beetle habitat as applicable for all project phases, and on an ongoing basis as required by BO.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. U.S. Army Corps of Engineers, Sacramento District; U.S. Fish and Wildlife Service. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Mitigation Measure 3A.3-2e: Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies.</p> <p>To avoid and minimize impacts to tricolored blackbird, the project applicant(s) of all project phases shall conduct a preconstruction survey for any project activity</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>that would occur during the tricolored blackbird's nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p> <p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from 100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be <u>coordinated/developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Caltrans) <u>and must be sufficient to achieve the performance criteria described above</u>.</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any ground-disturbing activity within 500 feet of suitable nesting habitat as applicable for all project phases.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Mitigation Measure 3A.3-2f: Avoid and Minimize Impacts to Special-Status Bat Roosts.</p> <p>The project applicant of all project phases containing potential bat roosting habitat shall retain a qualified biologist to conduct surveys for roosting bats. Surveys shall be conducted in the fall to determine if the mine shaft is used as a hibernaculum and in spring and/or summer to determine if it is used as a maternity or day roost. Surveys shall consist of evening emergence surveys to note the presence or absence of bats and could consist of visual surveys at the time of emergence. If evidence of bat use is observed, the number and species of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no bat roosts are found, then no further study shall be required.</p> <p>If roosts of pallid bat or Townsend's big-eared bats are determined to be present and must be removed, the bats shall be excluded from the roosting site before the mine shaft is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed in consultation with DFG before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with DFG and may include construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. Roost replacement will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the mine shaft may be removed.</p> <p>Implementation: Project applicant(s) of all project phases containing potential bat roosting habitat.</p> <p>Timing: Before the approval of removal or fill of the mine shaft on the SPA.</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Enforcement: City of Folsom Community Development Department.</p> <p>RIM, CD, RHD: Implement Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and 3A.3-2f.</p> <p>NF: Implement Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and 3A.3-2f.</p> <p>Mitigation Measure 3A.3-2g: Obtain an Incidental Take Permit under Section 10(a) of ESA; Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of Vernal Pool Habitat. The project applicant(s) for all project phases shall obtain an incidental take permit under Section 10(a) of ESA. No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a BO has been issued by USFWS and the project applicant(s) have abided by conditions in the BO (including all conservation and minimization measures). Conservation and minimization measures are likely to include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction.</p> <p>Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the project applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on Federally listed vernal pool invertebrates. The project applicant(s) shall complete and implement, or participate in, a habitat conservation plan that shall compensate for the loss of acreage, function, and value of affected vernal pool habitat. The habitat conservation plan shall be consistent with the goals of the Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (USFWS 2005) and must be approved by USFWS.</p> <p>The project applicant(s) for all project phases shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. The land used to satisfy this mitigation measure shall be protected through a fee title or conservation easement acceptable to the City and USFWS.</p> <p>The project applicant(s) for all project phases shall identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation in support of a lesser indirect impact distance. If a lesser distance is pursued, this distance shall be approved by USFWS. The project applicant(s) shall preserve 2 wetted acres of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat, and before any ground-disturbing activity within 250 feet of the habitat. The project applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan.</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, "Hydrology and Water Quality - Land" for the details of BMPs to be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases and on-site and off-site elements.</p> <p>Timing: Before the approval of any grading or improvement plans, before any ground-disturbing activities within 250 feet of said habitat, and on an</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERRIDERS
City of Folsom and USACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>ongoing basis throughout construction as applicable for all project phases as required by the habitat conservation plan and/or BO.</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. 4. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. 5. For the U.S. 50 interchange improvements: Caltrans.</p> <p>Mitigation Measure 3A.3-2h Obtain an Incidental Take Permit under Section 10(a) of ESA; Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of VELB Habitat. As long as valley elderberry longhorn beetle remains a species protected under ESA, the project applicant(s) of all project phases containing elderberry shrubs shall obtain an incidental take permit under Section 10(a) of ESA for valley elderberry longhorn beetle. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the project applicant(s) for all project phases have abided by all pertinent conditions in the BO relating to the proposed construction, including all conservation and minimization measures. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area.</p> <p>Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the project applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on valley elderberry longhorn beetle. The project applicant(s) shall complete and implement a habitat conservation plan that will compensate for the loss of valley elderberry longhorn beetle. Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented on a no-net-loss basis. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would also likely be required in the BO. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 10(a) consultation process with USFWS, but shall be a minimum of "no net loss."</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases potentially containing elderberry shrubs.</p> <p>Timing: Before the approval of any grading or improvement plans or any ground-disturbing activity within 100 feet of valley elderberry longhorn beetle habitat as applicable for all project phases, and on an ongoing basis as required by the habitat conservation plan and/or BO.</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service 2. City of Folsom Community Development Department. 3. For the U.S. 50 interchange improvements: Caltrans.</p> <p>OFF-SITE</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure: Implement Mitigation Measures 3A.3-1a and 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.3-2f. <i>Significance after Mitigation: significant and unavoidable</i>		
<p>3A.3-3: Potential Loss or Degradation of Special-Status Plant Populations and Habitat. Project implementation could result in direct removal of special-status plants, if they are present, through loss of suitable habitat or degradation of suitable habitat due to site alteration.</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.3-3: Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation. To mitigate for the potential loss or degradation of special-status plant species and habitat, the project applicant(s) of all project-phases any particular discretionary development application shall adhere to the requirements described below.</p> <ul style="list-style-type: none"> The project applicant(s) any particular discretionary development application of all proposed project-phases, including the proposed off-site elements, shall retain a qualified botanist to conduct protocol level preconstruction special-status plant surveys for all potentially occurring species. If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, the City of Folsom, Caltrans (for interchange improvements to U.S. 50), El Dorado County (for roadway connections in El Dorado County), and Sacramento County (for the off-site detention basin) and no further mitigation shall be required. If special-status plant populations are found, the project applicant(s) of affected project-phases/developments shall consult with DFG and USFWS, as appropriate depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts on any special-status plant population that could occur as a result of project implementation. Mitigation measures may include preserving and enhancing existing populations, creation of off-site populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. If potential impacts on special-status plant species are likely, a mitigation and monitoring plan shall be developed before the approval of grading plans or any ground-breaking activity within 250 feet of a special-status plant population. The mitigation plan shall be submitted to Caltrans (for interchange improvements to U.S. 50), El Dorado County (for impacts in roadway connections in El Dorado County), Sacramento County (for impacts in the off-site detention basin footprint), or the City of Folsom (for on-site impacts and all other off-site elements), for review and approval. It shall be submitted concurrently to DFG or USFWS, as appropriate depending on species status, for review and comment. The plan shall require maintaining viable plant populations on-site and shall identify avoidance measures for any existing population(s) to be retained and compensatory measures for any populations directly affected. Possible avoidance measures include fencing populations before construction and exclusion of project activities from the fenced-off areas, and construction monitoring by a qualified botanist to keep construction crews away from the population. The mitigation plan shall also include monitoring and reporting requirements for populations to be preserved on site or protected or enhanced off site. If relocation efforts are part of the mitigation plan, the plan shall include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, and remedial action responsibilities should the 	Land	NP: LTS NCP, PP, RIM, CD, RHD: Direct & indirect potentially significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>initial effort fail to meet long-term monitoring requirements.</p> <ul style="list-style-type: none"> If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits or other off-site conservation measures, the details of these measures shall be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, and other details, as appropriate to target the preservation on long term viable populations. <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) of all project phases and on- and off-site elements.</p> <p>Timing: Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase, including off-site elements.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> U.S. Fish and Wildlife Service, California Department of Fish and Game. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3A.3-4: Loss of Sensitive Natural Communities (Not Already Covered under Other Impacts). Project implementation would result in loss of riparian habitat, and valley needlegrass grassland that may be present on the SPA and could be removed by project development. These are natural communities considered sensitive by state and local resource agencies and require consideration under CEQA.</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: Implement Mitigation Measures 3A.3-1a and 1b.</p> <p>Mitigation Measure 3A.3-4a: Secure and Implement Section 1602 Streambed Alteration Agreement. The project applicant(s) for any particular discretionary development application of all project-phases shall obtain a Section 1602 streambed alteration agreement from DFG for all construction activities that would occur in the bed and bank of Alder Creek and other drainage channels and ponds on the SPA. As a condition of issuance of the streambed alteration agreement, the project applicant(s) for any particular discretionary development application for all project-phases affecting riparian habitat shall hire a qualified restoration ecologist to prepare a riparian habitat MMP. The draft MMP shall describe specific method(s) to be implemented to avoid and/or compensate for impacts on the stream channel of Alder Creek and other drainage channels within DFG jurisdiction, and the bed and banks of the on-site ponds. Mitigation measures may include establishment or restoration of riparian habitat within the project's open space areas along preserved stream corridors, riparian habitat restoration off-site, or</p>	Land	NP: LTS NCP, PP, RIM, CD, RHD: Direct & indirect significant (Valley Needlegrass: Direct potentially significant)

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>preservation and enhancement of existing riparian habitat either on or off the SPA. The compensation habitat shall be similar in composition and structure to the habitat to be removed and shall be at ratios adequate to offset the loss of riparian habitat functions and services at the SPA. The riparian habitat compensation section of the habitat MMP shall include the following:</p> <ul style="list-style-type: none"> compensatory mitigation sites and criteria for selecting these mitigation sites; complete assessment of the existing biological resources in both the on-site and off-site preservation and restoration areas; site-specific management procedures to benefit establishment and maintenance of native riparian plant species, including black willow, arroyo willow, white alder, and Fremont cottonwood; a planting and irrigation program if needed for establishment of native riparian trees and shrubs at strategic locations within each mitigation site (planting and irrigation may not be necessary if preservation of functioning riparian habitat is chosen as mitigation or if restoration can be accomplished without irrigation or planting); in kind reference habitats for comparison with compensatory riparian habitats (using performance and success criteria) to document success; monitoring protocol, including schedule and annual report requirements (compensatory riparian habitats shall be monitored for a minimum period of five years); ecological performance standards, based on the best available science and including specifications for native riparian plant densities, species composition, amount of dead woody vegetation gaps and bare ground, and survivorship; at a minimum, compensatory mitigation planting sites must achieve 80% survival of planted riparian trees and shrubs by the end of the five-year maintenance and monitoring period or dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved; corrective measures if performance standards are not met; responsible parties for monitoring and preparing reports; and responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions. <p>Any conditions of issuance of the Streambed Alteration Agreement shall be implemented as part of project construction activities that adversely affect the bed and bank and riparian habitat associated with Alder Creek and other drainage channels and ponds that are within the project area that is subject to DFG jurisdiction. The agreement shall be executed by the project applicant(s) and DFG before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of Alder Creek and other on-site or off-site drainage channels under DFG jurisdiction and their associated freshwater marsh and riparian habitat.</p> <p>Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with the Caltrans.</p> <p>Implementation: Project applicant(s) of all project phases and the off-site Prairie City Road and Oak Avenue interchange improvements.</p> <p>Timing: Before the approval of grading or improvement plans or any construction activities (including clearing and grubbing) that affect the bed and bank or riparian and freshwater marsh habitat associated with Alder Creek and other on-site or off-site drainage channels and ponds.</p> <p>Enforcement: 1. California Department of Fish and Game,</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>2. City of Folsom Community Development Department.</p> <p>3. Caltrans for interchange improvements to U.S. 50.</p> <p>Mitigation Measure 3A.3-4b: Conduct Surveys to Identify and Map Valley Needlegrass Grassland; Implement Avoidance and Minimization Measures or Compensatory Mitigation. The project applicant(s) of all project phases shall retain a qualified botanist to conduct preconstruction surveys to determine if valley needlegrass grassland is present on the SPA. This could be done concurrently with any special-status plant surveys conducted on site as special-status plant surveys are floristic in nature, i.e. require that all species encountered be identified, and require preparation of a plant community map. If valley needlegrass grassland is not found on the SPA, the botanist shall document the findings in a letter report to the City of Folsom, and no further mitigation shall be required. Valley needlegrass grassland was not found in any of the off-site project elements.</p> <p>If valley needlegrass grassland is found on the SPA, the location and extent of the community shall be mapped and the acreage of this community type, if any, that would be removed by project implementation shall be calculated. The project applicant(s) for <u>any particular discretionary development application for all project phases</u> affecting valley needlegrass grassland shall consult with DFG and the City of Folsom to determine appropriate mitigation for removal of valley needlegrass grassland resulting from project implementation. Mitigation measures <u>may</u> shall include <u>one or more of the following components sufficient to achieve no net loss of valley needlegrass grassland acreage</u>: establishment of valley needlegrass grassland within project's open space areas currently characterized by annual grassland, establishment of valley needlegrass grassland off-site, or preservation and enhancement of existing valley needlegrass grassland either on or off the SPA.</p> <p>Implementation: Project applicant(s) for <u>any particular discretionary development application affecting valley needlegrass grassland of all project phases</u>.</p> <p>Timing: Before approval of grading or improvement plans or any ground-disturbing activities, including grubbing or clearing, for any project phase.</p> <p>Enforcement: 1. California Department of Fish and Game, 2. City of Folsom Community Development Department.</p> <p>Significance after Mitigation: less than significant</p> <p>3A.3-5: Loss of Blue Oak Woodland and Individual Oak Trees. Project implementation would result in the removal of 444 acres of blue oak woodland and thousands of individual oak trees meeting the criteria for protection under Folsom Municipal Code and the Sacramento County Tree Ordinance.</p> <p>ON-SITE NP: No mitigation measures required. PP, RHD: Mitigation Measure 3A.3-5: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees Retained On Site. The project applicant(s) of all on- and off-site project phases containing oak woodland habitat or individual trees shall adhere to the requirements described below, which are consistent with those outlined in</p>		
Land	ON-SITE	
	NP: LTS	
	PP, RHD: direct & indirect significant	
	RIM, CD, NF: direct & indirect significant	
	OFF-SITE	
	NCP, PP, RIM, CD, RHD: Direct & indirect significant	

Comment [svt23]: The text of this measure is not consistent with the text of MM 3A.3-5 presented in pages 3A.3-76-87 of the Biology-Land Use chapter. Please replace this measure in this summary with the text of the measure from the Biology chapter, as further revised in our narrative comments, since that version is more consistent with the approach proposed in the Specific Plan, Pub. Resources Code section 21083.4 and the City's Municipal Code.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USAACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
California Public Resources Code 21083.4.		
<ul style="list-style-type: none"> The project applicant(s) of all on-site project phases containing oak woodland habitat or individual trees and the off-site Prairie City Road and Oak Avenue interchange improvements to U.S. 50; Rowberry Drive Overcrossing; and the underground sewer force main shall develop a map depicting the tree canopy of all oak woodlands in the survey area and identifying the acreage of tree canopy that would be preserved and the acreage that would be removed. If a tree survey containing this information has already been performed and documented for the construction area, a new tree survey shall not be necessary. A tree permit for removal of oak trees shall be obtained from the City Planning Director. As a condition of the tree removal permit, project applicant(s) shall be required to develop a tree mitigation and preservation plan. The City's Tree Preservation Code requires compensatory mitigation involving one or more of the following elements for removal of protected trees: <ul style="list-style-type: none"> payment of in-lieu mitigation fees on an inch-for-diameter-inch basis, as determined by the City Council based on the Tree Preservation Code, for purchase, planting, and maintenance of replacement trees and mitigation sites; land dedication for tree planting at a ratio of 0.004 acre of land for every 1 inch of tree dbh removed with a minimum dedication of 5 acres of land unless the dedicated land is contiguous with an existing or planned open space area; or tree planting at ratios based on the dbh of trees removed as specified in the City's Tree Preservation Code (City of Folsom 2009). (For example, the City's established tree replacement ratios require that eight 15-gallon native oak trees be planted for every protected tree removed measuring 6 to 10 inches dbh and that 15 15-gallon native oak trees be planted for every protected tree removed measuring 10 to 15 inches dbh); preservation of existing, sustainable oak stands comparable in dbh sizes and species composition to the protected trees removed. To avoid and minimize indirect impacts on protected trees to remain on the SPA, the project applicant(s) of all affected project phases shall install high visibility fencing outside the outer edge of the drip lines of all trees to be retained on the SPA during project construction. The fencing may be installed around groups or stands of trees or whole wooded areas but must be installed so that the drip lines of all trees are protected. Grading, trenching, equipment or materials storage, parking, paving, irrigation, and landscaping shall be prohibited within the fenced areas (i.e. drip lines of protected trees). If the activities listed cannot be avoided within the drip line of a particular tree, that tree shall be counted as an affected tree and compensatory mitigation shall be provided, or the tree in question shall be monitored for a period of five years and replaced only if the tree appears to be dead or dying within five years of project implementation. The project applicant(s) of project phases affecting oak woodland habitat shall retain a qualified restoration ecologist to develop an oak woodland mitigation plan to compensate for the loss of blue oak woodland habitat on the SPA. The plan shall incorporate tree mitigation and preservation measures satisfactory to compensate for the loss of individual trees protected under City Municipal Code, as discussed above, and to replace the acreage and function and values of the blue oak woodland habitat that would be lost on the SPA. The oak woodland mitigation plan shall be developed in consultation with the Sacramento County Planning Department, City of Folsom, and DFG. The plan shall be consistent with the California Oaks Foundation Oak Woodland Mitigation Program (California Oaks Foundation Undated PDF), which is based on a template developed by Tuolumne County, and shall include one or more of the following options, as required by California Public Resources Code 21083.4: <ul style="list-style-type: none"> Conservation easement and land dedication – protect existing blue oak woodland habitat having similar tree sizes and densities, species composition, site condition, and landscape context to the blue oak woodland to be removed. Oak woodland preservation shall be at an off-site location protected through a 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USAACE

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>conservation easement or fee title dedication to a conservation group approved by DFG and Sacramento County and shall be at a ratio satisfactory to compensate for the loss of acreage and habitat function and value at the SPA.</p> <ul style="list-style-type: none"> In-lieu fee – contribution to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund, or other mitigation fund established by the County, at a rate of 1 x acreage of affected oak woodland x current land value at time of impact. Planting replacement trees – tree planting and maintenance at an off-site location to be preserved through conservation easement or fee title dedication may be used to mitigate up to 50% of the blue oak woodland impact. <ul style="list-style-type: none"> Tree planting conducted by the project applicant(s) shall occur at a site within Sacramento County that should naturally support blue oak woodland and shall be used to restore former blue oak woodland habitat that has been degraded or removed through human activities. Restoration shall be designed to result in species composition and densities similar to those on the SPA prior to project development. The oak woodland mitigation plan prepared by the project applicant(s) shall include a maintenance and monitoring program for any replacement trees. The program shall include monitoring and reporting requirements, schedule, and success criteria. Replacement oak trees shall be maintained and monitored for a minimum of seven years from the date of planting and irrigation shall be provided to planted trees for the first five years after planting. Any replacement trees that die during the monitoring period shall be replaced. The mitigation planting site must achieve 80% survival of planted trees by the end of the seven year maintenance and monitoring period or dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved. A security bond sufficient to cover maintenance and monitoring costs for seven years shall be provided to the County Planning Department. The security bond will be forfeited if the project applicant or designated responsible party fails to provide maintenance and monitoring and meet the success criteria. <p>The project applicants' currently proposed mitigation for impacts on oak trees within the backbone infrastructure components of the SPA and the Oak Avenue/U.S. 50 Interchange is to preserve oak tree canopy area at a ratio of 1.5 to 1 (acres of tree canopy preserved to acres of tree canopy preserved within the proposed open space areas of the SPA).</p> <p>Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with Caltrans.</p> <p>Implementation: Project applicant(s) of all project phases and off-site elements affecting blue oak woodland and protected trees.</p> <p>Timing: Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase containing protected trees or oak woodland.</p> <p>Enforcement: <ol style="list-style-type: none"> California Department of Fish and Game, City of Folsom Community Development Department. Caltrans for interchange improvements to U.S. 50. </p> <p>RIM, CD, NF: Implement Mitigation Measure 3.33A.3-5.</p> <p>OFF-SITE</p> <p>Mitigation Measure: Implement Mitigation Measure 3A.3-5.</p> <p>Significance after Mitigation: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.3-6: Potential Interference with Wildlife Movement. Project implementation could interfere with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors.</p> <p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: no direct or indirect, LTS NCP, PP, RIM, CD, RHD: no direct or indirect, LTS</p> <p>OFF-SITE NCP, PP, RIM, CD, RHD: Direct & LTS, no indirect significant</p>
<p>3A.3-7: Conflict with an Adopted Habitat Conservation Plan. Project implementation would not result in conflicts with the goals of an adopted Habitat Conservation Plan.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures required. <i>Significance after Mitigation: less than significant</i></p>	Land	NP, NCP, PP, RIM, CD, RHD: no direct or indirect
3B.3 BIOLOGICAL RESOURCES- WATER		
<p>3B.3-1 Loss and Degradation of Waters of the U.S., including Wetlands, and Waters of the State. Construction of the Off-site Water Facility Alternatives has the potential to result in substantial adverse effects to Federally and state-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to vernal pools and seasonal wetlands) through direct fill or excavation, hydrological interruption, or other indirect impacts. Wetlands, waters of the state, and other waters of the U.S. that would be affected by implementation of the Off-site Water Facility Alternatives include seeps, vernal pools, seasonal wetlands and seasonal wetland swales, drainage channels, ditches, and ponds.</p> <p>NCP: Implement Mitigation Measure 3B.3-1b and 3A.3-1a. PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.3-1a: Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions of Wetlands, Other Waters of the U.S., and Waters of the State. Before the approval of grading and improvement plans and</p>	Water	<p>NCP: no direct & indirect PS PA: PS (Construction Effects w/in Zone 4), direct & indirect LTS (Operational Effects w/in Zones 1, 2, 3, & 4) 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect PS</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
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Table ES-1 Summary of Impacts and Mitigation Measures				
Impact	Land/Water/GPA	Significance		
Mitigation				
<p>before any groundbreaking activity associated with the Off-site Water Facilities requiring fill of wetlands or other waters of the U.S. or waters of the state, the City shall obtain all necessary permits under Sections 401 and 404 of the CWA or the state's Porter-Cologne Water Quality Control Act for the respective phase. For each respective Off-site Water Facility component, all permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured before implementation of any grading activities within 250 feet of waters of the U.S. or wetland habitats, including waters of the state, that potentially support Federally listed species. The City shall commit to replace, restore, or enhance on a "no net loss" basis (in accordance with USACE and the Central Valley RWQCB) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with implementation of project plans for that phase. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes.</p> <p>As part of the Section 404 permitting process, a draft wetland mitigation and monitoring plan (MMP) shall be developed for the selected Off-site Water Facility Alternative on behalf of the City. Before any ground-disturbing activities that would adversely affect wetlands and before engaging in mitigation activities associated with each phase of development, the City shall submit the draft wetland MMP to USACE and the Central Valley RWQCB for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of mitigation, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>As part of the MMP, the City shall prepare and submit plans for the creation of aquatic habitat in order to adequately offset and replace the aquatic functions and services that would be lost, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. Restoration of previously altered and degraded wetlands shall be a priority of the MMP for offsetting losses of aquatic functions on the project site because it is typically easier to achieve functional success in restored wetlands than in those created from uplands. The MMP must demonstrate how the aquatic functions and values that would be lost through project implementation will be replaced.</p> <p>The habitat MMP for jurisdictional wetland features shall be consistent with USACE's and EPA's April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230). According to the Final Rule, mitigation banks should be given preference over other types of mitigation because a lot of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. This also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (USACE and EPA 2008). It is not likely feasible to provide compensatory mitigation for all aquatic resource impacts on site. Therefore, a combination of on-site and off-site permittee-responsible mitigation and mitigation banking would likely be necessary to achieve the no-net-loss standard.</p> <p>Compensatory mitigation for losses of stream and intermittent drainage channels shall be achieved through in-kind preservation, restoration, or enhancement, as specified in the Final Rule guidelines. The wetland MMP shall address how to mitigate impacts on all aquatic resource types and shall describe specific method(s) to be implemented to avoid and/or mitigate any Off-site Water Facility-related impacts. The wetland compensation section of the habitat MMP shall include all the contents identified in Mitigation Measure 3A.3-1A.</p> <p>USACE has determined that the Off-site Water Facilities may require an individual permit. In its final stage and once approved by USACE, the MMP for the Off-site Water Facilities is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of aquatic</p>				

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>functions in the project vicinity. Approval and implementation of the wetland MMP shall aim to fully mitigate all unavoidable impacts on jurisdictional waters of the U.S., including jurisdictional wetlands. To satisfy the requirements of the City and the Central Valley RWQCB, mitigation of impacts on the non-jurisdictional wetlands beyond the jurisdiction of USACE shall be included in the same MMP. All mitigation requirements determined through this process shall be implemented before grading plans are approved. The MMP shall be submitted to USACE and approved prior to the issuance of any permits under Section 404 of the CWA.</p> <p>Water quality certification pursuant to Section 401 of the CWA will be required before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the City shall obtain water quality certification for the Off-site Water Facilities. Any measures required as part of the issuance of water quality certification shall be implemented.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for all the Off-site Water Facilities containing wetland features or other waters of the U.S. The MMP must be approved before any impact on wetlands can occur. Mitigation shall be implemented on an ongoing basis throughout and after construction, as required.</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game.</p> <p>Mitigation Measure 3B.3-1b: Maximum Use of Trenchless Technology for Conveyance Pipeline Design. Following the selection of a Off-site Water Facility Alternative, the City shall design and route the water conveyance pipeline to avoid waters of the U.S and State, including wetlands and vernal pools, to the maximize extent practical. Where avoidance is not practical, the City shall maximize the use of trenchless technologies (micro-tunneling or jack-and-bore), where feasible.</p> <p>All trenchless construction crossings will include the preparation of a Frac-Out (or inadvertent return of drilling lubricants) Contingency Plan for tunneling activities that use drilling lubricants (e.g., construction of pipelines using jack-and-bore methods). The purpose of the plan will be to minimize the potential for a frac-out associated with tunneling activities, provide for the timely detection of frac-outs, and ensure an organized, timely, and "minimum-impact" response in the event of a frac-out and release of drilling lubricant (i.e., bentonite). Preparation and implementation of a Frac-Out Contingency Plan will be reflected in contract documents.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-Site Water Facilities</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game.</p> <p>Mitigation Measure 3B.3-1c: Restore All Waters Impacted by Trenching and Temporary Construction Staging Areas to Pre-Project Contours and Conditions. For all water line crossings of waters of the U.S. or State in which the use of trenchless technologies are not feasible, the City shall ensure that all waters impacted by trenching activities are restored to pre-project contours and conditions. In addition, within 30 days following project construction, the City shall ensure that all temporary construction staging areas within waters of the U.S. or State are restored to pre-project contours and conditions.</p> <p>At minimum, the City shall ensure that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> ▶ Conduct trenching and construction activities across drainages during low-flow (e.g., <1 to 2 cfs) or dry periods as feasible; 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
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Mitigation		
<ul style="list-style-type: none"> ▶ If working in active channels, install cofferdam upstream and downstream of stream crossing to separate construction area from flowing waterway; ▶ Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone; ▶ Locate spoil sites such that they do not drain directly into the drainages or seasonal wetlands; ▶ Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 250 feet of the drainages and wetland areas; ▶ Prepare and implement a revegetation plan to restore vegetation in all temporarily disturbed wetlands and other waters using native species seed mixes and container plant material that are appropriate for existing hydrological conditions. <p>Before the approval of grading and improvement plans and before any groundbreaking activity associated with the Off-site Water Facilities requiring fill of wetlands or other waters of the U.S. or waters of the state, the City shall submit a wetland mitigation and monitoring plan (MMP) for the restoration of these waters within the selected water alignment to the USACE and Central Valley RWQCB for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of restoration activities, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>At minimum, the MMP shall provide the following information:</p> <ul style="list-style-type: none"> ▶ A description and drawings showing the existing contours (elevation) and existing vegetation of the waters of the U.S. and State that would be impacted through trenching activities. This information shall include site photographs taken at each impacted water. ▶ Methods used to ensure that trenching within waters of the U.S. and State do not adversely alter existing hydrology, including the draining of the waters (e.g., use of cut-off walls). ▶ The methods used to restore the site to the original contour and condition, as well as a plan for the revegetation of the site following installation of the water line. ▶ Proposed schedule for restoration activities <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for all the Off-site Water Facilities containing wetland features or other waters of the U.S.</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p>		

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<p>Mitigation Measure: Implement Mitigation Measure 3A.3-1a.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-Site Water Facilities</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game.</p> <p>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p> <p>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3B.3-2: Loss and Degradation of Habitat for Special-Status Wildlife Species and Potential Direct Take of Individuals. The Off-site Water Facility Alternatives have the potential to result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status by DFG, NMFS, and USFWS. Impacts could include loss and degradation of habitat for several special-status wildlife species or take of listed species, including vernal pool invertebrates, valley elderberry longhorn beetle, and Swainson's hawk.</p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct & indirect PS (<i>Western Spadefoot Toad & Northwestern Pond Turtle, Swainson's Hawk and Other Raptors, Special-status Bats</i>), significant direct & indirect (<i>Vernal Pool Fairy Shrimp & Vernal Pool Tadpole, Valley Elderberry Longhorn Beetle</i>), direct & indirect LTS (<i>Other Special-status Species, Operational Effects</i>)
<p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.3-2: Conduct Preconstruction Survey for Western Spadefoot Toad and Northwestern Pond Turtle and if Found, Implement Avoidance and Compensation Measures. Prior to construction, a qualified biologist retained by the City shall conduct protocol-level surveys for the western spadefoot toad and northwestern pond turtle to determine if these species are currently using water features crossed by the selected alignment. If either of these species is detected, then the City shall consult with the DFG (and USFWS if appropriate) to develop additional minimization measures prior to project construction (if necessary). These additional measures may include timing restrictions for groundwater dewatering activities, construction monitoring, and long-term monitoring.</p> <p>If temporary fencing is used, it shall take the form of silt fencing and temporary plastic construction fencing placed no closer than 25 feet from the edge of the protected habitat. Protective fencing around vernal pools identified as potential habitat for special-status species shall be constructed in a way that allows western spadefoot toad to access these wetlands.</p> <p>Impacted western spadefoot toad habitat shall be mitigated and compensated in accordance with USFWS and DFG requirements.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service, California Department of Fish and Game.</p>		

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<p>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p> <p>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p>Mitigation Measure: Implement Mitigation Measures 3B.3-1a, 3B.3-1b, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, 3A.3-2f, 3A.3-2g, and 3A.3-2h.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service, California Department of Fish and Game.</p> <p>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p> <p>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3B.3-3: Potential Loss or Degradation of Special-Status Plant Populations and Habitat. Implementation of the Off-site Water Facility Alternatives could result in direct removal of special-status plants, if they are present, through loss of suitable habitat or degradation of suitable habitat due to site alteration.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Implement Mitigation Measure 3A.3-3: Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service and California Department of Fish and Game.</p> <p>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p> <p>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct & indirect PS
<p>3B.3-4: Loss of Sensitive Natural Communities (Not Already Covered under Other Impacts). Construction and operation of the Off-site Water Facility</p>		

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Mitigation					
<p>Alternatives has the potential to have a substantial adverse effect on local riparian and woodland habitats. These are natural communities considered sensitive by state and local resource agencies and require consideration under CEQA.</p> <p>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, & 4A: direct & indirect LTS (sensitive communities from long-term operation of the Off-site Water Facilities) 2B: direct & indirect LTS</p> <p>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.3-1a, 3B.3-1b, 3A.3-1b, and 3A.3-4a.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction of all Off-site Water Facilities Enforcement: 1. California Department of Fish and Game and Regional Water Quality Control Board.</p> <p>2B: No mitigation measures are required. Significance after Mitigation: less than significant</p>					
<p>3B.3-5: Loss of Individual Oak Trees. Implementation of the Off-site Water Facility Alternatives could result in the removal of oak woodland and individual oak trees meeting the criteria for protection under Folsom Municipal Code and the Sacramento County Tree Ordinance.</p> <p>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, & 4A: Implement Mitigation Measure 3A.3-5: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees Retained On-site.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction of all Off-site Water Facilities Enforcement: 1. U.S. Fish and Wildlife Service, California Department of Fish and Game. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p>2B: No mitigation measures are required. Significance after Mitigation: less than significant</p>					
<p>3B.5-6: Potential Interference with Wildlife or Fisheries Movement. Construction and operation of the Off-site Water Facility Alternatives has the potential to interfere substantially with the movement of native resident or migratory fish or within established native resident or migratory wildlife corridors.</p>					
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Mitigation					
<p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A: No mitigation measures are required. Significance after Mitigation: less than significant</p>					
<p>3B.5-7: Potential Conflict with Habitat Conservation Plans. Construction of the Off-site Water Facilities has the potential to conflict with the provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A: No mitigation measures are required. Significance after Mitigation: less than significant</p>					
3A.4 CLIMATE CHANGE – LAND					
<p>3A.4-1: Generation of Temporary, Short-Term Construction-Related GHG Emissions. Project-related construction activities associated with development of the project and off-site elements would result in increased generation of GHG emissions. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment under the mandate of AB 32.</p> <p>ON-SITE NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: Implement Mitigation Measures 3A.2-1a and 3A.2-1b. Mitigation Measure 3A.4-1: Implement Additional Measures to Control Construction-Generated GHG Emissions. To further reduce construction-generated GHG emissions, the project applicant(s) of all project phases for any particular discretionary development application shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by SMAQMD at the time individual portions of the site undergo construction. Such measures may reduce GHG exhaust emissions from the use of on-site equipment, worker commute trips, and truck trips carrying materials and equipment to and from the SPA, as well as GHG emissions embodied in the materials selected for construction (e.g., concrete). Other measures may pertain to the materials used in construction. Prior to releasing each request for bid to contractors for the construction of each discretionary development phase/entitlement, the project applicant(s) shall obtain the most current list of GHG reduction measures that are recommended by SMAQMD and stipulate that these measures be implemented in the respective request for bid as well as the subsequent construction contract with the selected primary contractor. The project applicant(s) for any particular discretionary development phase-application may submit to the City and SMAQMD a report that substantiates why</p>					
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<p>specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG reduction measures, shall be approved by <u>the City, in consultation with SMAQMD</u>, prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development <u>phase</u> project. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>SMAQMD's recommended measures for reducing construction-related GHG emissions at the time of writing this EIR/EIS are listed below and the project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> ▶ Improve fuel efficiency from construction equipment: <ul style="list-style-type: none"> • reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort); • perform equipment maintenance (inspections, detect failures early, corrections); • train equipment operators in proper use of equipment; • use the proper size of equipment for the job; and • use equipment with new technologies (repowered engines, electric drive trains). ▶ Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power. ▶ Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. (Emissions of oxides of nitrogen [NO_x] emissions from the use of low carbon fuel must be reviewed and increases mitigated.) Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2009b). ▶ Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes. ▶ Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. ▶ Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75% by weight). ▶ Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk and curb materials). ▶ Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option. ▶ Produce concrete on-site if determined to be less emissive than transporting ready mix. ▶ Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from ARB's Heavy-Duty Vehicle Greenhouse Gas Measure (ARB 2009c) and EPA (EPA 2009). ▶ Develop a <u>SMAQMD-approved plan in consultation with SMAQMD</u> to efficiently use water for adequate dust control. This may consist of the use of non-potable water from a local source. <p>In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by</p>		

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<p>SMAQMD and ARB.</p> <p>Implementation: Project applicant(s) during all <u>discretionary development</u> projects <u>phases</u> and on-site and off-site elements.</p> <p>Timing: Before approval of <u>small-lot</u> final maps and building permits for all <u>discretionary development</u> project <u>phases</u>, including all on- and off-site elements and implementation throughout project construction.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For all on- and off-site project-related activities within the City of Folsom and Sacramento County. 3. For the two roadway extensions into El Dorado Hills: El Dorado County Development Services Department. </p> <p>OFF-SITE</p> <p>Mitigation Measure: No mitigation measures are required. (<i>Detention Basin and Sewer Force Main Connection</i>)</p> <p>Mitigation Measure: Implement Mitigation Measures 3A.2-1a, 3A.2-1b, and 3A.4-1. (<i>Prairie City Road Interchange, Rowberry Drive Overcrossing, Oak Avenue Interchange, and Roadway Extensions</i>)</p> <p>Significance after Mitigation: significant and unavoidable</p> <p>3A.4-2: Generation of Long-Term Operational GHG Emissions. Operation of the project over the long term would result in increased generation of GHGs, which would contribute considerably to cumulative GHG emissions.</p> <p>ON-SITE</p> <p>NP: No mitigation measures required.</p> <p>NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.2-2.</p> <p>Mitigation Measure 3A.4-2a: Implement Additional Measures to Reduce Operational GHG Emissions. For each increment of new development within the SPA requiring a discretionary approval (e.g., tentative subdivision map, conditional use permit, improvement plan), the City shall impose mitigation measures that reduce GHG emissions to the extent feasible and to the extent appropriate with respect to the state's progress at the time toward meeting GHG emissions reductions required by the California Global Warming Solutions Act of 2006 (AB 32).</p> <p>The City shall require feasible reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of future project development phases and supporting roadway and infrastructure improvements that are part of the selected action alternative by an amount sufficient to achieve the 2020-based goal of 4.36 CO₂e/SP/year for development that would become operational on or before the</p>		

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AECOM
Executive Summary

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Folsom South of U.S. 50 Specific Plan Project DERIVEDS
City of Folsom and USACE

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Mitigation		
<p>year 2020 and the 2020-based goal of 3.68 CO₂e/SP/year for development that would become operational on or before the year 2030, if it is feasible to do so. The feasibility of potential GHG reduction measures shall be evaluated by the City at the time each phase of development is proposed in order to allow for ongoing innovations in GHG reduction technologies, as well as incentives created in the regulatory environment.</p> <p>For each increment of new development, the City shall submit to the project applicant(s) a list of potentially feasible GHG reduction measures to be considered in the development design. The City's list of potentially feasible GHG reduction measures shall reflect the current state of the regulatory environment, which will continuously evolve under the mandate of AB 32. The project applicant(s) shall then submit to the City a mitigation report that contains an analysis demonstrating which GHG reduction measures are feasible the associated reduction in GHG emissions, and the resulting CO₂e/SP/year metric. The report shall also demonstrate why measures not selected are considered infeasible. The City must review and approve the mitigation report for the project applicant(s) to receive the City's discretionary approval for the applicable increment of development. In determining what measures should appropriately be imposed by a local government under the circumstances, the City shall consider the following factors:</p> <ul style="list-style-type: none"> ▶ the extent to which rates of GHG emissions generated by motor vehicles traveling to, from, and within the SPA are projected to decrease over time as a result of regulations, policies, and/or plans that have already been adopted or may be adopted in the future by ARB or other public agency pursuant to AB 32, or by EPA; ▶ the extent to which mobile-source GHG emissions, which at the time of writing this EIR/EIS comprise a substantial portion of the state's GHG inventory, can also be reduced through design measures that result in trip reductions and reductions in trip length; ▶ the extent to which GHG emissions emitted by the mix of power generation operated by SMUD, the electrical utility that will serve the SPA, are projected to decrease pursuant to the Renewables Portfolio Standard required by SB 1078 and SB 107, as well as any future regulations, policies, and/or plans adopted by the federal and state governments that reduce GHG emissions from power generation; ▶ the extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient; ▶ the extent to which any stationary sources of GHG emissions that would be operated on a proposed land use (e.g., industrial) are already subject to regulations, policies, and/or plans that reduce GHG emissions, particularly any future regulations that will be developed as part of ARB's implementation of AB 32, or other pertinent regulations on stationary sources that have the indirect effect of reducing GHG emissions; ▶ the extent to which the feasibility of existing GHG reduction technologies may change in the future, and to which innovation in GHG reduction technologies will continue, effecting cost-benefit analyses that determine economic feasibility; and ▶ whether the total costs of proposed mitigation for GHG emissions, together with other mitigation measures required for the proposed development, are so great that a reasonably prudent property owner would not proceed with the project in the face of such costs. <p>In considering how much, and what kind of, mitigation is necessary in light of these factors, the City shall consider the following list of options, though the list is not intended to be exhaustive, as GHG emission reduction strategies and their respective feasibility are likely to evolve over time. These measures are derived from multiple sources including the Mitigation Measure Summary in Appendix B of the California Air Pollution Control Officer's Association (CAPCOA) white paper, CEQA & Climate Change (CAPCOA 2009a); CAPCOA's Model Policies for Greenhouse Gases in General Plans (CAPCOA 2009b); and the California Attorney General's Office publication, The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level (California Attorney</p>		

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Folsom South of U.S. 50 Specific Plan Project DERIVEDS
City of Folsom and USACE

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Mitigation		
<p>General's Office 2008).</p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> ▶ Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). ▶ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%). ▶ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. ▶ Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings. ▶ Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes. <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> ▶ With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependant spaces. ▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars. ▶ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. ▶ Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances. ▶ Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. ▶ Provide education about water conservation and available programs and incentives. ▶ To reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single-family detached residences and parking lots and driveways of multifamily residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. <p>Solid Waste Measures</p> <ul style="list-style-type: none"> ▶ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). ▶ Provide interior and exterior storage areas for recyclables and green waste at all buildings. ▶ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development. ▶ Provide education and publicity about reducing waste and available recycling services. <p>Transportation and Motor Vehicles</p> <ul style="list-style-type: none"> ▶ Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride-share vehicles, and providing a Web site or message board for coordinating ride- 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>sharing).</p> <ul style="list-style-type: none"> Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). At industrial and commercial land uses, all forklifts, "yard trucks," or vehicles that are predominately used on-site at non-residential land uses shall be electric-powered or powered by biofuels (such as biodiesel [B100]) that are produced from waste products, or shall use other technologies that do not rely on direct fossil fuel consumption. <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and building permits for all project phases, including all on- and off-site elements. Enforcement: City of Folsom Community Development Department.</p> <p>Mitigation Measure 3A.4-2a: Implement Additional Measures to Reduce Operational GHG Emissions. Each increment of new development within the project site requiring a discretionary approval (e.g., proposed tentative subdivision map, conditional use permit), shall be subject to a project-specific environmental review (which could support an applicable exemption, negative declaration or project-specific EIR) and will require that GHG emissions from construction and operation of each phase of development be reduced by 30% from business-as-usual 2006 emissions and as required by the California Global Warming Solutions Act of 2006 (AB 32).</p> <p>The City shall require feasible reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of future project development phases and supporting roadway and infrastructure improvements that are part of the selected action alternative by an amount sufficient to achieve the 2020-based goal of 4.36 CO₂e/SP/year for development that would become operational on or before the year 2020 and the 2020-based goal of 3.68 CO₂e/SP/year for development that would become operational on or before the year 2030, if it is feasible to do so. The feasibility of potential GHG reduction measures shall be evaluated by the City at the time each phase of development is proposed in order to allow for ongoing innovations in GHG reduction technologies, as well as incentives created in the regulatory environment.</p> <p>For each increment of new discretionary development, the project applicant(s) shall submit to the City a list of feasible energy efficient design standards to be considered in the project-specific environmental review. These energy conservation measures which will be incorporated into the design, construction, and operational aspects of each increment of development, would result in a reduction in overall project energy consumption and GHGs. The project-specific environmental review shall further identify potentially feasible GHG reduction measures to reflect the current state of the regulatory environment, and which will continuously evolve under the mandate of AB 32 and the resulting CO₂e/SP/year metric. If the project applicant(s) asserts it cannot meet the 2020-based goal, then the report shall also demonstrate why measures not selected are considered infeasible. The City will review and ensure inclusion of the design features in the proposed project before the applicant(s) can receive the City's discretionary approval for the applicable increment of development. In determining what measures should appropriately be imposed by the City under the circumstances, the City shall consider the following factors:</p> <ul style="list-style-type: none"> the extent to which rates of GHG emissions generated by motor vehicles traveling to, from, and within the project site are projected to decrease over time as a result of regulations, policies, and/or plans that have already been adopted or may be adopted in the future by ARB or other public agency pursuant to AB 32, or by EPA; the extent to which mobile-source GHG emissions, which at the time of writing this EIR/EIS comprise a substantial portion of the state's GHG inventory, can 		

Comment [svt24]: Except for the first paragraph and the references to "project-specific environmental review," this measure appears to be a duplicate of the one immediately above. This measure is the same as the one presented in the text of Section 3A.4. Assuming this is the correct one, we propose that it be revised as indicated herein.

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Mitigation		
<p>also be reduced through design measures that result in trip reductions and reductions in trip length;</p> <ul style="list-style-type: none"> the extent to which GHG emissions emitted by the mix of power generation operated by SMUD, the electrical utility that will serve the project site, are projected to decrease pursuant to the Renewables Portfolio Standard required by SB 1078 and SB 107, as well as any future regulations, policies, and/or plans adopted by the federal and state governments that reduce GHG emissions from power generation; the extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient; the extent to which any stationary sources of GHG emissions that would be operated on a proposed land use (e.g., industrial) are already subject to regulations, policies, and/or plans that reduce GHG emissions, particularly any future regulations that will be developed as part of ARB's implementation of AB 32, or other pertinent regulations on stationary sources that have the indirect effect of reducing GHG emissions; the extent to which other mitigation measures imposed on the project to reduce other air pollutant emissions may also reduce GHG emissions; the extent to which the feasibility of existing GHG reduction technologies may change in the future, and to which innovation in GHG reduction technologies will continue, effecting cost-benefit analyses that determine economic feasibility; and whether the total costs of proposed mitigation for GHG emissions, together with other mitigation measures required for the proposed development, are so great that a reasonably prudent property owner would not proceed with the project in the face of such costs. <p>In considering how much, and what kind of, measures are necessary in light of these factors, the City shall consider and implement as appropriate, the following non-exclusive and non-exhaustive list of measures. GHG emission reduction strategies and their respective feasibility are likely to evolve over time. These measures are derived from multiple sources including the Mitigation Measure Summary in Appendix B of the California Air Pollution Control Officer's Association (CAPCOA) white paper, <i>CEQA & Climate Change</i> (CAPCOA 2009a); CAPCOA's <i>Model Policies for Greenhouse Gases in General Plans</i> (CAPCOA 2009b); and the California Attorney General's Office publication, <i>The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level</i> (California Attorney General's Office 2008).</p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%). Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings. Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes. <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependant spaces. 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
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Mitigation		
<ul style="list-style-type: none"> ▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars. ▶ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. ▶ Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances. ▶ Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. ▶ Provide education about water conservation and available programs and incentives. ▶ To reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single family detached residences and parking lots and driveways of multifamily residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. ▶ Comply with any applicable water conservation ordinances. 		
Solid Waste Measures		
<ul style="list-style-type: none"> ▶ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). ▶ Provide interior and exterior storage areas for recyclables and green waste at all buildings. ▶ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development. ▶ Provide education and publicity about reducing waste and available recycling services. 		
Transportation and Motor Vehicles		
<ul style="list-style-type: none"> ▶ Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride-share vehicles, and providing a Web site or message board for coordinating ride-sharing). ▶ Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). ▶ At industrial and commercial land uses, all forklifts, "yard trucks," or vehicles that are predominately used on-site at non-residential land uses shall be electric-powered or powered by biofuels (such as biodiesel [B100]) that are produced from waste products, or shall use other technologies that do not rely on direct fossil fuel consumption. 		
Implementation:	The project applicant(s) of all project phases for any particular discretionary development.	
Timing:	Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on- and off-site elements.	
Enforcement:	City of Folsom Community Development Department.	

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Mitigation		
<p>Mitigation Measure 3A.4-2b: Participate in and Implement an Urban and Community Forestry Program and/or Off-Site Tree Program to Off-Set Loss of On-Site Trees. The trees on the project site contain sequestered carbon and would continue to provide future carbon sequestration during their growing life. For all trees that are subject to removal, the project applicant(s) of all project phases for any discretionary development application shall participate in and provide necessary funding for urban and community forestry program (such as the UrbanWood program managed by the Urban Forest Ecosystems Institute [Urban Forest Ecosystems Institute 2009]) in which wood from any removed trees is harvested for an end-use that would retain its carbon sequestration (e.g., furniture building, cabinet making). For all nonharvestable trees that are subject to removal, the project applicant(s) shall develop and fund an off-site tree program that includes a level of tree planting that, at a minimum, increases carbon sequestration by an amount equivalent to what would have been sequestered by the blue oak woodland during its lifetime. This program shall be funded by the project applicant(s) of each development phase and reviewed for comment by an independent Certified Arborist unaffiliated with the project applicant(s) and shall be coordinated with the requirements of Mitigation Measure 3A.3-5, as stated in Section 3A.3, "Biological Resources - Land." Final approval of the program shall be provided by the City. Components of the program may include, but not be limited to, providing urban tree canopy in the City of Folsom, or reforestation in suitable areas outside the City. The California Urban Forestry Greenhouse Gas Reporting Protocol shall be used to assess this mitigation program (CCAR 2008). All unused vegetation and tree material shall be mulched for use in landscaping on the project site, shipped to the nearest composting facility, or shipped to a landfill that is equipped with a methane collection system, or combusted in a biomass power plant. Tree and vegetative material should not be burned on- or off-site unless used as fuel in a biomass power plant.</p> <p>Implementation: The project applicant(s) of all project phases.</p> <p>Timing: Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on- and off-site elements.</p> <p>Enforcement: The City of Folsom Community Development Department.</p>		
OFF-SITE		
Mitigation Measure: No mitigation measures are required.		
Significance after Mitigation: cumulatively considerable and significant and unavoidable		
3B.4 CLIMATE CHANGE – WATER		
3B.4-1: Generation of Short- and Long-term Increases in Greenhouse Gases.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct & indirect PS
Construction and operation of the Off-site Water Facility Alternatives would result in a net increase in greenhouse gas emissions, which would contribute considerably to cumulative GHG emissions.		
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.4-1a: Implement GHG Reduction Measures during Construction. The bid specifications for construction of the Off-site Water Facilities shall require that bidders demonstrate how they will comply with each of the following measures during all construction and demolition activities:		
1) Construction vehicles and equipment will be properly maintained at all times in accordance with manufacturer's specifications, including proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and demolition		

Comment [svt25]: How is the amount of funding to be determined?

Comment [svt26]: This program should be considered along with the blue oak woodland habitat and individual oak tree mitigation proposed for the SOI to address impacts in Section 3A.3 to ensure that the developers are credited under this program for the trees they will also be required to plant as mitigation for biological impacts.

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Mitigation					
activities and subject to inspection by the SMAQMD.					
2) Operators will turn off all construction vehicles and equipment and all delivery vehicles when not in use, and not allow idling for more than 5 minutes or for such other more restrictive time as may be required in law or regulation.					
3) On-site construction vehicles and equipment will use ARB-certified biodiesel fuel if available (a minimum of B20, or 20 percent of biodiesel) except for those with warranties that would be voided if B20 biodiesel fuel were used. Prior to issuance of grading or demolition permits, the contractor shall provide documentation to the City that verifies whether any equipment is exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.					
4) A City-approved Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the City) will be in place for the Off-site Water Facilities that demonstrates the diversion from landfills and recycling of all nonhazardous, salvageable and re-useable wood, metal, plastic and paper products during construction and demolition activities. The Plan or other documentation shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.					
Implementation: City of Folsom Utilities Department					
Timing: Prior to the approval of grading plans and building permits for all off-site water facilities.					
Enforcement: 1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD.					
2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.					
3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.					
Mitigation Measure 3B.4-1b Prepare and Implement an Off-site Water Facilities Climate Action Plan. Prior to operation, the City shall have in place a Off-site Water Facilities Climate Action Plan and Greenhouse Reduction Strategy (Plan) that has been adopted by the City following an opportunity for review and recommendation by the SMAQMD. At a minimum, the Plan shall include:					
<ul style="list-style-type: none"> Designation of Person Responsible for Implementation. The Plan shall designate the name and contact information of the person(s) responsible for ensuring continuous and on-going implementation of the Plan. GHG Inventory and Reduction Target. The City shall prepare a complete GHG Inventory for the Offsite Water Facilities components within one year following occupancy and a GHG reduction target based on State guidance. Off-site Water Facilities Design Features. The Off-site Water Facilities shall include design features to reduce operational GHG emissions, as well as an estimate of the reduction in GHG emissions that is expected to result from each facility. Initial measures that may be considered include, but are not limited to: <ul style="list-style-type: none"> design all conditioned occupancies with "cool roofs" using products certified by the Cool Roof Rating Council, and other exposed roof surfaces coated with "cool paints"; design all conditioned occupancies to take advantage of shade through the planting of deciduous canopy-type trees and/or prevailing winds to reduce 					
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Mitigation					
energy use;					
<ul style="list-style-type: none"> make maximum use of EnergyStar-qualified energy efficient appliances, heating and cooling systems, office equipment and lighting products; install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy that has been generated by renewable sources to meet a portion of the electricity needs of the Offsite Water Facilities; and in an effort to reduce GHG emissions from transportation sources, the bid specifications for the Offsite Water Facilities should require that bidders demonstrate that they have given preference to local sources of building materials or offer evidence to support why such local sources have not been used. 					
Implementation: City of Folsom Utilities Department					
Timing: Prior to the approval of grading plans and building permits for all off-site water facilities.					
Enforcement: 1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD.					
2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.					
3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.					
Significance after Mitigation: significant and unavoidable					
3B.4-2: Effects of Climate Change on the Off-site Water Supply Facilities. Global climate change could result in effects on water quality or water supplies proposed as part of the Off-site Water Facility Alternatives.					
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A: No mitigation measures are required.					
Significance after Mitigation: Less than Significant					
3A.5 CULTURAL RESOURCES – LAND					
3A.5-1: Possible Destruction of or Damage to Known Prehistoric and Historic-Era Cultural Resources from Ground-Disturbance or Other Construction-Related Activities. Construction activities during project implementation could result in the destruction of or damage to known prehistoric and historic-era cultural resources that are potentially eligible for or listed on the CRHR or NRHP.					
NP: No mitigation measures are required.					
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.5-1a: Prepare, Execute, and Implement a Programmatic Agreement. For all action alternatives that require Federal permitting and authorization, USACE shall satisfy the requirements of Section 106 of the NHPA. A PA shall be prepared that requires the					
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Mitigation		
<p>following measures:</p> <ul style="list-style-type: none"> ▶ For each development phase of the specific plan and associated Federal permits and authorizations, USACE, as the Federal Section 106 lead (or USACE designee) shall prepare an APE map and shall consult with the SHPO on the APE, as described above. ▶ Once SHPO, USACE, and other consulting parties agree on the project-specific APE, USACE or permit applicant (or designee, as directed by USACE) shall perform an inventory for cultural resources in the phase-specific APE consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 Federal Register [FR] 44720-23) and submit this inventory to the SHPO and any other relevant consulting parties for review as required under the PA. The same document shall evaluate identified resources for listing on the NRHP per the criteria provided above and the Secretary of the Interior's Standards and Guidelines for Evaluation (48 FR 44723-26). ▶ Once the inventory is complete, USACE (or designee, as directed by USACE) shall prepare a Finding of Effect (FOE) to assess the effect of the buildout of the individual development phase upon identified historic properties by applying the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1). If the FOE identifies adverse effects, the project applicant or USACE, or designee) shall prepare treatment measures and protocols to minimize these impacts to the extent possible. These treatment measures shall be appended to the PA in a treatment plan prepared for the specific project development phase. Treatment measures may include, but are not limited to, avoidance and preservation in places where possible. Where avoidance is not possible or feasible, treatment shall consist of either: 1) recovery of a suitable sample of material from archaeological sites that have the potential to contribute to research, or 2) documentation of historic resources to capture their significance and relationship to important historical themes. Documentation of historical resources shall be performed according to the Historic American Building Survey or Historic American Engineering Record (HABS/HAER) specifications or an equivalent standard when existing architecture or engineered features are subject to adverse effects. Where appropriate, treatment plans may specify the preparation and circulation of interpretive brochures, narrative descriptions, and photographic documentation for the general public. ▶ A geoarchaeological overview of the specific plan area may be stipulated and implemented in the PA, as determined by USACE, in order to assess the likelihood for buried cultural deposits. Focused geoarchaeological studies may be subsequently required for portions of the specific plan area and vicinity of off-site elements that are considered highly sensitive to determine if additional inventory or monitoring should be performed during construction as determined by USACE. ▶ Resources that may be discovered inadvertently during construction will be handled pursuant to 36 CFR Part 800.13(b) (<i>Discoveries without prior planning</i>). <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, and Caltrans) in coordination with USACE and SHPO to ensure that mitigation is consistent with the PA.</p> <p>Implementation: USACE (or designee) and the project applicant(s) of all project phases (as directed by USACE)</p> <p>Timing: The PA shall be prepared and executed (signed) prior to issuance of any Federal permit or authorization for any aspect or component of the specific plan project. Preparation of the phase-specific APE and inventory and evaluation of properties within the APE shall be performed prior to any ground-disturbing work in the APE for any Federal permitting or authorization of individual development phases. Implementation of treatment measures for identified historic properties may be performed during construction and ground-disturbing work provided that no ground-disturbing work is performed in the vicinity of resources subject to adverse effects and within an appropriate radius</p>		

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Impact	Land/Water/GPA	Significance
Mitigation		
<p>of the resource as determined by USACE, prior to completion of all treatment measures. The exact radius in which construction shall not occur shall be determined based upon the nature of the resource the potential for outlying undiscovered elements of that resource.</p> <p>Enforcement: USACE and the project applicant(s) of all project phases (as directed by USACE), with oversight by the SHPO.</p> <p>Mitigation Measure 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided. Management of cultural resources eligible for or listed on the CRHR under CEQA mirrors management steps required under Section 106. These steps may be combined with deliverables and management steps performed for Section 106 provided that management documents prepared for the PA also clearly reference the CRHR listing criteria and significance thresholds that apply under CEQA. Prior to ground-disturbing work for each individual development phase or off-site element, the applicable oversight agency (City of Folsom, El Dorado County, Sacramento County, or Caltrans), or the project applicant(s) of all project phases, with applicable agency oversight, shall perform the following actions:</p> <ul style="list-style-type: none"> ▶ Retain the services of a qualified archaeologist to perform an inventory of cultural resources within each individual development phase or off-site element subject to approval under CEQA. Identified resources shall be evaluated for listing on the CRHR. The inventory report shall also identify locations that are sensitive for undiscovered cultural resources based upon the location of known resources, geomorphology, and topography. The inventory report shall specify the location of monitoring of ground-disturbing work in these areas by a qualified archaeologist, and monitoring in the vicinity of identified resources that may be damaged by construction, if appropriate. The identification of sensitive locations subject to monitoring during construction of each individual development phase shall be performed in concert with monitoring activities performed under the PA to minimize the potential for conflicting requirements. ▶ For each resource that is determined eligible for the CRHR, the applicable agency or the project applicant(s) of all project phases for any particular discretionary development application (under the agency's direction) shall obtain the services of a qualified archaeologist who shall determine if implementation of the individual project development phase would result in damage or destruction of "significant" (under CEQA) cultural resources. These findings shall be reviewed by the applicable agency for consistency with the significance thresholds and treatment measures provided in this EIR/EIS. ▶ Where possible, the project shall be configured or redesigned to avoid impacts on eligible or listed resources. Alternatively, these resources may be preserved in place if possible, as suggested under California Public Resources Code Section 21083.2. ▶ Where impacts cannot be avoided, the applicable agency or the project applicant(s) of all project phases (under the applicable agency's direction) shall prepare and implement treatment measures that are determined to be necessary by a qualified archaeologist. These measures may consist of data recovery excavations for resources that are eligible for listing because of the data they contain (which may contribute to research). Alternatively, for historical architectural, engineered, or landscape features, treatment measures may consist of a preparation of interpretive, narrative, or photographic documentation. These measures shall be reviewed by the applicable oversight agency for consistency with the significance thresholds and standards provided in this EIR/EIS. ▶ To support the evaluation and treatment required under this mitigation measure, the archaeologist retained by either the applicable oversight agency or the project applicant(s) of all project phases shall prepare an appropriate prehistoric and historic context that identifies relevant prehistoric, ethnographic, and historic themes and research questions against which to determine the significance of identified resources and appropriate treatment. ▶ These steps and documents may be combined with the phasing of management and documents prepared pursuant to the PA to minimize the potential for inconsistency and duplicative management efforts. 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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 Folsom South of U.S. 50 Specific Plan Project DERIVERS City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: The applicable oversight agency and the project applicant(s) (at the agency's direction) of all project phases</p> <p>Timing: Before issuance of building permits and ground-disturbing activities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. <p>RIM: Implement Mitigation Measures 3.53A.5-1a and 3.53A.5-1b.</p> <p>Significance after Mitigation: potentially significant and unavoidable</p>					
<p>3A.5-2: Possible Destruction of or Damage to Previously Undiscovered Cultural Resources from Ground-Disturbance or Other Construction-Related Activities. Land NP, NCP, PP, RIM, CD, RHD: direct PS, no indirect</p> <p>Construction activities during project implementation could result in the destruction of or damage to "significant" (under CEQA) undiscovered cultural resources.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required. To reduce potential impacts to previously undiscovered cultural resources, the project applicant(s) of all project phases shall do the following:</p> <ul style="list-style-type: none"> Before the start of ground-disturbing activities, the project applicant(s) of all project phases shall retain a qualified archaeologist to conduct training for construction workers, to educate them about the possibility of encountering buried cultural resources, and inform them of the proper procedures should cultural resources be encountered. As a result of the work conducted for Mitigation Measures 3A.5-1a and 3A.5-1b, if the archaeologist determines that any portion of the SPA or the off-site elements should be monitored for potential discovery of as-yet-unknown cultural resources, the project applicant(s) of all project phases shall implement such monitoring in the locations specified by the archaeologist. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended in the vicinity of the find and the appropriate oversight agency(ies) (identified below) shall be notified immediately. The appropriate oversight agency(ies) shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall assess the significance of the find by evaluating the resource for eligibility for listing on the CRHR and the NRHP. If the resource is eligible for listing on the CRHR or NRHP and it would be subject to disturbance or destruction, the actions required in Mitigation Measures 3A.5-1a and 3A.5-1b shall be implemented. 					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS City of Folsom and USACE
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 AECOM Executive Summary

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>The oversight agency shall be responsible for approval of recommended mitigation if it is determined to be feasible in light of the approved land uses, and shall implement the approved mitigation before resuming construction activities at the archaeological site.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before and during ground-disturbing activities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> For actions taken to satisfy the requirements of Section 106: the SHPO and USACE. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. <p>Significance after Mitigation: potentially significant and unavoidable</p>					
<p>3A.5-3: Possible Destruction of or Damage to Interred Human Remains during Construction. Land NP, NCP, PP, RIM, CD, RHD: direct & potentially significant, no indirect</p> <p>Ground-disturbing activities could inadvertently disinter and/or destroy buried human skeletal remains.</p> <p>NP, NCP, PP, RIM, CD, RHD: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, including those associated with off-site elements, the project applicant(s) of all project phases shall immediately halt all ground-disturbing activities in the area of the find and notify the applicable county coroner and a professional archaeologist skilled in osteological analysis to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or public lands (California Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (California Health and Safety Code Section 7050[e]).</p> <p>After the coroner's findings are complete, the project applicant(s), an archaeologist, and the NAHC-designated MLD shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in Section 5097.9 of the California Public Resources Code.</p> <p>Upon the discovery of Native American remains, the procedures above regarding involvement of the applicable county coroner, notification of the NAHC, and identification of an MLD shall be followed. The project applicant(s) of all project phases shall ensure that the immediate vicinity (according to generally accepted cultural or archaeological standards and practices) is not damaged or disturbed by further development activity until consultation with the MLD has taken place. The MLD shall have at least 48 hours after being granted access to the site to inspect the site and make recommendations. A range of possible treatments for the</p>					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
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B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>remains may be discussed: nondestructive removal and analysis, preservation in place, relinquishment of the remains and associated items to the descendants, or other culturally appropriate treatment. As suggested by Assembly Bill (AB) 2641 (Chapter 863, Statutes of 2006), the concerned parties may extend discussions beyond the initial 48 hours to allow for the discovery of additional remains. AB 2641(e) includes a list of site protection measures and states that the project applicant(s) shall comply with one or more of the following requirements:</p> <ul style="list-style-type: none"> ▶ record the site with the NAHC or the appropriate Information Center, ▶ use an open-space or conservation zoning designation or easement, or ▶ record a document with the county in which the property is located. <p>The project applicant(s) or its authorized representative of all project phases shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the NAHC is unable to identify an MLD or if the MLD fails to make a recommendation within 48 hours after being granted access to the site. The project applicant(s) or its authorized representative may also reinter the remains in a location not subject to further disturbance if it rejects the recommendation of the MLD and mediation by the NAHC fails to provide measures acceptable to the landowner. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Upon the discovery of suspected human remains.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department. 3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. 4. For the U.S. 50 interchange improvements: Caltrans. </p> <p><i>Significance after Mitigation: less than significant</i></p>		
3B.5 CULTURAL RESOURCES – WATER		
3B.5-1: Possible Destruction of or Damage to Known Prehistoric and Historic-Era Cultural Resources from Ground-Disturbance or Other Construction-Related Activities. Construction activities associated with the Off-site Water Facility Alternatives could result in the destruction of or damage to known prehistoric and historic-era cultural resources that are potentially eligible for or listed on the CRHR or NRHP.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: potentially significant & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3A.5-1a: Prepare, Execute, and Implement a Programmatic Agreement.		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Implement Mitigation Measure 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to completion of final design and start of construction</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. </p> <p><i>Significance after Mitigation: less than significant</i></p>		
3B.5-2: Possible Destruction of or Damage to Previously Undiscovered Cultural Resources from Ground-Disturbance or Other Construction-Related Activities. Construction activities during project implementation could result in the destruction of or damage to "significant" (under CEQA) undiscovered cultural resources.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct PS & no indirect
PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.		
<p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to completion of final design and start of construction</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. </p> <p><i>Significance after Mitigation: less than significant</i></p>		
3B.5-3: Possible Destruction of or Damage to Interring Human Remains during Construction. Ground-disturbing activities could inadvertently disinter and/or destroy buried human skeletal remains	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct significant & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3A.5-3: Suspend Ground-Disturbing Activities if Human Remains are		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Encountered and Comply with California Health and Safety Code Procedures.		
Implementation:	City of Folsom Utilities Department	
Timing:	Before issuance of building permits and ground-disturbing activities.	
Enforcement:	<ol style="list-style-type: none"> For actions taken to satisfy the requirements of Section 106: the SHPO and USACE. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 	
<i>Significance after Mitigation: less than significant</i>		
3A.6 ENVIRONMENTAL JUSTICE – LAND		
3A.6-1: Potential Effects on Minority Populations. Project implementation would not create a disproportionate placement of adverse environmental impacts on minority communities.	Land	NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.6-2: Potential Effects on Low-Income Populations. Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.	Land	NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3B.6 ENVIRONMENTAL JUSTICE – WATER		
3B.6-1: Potential Effects on Minority Populations. Implementation of the Off-site Water Facility Alternatives would not create a disproportionate placement of adverse environmental impacts on minority communities.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect (<i>operation</i>)
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures required. <i>Significance after Mitigation: less than significant</i>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.6-2: Potential Effects on Low-Income Populations. Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.	Water	NCP, PA, 1, 1A, 2B: no direct or indirect 2, 2A, 3, 3A, 4, and 4A: direct LTS & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures required. <i>Significance after Mitigation: less than significant</i>		
3A.7 GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES - LAND		
3A.7-1: Possible Risks to People and Structures Caused by Strong Seismic Ground Shaking. The SPA is located in an area of generally low seismic activity; however, structures in the SPA could be subject to seismic ground shaking from an earthquake along active faults in Lake Tahoe.	Land	ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct, PS, No indirect
<p>ON- & OFF-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-1a: Prepare Site-Specific Geotechnical Report per CBC Requirements and Implement Appropriate Recommendations. Before building permits are issued and construction activities begin any project development phase, the project applicant(s) of each project phase shall hire a licensed geotechnical engineer to prepare a final geotechnical subsurface investigation report for the on- and off-site facilities, which shall be submitted for review and approval to the appropriate City or county department (identified below). The final geotechnical engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> ▶ site preparation; ▶ soil bearing capacity; ▶ appropriate sources and types of fill; ▶ potential need for soil amendments; ▶ road, pavement, and parking areas; ▶ structural foundations, including retaining-wall design; ▶ grading practices; ▶ soil corrosion of concrete and steel; ▶ erosion/winterization; ▶ seismic ground shaking; ▶ liquefaction; and ▶ expansive/unstable soils. <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the project applicant(s) of each project phase. Special recommendations contained in the geotechnical engineering report shall be noted on the grading plans and implemented as appropriate before construction begins. Design and construction of all new project development shall be in accordance with the CBC. The project applicant(s) shall provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the geotechnical report.</p> <p>Mitigation Measure 3A.7-1b: Monitor Earthwork during Earthmoving Activities. All earthwork shall be monitored by a qualified geotechnical or soils engineer retained by the project applicant(s) of each project phase. The geotechnical or soils engineer shall provide oversight during all excavation, placement of fill, and disposal of materials removed from and deposited on both on- and off-site construction areas.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases. Timing: Before issuance of building permits and ground-disturbing activities. Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.7-2: Seismically-Induced Risks to People and Structures Caused by Liquefaction. Construction activities would not occur in areas subject to liquefaction.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>	Land	ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct LTS, no indirect
<p>3A.7-3: Construction-Related Erosion. Construction activities during project implementation would involve grading and movement of earth in soils subject to wind and water erosion hazard and on steep slopes.</p> <p>ON- & OFF-SITE NP: No mitigation measures are required. ON- & OFF-SITE</p>	Land	ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct, PS, no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-3: Prepare and Implement the Appropriate Grading and Erosion Control Plan. Before grading permits are issued, the project applicant(s) of each project phase that would be located within the City of Folsom shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the City Public Works Department before issuance of grading permits for all new development. The plan shall be consistent with the City’s Grading Ordinance, the City’s Hillside Development Guidelines, and the state’s NPDES permit, and shall include the site-specific grading associated with development for all project phases.</p> <p>For the two off-site roadways into El Dorado Hills, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the El Dorado County Public Works Department and the El Dorado Hills Community Service District before issuance of grading permits for roadway construction in El Dorado Hills. The plan shall be consistent with El Dorado County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with roadway development.</p> <p>For the off-site detention basin west of Prairie City Road, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the Sacramento County Public Works Department before issuance of a grading permit. The plan shall be consistent with Sacramento County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with construction of the detention basin.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeding with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot. The project applicant(s) shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation of Mitigation Measure 3A.9-1 (discussed in Section 3A.9, “Hydrology and Water Quality – Land”) would also help reduce erosion-related impacts.</p> <p>Implementation: Project applicant(s) of all project phases. Timing: Before the start of construction activities. Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. </p>		

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			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<i>Significance after Mitigation: less than significant</i>					
<p>3A.7-4: Potential Geologic Hazards Related to Construction in Bedrock and Rock Outcrops, and Unstable Soils. Development in the eastern portion of the SPA would occur in steep slopes underlain by bedrock at shallow depths and rock outcrops that could result in geologic hazards during construction.</p> <p>ON- & OFF-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.7-1a.</p> <p>Mitigation Measure 3A.7-4a: Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for all On-Site and Off-site Elements East of Old Placerville Road. Before the start of all construction activities east of Old Placerville Road, the project applicant(s) of all project phases for any discretionary development application shall retain a licensed geotechnical engineer to perform a seismic refraction survey. Project-related excavation activities shall be carried out as recommended by the geotechnical engineer. Excavation may include the use of heavy-duty equipment such as large bulldozers or large excavators, and may include blasting. Appropriate permits for blasting operations shall be obtained from the relevant City or county jurisdiction prior to the start of any blasting activities.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) of all project phases for on-site and off-site elements east of Old Placerville Road. Timing: Before or during earthmoving activities. Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>			
<p>3A.7-5: Potential Geologic Hazards Related to Seasonal Subsurface Water Flows from Surface Infiltration. SPA excavation is not expected to encounter groundwater, but seasonal subsurface flows due to surface infiltration, as well as surface infiltration from shallow wells, could adversely affect some of the building foundations at the SPA.</p> <p>ON- & OFF-SITE</p>	Land	<p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: PS</p>			
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-5: Divert Seasonal Water Flows Away from Building Foundations. The project applicant(s) of all project phases shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p> <p>Implementation: Project applicant(s) of all project phases. Timing: Before and during earthmoving activities. Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Public Works Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>					
<p>3A.7-6: Potential Damage to Structures and Infrastructure from Construction in Expansive Soils. Portions of the SPA are underlain by soils that have a moderate to high potential for expansion when wet and may result damage to structures.</p> <p>ON- & OFF-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Implement Mitigation Measures 3A.7-1a and 3A.7-1b.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>			
<p>3A.7-7: Suitability of Soils for Use with Septic Systems. The SPA is underlain by soils that are unsuitable for use with conventional septic systems.</p> <p>ON- & OFF-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON- & OFF-SITE NP: direct significant, indirect PS ON- & OFF-SITE NCP, PP, RIM, CD, RHD: no direct or indirect</p>			
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.7-8: Possible Loss of Mineral Resources–Construction Aggregate. The SPA is located within the Sacramento-Fairfield Production-Consumption Region designated by CDMG and contains dredge tailings that could provide a source of construction aggregate.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON- & OFF-SITE NP: no direct or indirect ON-SITE NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect</p>
<p>3A.7-9: Possible Loss of Mineral Resources–Kaolin Clay. The SPA is located within the Sacramento-Fairfield Production-Consumption Region designated by CDMG and may contain a deposit of kaolin clay.</p> <p>ON-SITE NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-9: Conduct Soil Sampling in Areas of the SPA Designated as MRZ-3 for Kaolin Clay and if Found, Delineate its Location and Notify Lead Agency and the California Division of Mines and Geology. The project applicant(s) of all applicable project phases shall retain a licensed geotechnical or soils engineer to analyze soil core samples that shall be extracted from that portion of the SPA zoned MRZ-3 for kaolin clay, as shown on Exhibit 3A.7-3. In the event that kaolin clay is discovered, the City of Folsom, Sacramento County, and CDMG shall be notified. In addition, the approximate horizontal and vertical extent of available kaolin clay shall be delineated by the geotechnical or soils engineer.</p> <p>Implementation: Project applicant(s) of all project phases in the Ione Formation. Timing: Before issuance of building permits for development within the Ione Formation as shown in Exhibit 3A.7-1. Enforcement: City of Folsom Community Development Department, Sacramento County Planning and Community Development Department, California Division of Mines and Geology.</p> <p>OFF-SITE Mitigation Measure: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON- & OFF-SITE NP: no direct or indirect ON-SITE NCP, PP, RIM, CD, RHD: direct LTS, No indirect OFF-SITE No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.7-10: Possible Damage of or Destruction to of Previously Unknown Unique Paleontological Resources during Construction-Related Activities. Portions of the SPA and the off-site detention basin are underlain by paleontologically sensitive rock formations. Therefore, construction activities could damage or destroy previously unknown, unique paleontological resources at the SPA.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-10: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required. To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources, the project applicant(s) of all project phases where construction would occur in the Ione and Mehrten Formations shall do the following:</p> <ul style="list-style-type: none"> ▶ Before the start of any earthmoving activities for any project phase in the Ione or Mehrten Formations, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. ▶ If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the appropriate lead agency (identified below). The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) of all project phases within the Ione and Mehrten Formations. Timing: During earthmoving activities in the Ione and Mehrten Formations as shown in Exhibit 3A.7-1. Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. <p><i>Significance after Mitigation: less than significant</i></p> </p>	Land	<p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.7 GEOLOGY, SOILS, AND PALEONTOLOGICAL RESOURCES – WATER		
3B.7-1: Possible Risks to People and Structures Caused by Strong Seismic Ground Shaking. Zone 4 of the “Water” Study Area is located in an area of generally low seismic activity; however, structures constructed as part of the Off-site Water Facility Alternatives could be subject to seismic ground shaking from an earthquake along active faults in the Sierra Nevada.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.7-1a: Prepare Geotechnical Report(s) for the Off-site Water Facilities and Implement Required Measures.		
Facility design for all Off-site Water Facility components shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer to be retained by the City. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:		
<ul style="list-style-type: none"> ▶ site preparation; ▶ soil bearing capacity; ▶ appropriate sources and types of fill; ▶ potential need for soil amendments; ▶ road, pavement, and parking areas; ▶ structural foundations, including retaining-wall design; ▶ grading practices; ▶ soil corrosion of concrete and steel; ▶ erosion/winterization; ▶ seismic ground shaking; ▶ liquefaction; and ▶ expansive/unstable soils. 		
In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the City.		
Implementation: City of Folsom Utilities Department		
Timing: Prior to completion of engineering plans for all Off-site Water Facilities		
Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Mitigation Measure 3B.7-1b: Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design.		
Isolation valves or similar devices shall be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of pipeline rupture, as recommended by a licensed geotechnical or civil engineer. The specifications of the isolation valves shall conform to the CBC and American Water Works Association standards.		
Implementation: City of Folsom Utilities Department		
Timing: Prior to completion of engineering plans for all Off-site Water Facilities		
Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 		
<i>Significance after Mitigation: less than significant</i>		
3B.7-2: Construction-Related Erosion. Construction activities during implementation of the Off-site Water Facility Alternatives would involve grading and movement of earth in soils subject to wind and water erosion hazard.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.9-1a, 3B.9-1b, 3B.9-1c, 3B.9-3a, and 3B.9-3b.		
Implementation: City of Folsom Utilities Department		
Timing: Prior to start of construction		
Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 		
<i>Significance after Mitigation: less than significant</i>		
3B.7-3: Unstable Geologic Conditions. The Off-site Water Facility Alternatives could be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the Off-site Water Facilities.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect PS
PA, & Alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.7-1a and 3B.7-1b.		
Implementation: City of Folsom Utilities Department		
Timing: Prior to completion of engineering plans for all Off-site Water Facilities		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 	
<i>Significance after Mitigation: less than significant</i>		
3B.7-4: Exposure to Potential Hazards from Problematic Soils. The Off-site Water Facilities could encounter expansive or corrosive soils thereby subjecting related structures to potential risk of failure.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.7-1a. Mitigation Measure 3B.7-4: Implement Corrosion Protection Measures. As determined appropriate by a licensed geotechnical or civil engineer, the City shall ensure that all underground metallic fittings, appurtenances, and piping include a cathodic protection system to protect these facilities from corrosion. Implementation: City of Folsom Utilities Department Timing: Prior to completion of engineering plans for all Off-site Water Facilities		
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 	
<i>Significance after Mitigation: less than significant</i>		
3B.7-5: Possible Damage of or Destruction to of Previously Unknown Unique Paleontological Resources during Construction-Related Activities. Construction of the Off-site Water Facility Alternatives could directly or indirectly destroy a unique paleontological resource or site.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect NWF: no impacts
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.7-5: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required. To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources, the City shall implement appropriate measures during construction of the Offsite Water Facility improvements. These measures shall be required for construction activities at the following locations: (1) Grant Line Road, south of SR 16; (2) Florin road, east of Excelsior Road; (3) Gerber Road, east of Excelsior Road; (4) White Rock Road, east of Prairie City Road; and (5) Prairie City Road and shall include:		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Before the start of any earthmoving activities for any project phase in the Riverbank Formation, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify Sacramento County Planning and Community Development Department. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the County to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. Implementation: City of Folsom Utilities Department Timing: During earthmoving activities in the Roverbank, Ione, and Mehrten Formations as shown in Wagner et al, 1981.		
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 	
<i>Significance after Mitigation: less than significant</i>		
3A.8 HAZARDS AND HAZARDOUS MATERIALS - LAND		
3A.8-1: Accidental Spill from Routine Transport, Use, or Disposal of Hazardous Materials. Accidental spills of hazardous materials in the SPA could result during routine transport, use, or disposal activities.		ON-SITE NP: direct & indirect LTS ON- & OFF-SITE NCP, PP, RIM, CD, RHD: direct & indirect LTS
ON-SITE NP: No mitigation measures are required. ON- & OFF-SITE NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.8-2: Potential Human Health Hazards from Possible Exposure of Existing On-site Hazardous Materials. Construction workers and future residents could be exposed to hazardous materials known to exist within the SPA.</p> <p>ON-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Complete Investigations Related to the Extent to Which Soil and/or Groundwater May Have Been Contaminated in Areas Not Covered by the Phase I and II Environmental Site Assessments and Implement Required Measures. The project applicant(s) of all project phases for any discretionary development application shall conduct Phase I Environmental Site Assessments (where a Phase I has not been conducted), and if necessary, Phase II Environmental Site Assessments, and/or other appropriate testing for all areas of the SPA and include, as necessary, analysis of soil and/or groundwater samples for the potential contamination sites that have not yet been covered by previous investigations (as shown in Exhibit 3A.8-1) before construction activities begin in those areas. Recommendations in the Phase I and II Environmental Site Assessments to address any contamination that is found shall be implemented before initiating ground-disturbing activities in these areas.</p> <p>The project applicant(s) shall implement the following measures before ground-disturbing activities to reduce health hazards associated with potential exposure to hazardous substances:</p> <ul style="list-style-type: none"> ▶ Prepare a plan that identifies any necessary remediation activities appropriate for proposed on- and off-site uses, including excavation and removal of on-site contaminated soils, redistribution of clean fill material in the SPA, and closure of any abandoned mine shafts. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site. In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge into the sanitary sewer system. The project applicant(s) shall be required to comply with the plan and applicable Federal, state, and local laws. The plan shall outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility. ▶ Notify the appropriate Federal, state, and local agencies if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during construction activities. Any contaminated areas shall be remediated in accordance with recommendations made by the Sacramento County Environmental Management Department, Central Valley RWQCB, DTSC, and/or other appropriate Federal, state, or local regulatory agencies. ▶ Obtain an assessment conducted by PG&E and SMUD pertaining to the contents of any existing pole-mounted transformers located in the SPA. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act under the authority of the Sacramento County Environmental Health Department. 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) of all project phases for any discretionary development application.</p> <p>Timing: Before and during earthmoving activities</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site detention basin west of Prairie City Road: Sacramento County Environmental Management Department. 3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate. </p> <p>Mitigation Measure: Implement Mitigation Measure 3A.9-1 contained in Section 3A.9, "Hydrology and Water Quality - Land" [Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs]</p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.8-3: Potential Development Constraints Due to the Listing on the Cortese List. Land</p> <p>The SPA contains Area 40, part of the Aerojet Superfund site, which has the potential to create a hazard to public health or the environment. Ongoing remediation activities could delay or limit project development on or near the site of those remediation activities.</p> <p>ON-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: direct PS, no indirect</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-3a: Require the Project Applicant(s) to Cooperate with Aerojet and Regulatory Agencies to Preserve, Modify, or Close Existing Groundwater Monitoring Wells. The project applicant(s) for all project phase(s) any particular discretionary development that would occur in or adjacent to the Area 40 boundary shall submit copies of tentative maps for residential subdivisions and for nonresidential uses to Aerojet, DTSC, and the Central Valley RWQCB or any successor in interest for review and approval. Aerojet, DTSC, and the Central Valley RWQCB or any successor shall work with the project applicant(s) to establish the preservation, modification, or closure of existing groundwater monitoring wells. If necessary, Aerojet, or any successor may purchase lots from the project applicant(s) to maintain access to monitoring wells. Development shall not proceed within the Area 40 boundary or on lands used for groundwater monitoring and other remediation activities until DTSC and the Central Valley RWQCB have approved Aerojet's or a successor's plan for well preservation, modification, or closure.</p> <p>The project applicant(s) for activities related to the off-site detention basin located outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) with Sacramento County.</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

AECOM
Executive Summary

ES-92

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USAACE

Table ES-1 Summary of Impacts and Mitigation Measures	
Impact	Land/Water/GPA
Mitigation	
Implementation:	Project applicant(s) for activities that would occur in the Area 40 boundary or on areas used for groundwater monitoring and other remediation activities.
Timing:	Ongoing to the satisfaction of DTSC and the Central Valley RWQCB.
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.
<p>Mitigation Measure 3A.8-3b: Coordinate Development Activities to Avoid Interference with Remediation Activities. The project applicant(s) <u>any particular discretionary development application for all project phases</u> that would occur in or adjacent to the Area 40 boundary shall provide notice to Aerojet or any successor in interest and DTSC, the Central Valley RWQCB, and the City of Folsom of the location, nature, and duration of construction activities least 30 days before construction activities begin in areas on or near property with current or planned remediation activities (Area 40). Remedial actions, as required by DTSC, RWQCB, and/or the EPA, may include, but are not limited to:</p> <ul style="list-style-type: none"> deed restrictions on land and groundwater use; requirements for building ventilation, heating, and air conditioning design; monitoring; installation of vertical barriers; biological, chemical, and/or physical treatment; extraction, and/or pump and treat activities. <p>Before the approval of grading plans which include areas within the Area 40 boundary or the off-site detention basin, the project applicant(s) shall work with Aerojet, DTSC, and the Central Valley RWQCB or any successor to schedule the timing of construction activities to prevent potential conflicts with remediation activities.</p> <p>The project applicant(s) for activities related to the off-site detention basin located outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) with Sacramento County.</p>	
Implementation:	Project applicant(s) for activities within the Area 40 boundary or on lands used for monitoring or other remediation-related activities.
Timing:	Before the approval of grading plans and during construction activities within the Area 40 boundary, off-site detention basin, or on lands used for monitoring or other remediation-related activities.
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. California Department of Toxic Substances Control, Central Valley Regional Water Quality Control Board, Aerojet General Corporation, as appropriate.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Impact	Land/Water/GPA
Mitigation	
<p>Mitigation Measure 3A.8-3c: Provide Written Notification to the City that DTSC-Required Notification Obligations and/or Easements Have Been Fulfilled to Ensure that Construction Activities Do Not Interfere with Remedial Actions.</p> <p>Pursuant to its oversight over investigations of hazardous substances and determination of remedial action, DTSC establishes, as appropriate, deed restrictions (e.g., restrictions on future groundwater uses or future land uses) or easements (e.g., continued access to groundwater wells and pipelines) on property with associated notice requirements. The project applicant(s) for all such affected project activities, located within the Area 40 boundary, the off-site detention basin, or lands subject to monitoring or other remediation activities shall provide notification in writing to the City (or Sacramento County for the off-site detention basin) that said required DTSC notification obligations have been fulfilled. Evidence of the method of notification required by DTSC shall be submitted to the City before approval of tentative maps or improvement plans.</p> <p>The project applicant(s) for such affected project activities shall coordinate with the City to include this provision as part of tentative map approval within the Area 40 boundary or lands subject to monitoring or other remediation activities. The project applicant(s) shall coordinate with Sacramento County for such affected project activities pertaining to the off-site detention basin.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p>	
Implementation:	Project applicant(s) for activities that would occur in the Area 40 boundary or on areas used for groundwater monitoring and other remediation activities.
Timing:	Before approval of final maps and/or issuance of permits for sales trailers and model homes within the Area 40 boundary, the off-site detention basin, or lands subject to monitoring or other remediation activities.
Enforcement:	<ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.
<i>Significance after Mitigation: less than significant</i>	
<p>3A.8-4: Potential Interference with an Adopted Emergency Response or Emergency Evacuation Plan. Development of the SPA could interfere with adopted emergency plans.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p> <p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct LTS, no indirect</p>

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CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.8-5: Potential for Blast-Related Injury to Construction Workers and the General Public. Development in the SPA would entail the use of explosive materials as part of grading activities in the eastern portion of the SPA that could result in injury to construction workers and the general public.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-5: Prepare and Implement a Blasting Safety Plan in Consultation with a Qualified Blaster. To reduce the potential for accidental injury or death related to blasting, contractors whose work on the SPA will include blasting shall prepare and implement a blasting safety plan. This plan shall be created in coordination with a qualified blaster, as defined by the Construction Safety and Health Outreach Program, Subpart U, Section 1926.901, and distributed to all appropriate members of construction teams. The plan shall apply to project applicant(s) of all project phases in which blasting would be employed. The plan shall include, but is not limited to:</p> <ul style="list-style-type: none"> ▶ storage locations that meet ATF standards contained in 27 CFR Part 55; ▶ safety requirements for workers (e.g., daily safety meetings, personal protective equipment); ▶ an accident management plan that considers misfires (i.e. explosive fails to detonate), unexpected ignition, and flyrock; and ▶ measures to protect surrounding property (e.g., netting, announcement of dates of expected blasting, barricades, and audible and visual warnings). <p>Upon completion of a blasting safety plan, the project applicant(s) contractor shall secure any required permits from the City of Folsom Fire Department and the El Dorado County Sheriff's Department for blasting activities in Sacramento County and El Dorado County, respectively.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado County).</p> <p>Implementation: Project applicant(s) and contractor(s) of all project phases in which blasting would be employed.</p> <p>Timing: At the submission of tentative map applications.</p> <p>Monitoring: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Fire Department. 2. For the off-site roadway connections in El Dorado County: El Dorado County Sheriff's Department. </p> <p>Significance after Mitigation: less than significant</p>	Land	<p>ON- & OFF-SITE NP, NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>
<p>3A.8-6: Possible Exposure of People to Electric and Magnetic Fields. Residential developments and/or schools would be located near high voltage transmission lines and radio towers, which could expose the general public to EMFs.</p> <p>ON-SITE NP: No mitigation measures are required.</p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct PS, no indirect OFF-SITE No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
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Table ES-1 Summary of Impacts and Mitigation Measures		
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Mitigation		
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure P3A.8-6: Prudent Avoidance and Notification of EMF Exposure. A policy of "prudent avoidance" to EMF exposure shall be incorporated into planning activities for residential developments near the transmission lines, which shall include consideration of up-to-date information on potential hazards of EMF, especially information from the California Public Utilities Commission.</p> <p>In addition, potential purchasers of residential properties near the transmission lines shall be made aware of the controversy surrounding EMF exposure. The California Department of Real Estate shall be requested to insert an appropriate <u>disclosure statement notification</u> into the applicant's final Subdivision Public Report application, which shall be provided to purchasers of properties within 100 feet from the 100-115kV power line <u>easement</u>, or within 150 feet from the 220-230 kV power line <u>easement</u>. <u>The notification would include a discussion of the scientific studies and conclusions reached to date, acknowledge that the notification distance is not based on specific biological evidence, but rather, the distance where background levels may increase, and provide that, given some uncertainty in the data, this notification is merely provided to allow purchasers to make an informed decision.</u></p> <p>Implementation: Project applicant(s) of all project phases for any particular discretionary development entitlement in the vicinity of high-tension transmission lines.</p> <p>Timing: At the submission of tentative map applications.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. City of Folsom Community Development Department. 2. Folsom Cordova Unified School District. </p> <p>OFF-SITE NCP, PP, RIM, CD, RHD: No mitigation measures are required. Significance after Mitigation: less than significant</p>		
<p>3A.8-7: Potential for Public Health Hazards from Mosquitoes Associated with Project Water Features. Project implementation would include construction of 16 on-site detention basins and 1 off-site detention basin, which could attract mosquitoes and other waterborne vectors, thereby potentially creating a public health hazard.</p> <p>ON-SITE NP: No mitigation measures are required.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-7: Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District. To ensure that operation and design of the stormwater system, including multiple planned detention basins, is consistent with the recommendations of the Sacramento-Yolo Mosquito and Vector Control District regarding mosquito control, the project applicant(s) of all project phases shall prepare and implement a Vector Control Plan. This plan shall be prepared in coordination with the Sacramento-Yolo Mosquito and Vector Control District and shall be submitted to the City for approval before issuance of the grading permit for the detention basins under the City's jurisdiction. For the off-site detention basin, the plan shall be submitted to Sacramento County for approval before issuance of the grading permit for the off-site detention basin. The plan shall incorporate specific measures deemed sufficient by the City to minimize public health risks from mosquitoes, and as contained within the Sacramento-Yolo</p>	Land	<p>ON-SITE NP: no direct or indirect ON- & OFF-SITE NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Mosquito and Vector Control District BMP Manual (Sacramento-Yolo Mosquito and Vector Control District 2008). The plan shall include, but is not limited to, the following components:</p> <ul style="list-style-type: none"> ▶ Description of the project. ▶ Description of detention basins and all water features and facilities that would control on-site water levels. ▶ Goals of the plan. ▶ Description of the water management elements and features that would be implemented, including: <ul style="list-style-type: none"> • BMPs that would implemented on-site; • public education and awareness; • sanitary methods used (e.g., disposal of garbage); • mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvicides, circulating water); and • stormwater management (consistent with Stormwater Management Plan). ▶ Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner's association). <p>To reduce the potential for mosquitoes to reproduce in the detention basins, the project applicant(s) shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement BMPs based on their potential effectiveness for SPA conditions. Potential BMPs could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth; • perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area; • design distribution piping and containment basins with adequate slopes to drain fully and prevent standing water. The design slope should take into consideration buildup of sediment between maintenance periods. Compaction during grading may also be needed to avoid slumping and settling; • coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations; • enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality; • if the sump, vault, or basin is sealed against mosquitoes, with the exception of the inlet and outlet, submerge the inlet and outlet completely to reduce the available surface area of water for mosquito egg-laying (female mosquitoes can fly through pipes); and • design structures with the appropriate pumping, piping, valves, or other necessary equipment to allow for easy dewatering of the unit if necessary (Sacramento Yolo Mosquito and Vector Control District 2008). <p>The project applicant(s) of the project phase containing the off-site detention basin shall coordinate mitigation for the off-site with the affected oversight agency (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) of all project phases containing water features.</p> <p>Timing: Before issuance of grading permits for the project water features.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development</p>		

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Impact	Land/Water/GPA	Significance
Mitigation		
<p>Department.</p> <p>2. For the off-site detention basin west of Prairie City Road: Sacramento-Yolo Mosquito and Vector Control District.</p> <p><i>Significance after Mitigation: less than significant</i></p> <p>3B.8 HAZARDS AND HAZARDOUS MATERIALS – WATER</p> <p>3B.8-1: Accidental Spill from Routine Transport, Use, or Disposal of Hazardous Materials. Accidental spills of hazardous materials could result during routine transport, use, or disposal activities as part of the implementation of the Off-site Water Facility Alternatives.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.8-1a: Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines.</p> <p>The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store, and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans, Central Valley RWQCB, local fire departments, and the County environmental health department.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable Federal, state and/or local regulatory agency protocols. In addition, all precautions required by the Central Valley RWQCB-issued NPDES construction activity stormwater permits shall be taken to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.</p> <p>The storage, handling, and use of the construction-related hazardous materials shall be in accordance with applicable Federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be stored away from stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. These materials shall be kept at sufficient distance (at least 500 feet) from nearby residences or other sensitive land uses. This includes materials stored for expected use, materials in equipment and vehicles, and waste materials.</p> <p>1, 1A, 3, 3A, 4, & 4A: Mitigation Measure 3B.8-1b: Prepare and Implement a Hazardous Materials Management Plan.</p> <p>The City shall prepare a Hazardous Materials Management Plan (HMMP) for the proposed WTP. The HMMP shall provide for safe storage, containment, and disposal of chemicals and hazardous materials related to WTP operations, including waste materials. The plan shall include, but shall not be limited to, the following:</p> <ul style="list-style-type: none"> ▶ a description of hazardous materials and hazardous wastes; ▶ a description of handling, transport, treatment, and disposal procedures, as relevant for each hazardous material or hazardous waste; ▶ preparedness, prevention, contingency, and emergency procedures, including emergency contact information; 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> A description of personnel training including, but not limited to: (1) recognition of existing or potential hazards resulting from accidental spills or other releases; (2) implementation of evacuation, notification, and other emergency response procedures; (3) management, awareness, and handling of hazardous materials and hazardous wastes, as required by their level of responsibility; Instructions on keeping Materials Safety and Data Sheets (MSDS) on-site for each on-site, hazardous chemical; Identification of the locations of hazardous material storage areas, including temporary storage areas, which shall be equipped with secondary containment sufficient in size to contain the volume of the largest container or tank; and A description of equipment maintenance procedures. <p>The HMMP shall be made a condition of contractual obligation and shall be available for review by construction inspectors and implementation compliance shall be monitored.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction and operation of all Off-site Water Facilities Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate. </p> <p>Significance after Mitigation: less than significant</p>		
<p>3B.8-2: Create Accident Conditions Involving Potential Release of Hazardous Materials. Construction and operation of the Off-site Water Facilities could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.8-1b, 3B.16-3a, and 3B.16-3b.</p> <p>Significance after Mitigation: less than significant</p>	Water	<p>NCP, PA, 1, 1A, 3, 3A, 4, & 4A: direct PS & no indirect (<i>construction & operations</i>)</p> <p>2, 2A, 2B: direct LTS & no indirect (<i>transport & use</i>), direct PS & no indirect (<i>construction</i>)</p>
<p>3B.8-3: Introduction of Drinking Water Contaminants. Operation of the Off-site Water Facility Alternatives would not create a significant public health risk through the introduction of contaminants into a drinking water supply at concentrations with known adverse health effects.</p>	Water	<p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: no direct & indirect LTS</p>
<p>NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)</p> <p>CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)</p> <p>B (Beneficial) NI (No impact) LTS (Less than significant) PS (Potentially significant) S (Significant) SU (Significant and unavoidable)</p>		

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>PA & Alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>		
<p>3B.8-4: Use of Hazardous Materials within One-Quarter Mile of Schools. Operation of the Off-site Water Facilities could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</p> <p>NCP, PA, 1, 1A: No mitigation measures are required.</p> <p>2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3B.8-1a and 3B.8-1b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction and operation of all Off-site Water Facilities Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate </p> <p>Significance after Mitigation: less than significant</p>	Water	<p>NCP, PA, 1, 1A: no direct or indirect</p> <p>2, 2A, 2B, 3, & 3A: no direct & indirect PS</p> <p>4 & 4A: no direct or indirect (<i>no educational facilities</i>), no direct & indirect PS (<i>w/in 1/4m of schools</i>)</p> <p>NWF: no direct or indirect</p>
<p>3B.8-5: Create a Significant Hazard to the Public or the Environment. Construction of the Off-site Water Facilities could encounter one or more sites listed as containing hazardous materials or wastes and, as a result, could create a significant hazard to the public or the environment.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.8-5a: Conduct Phase 1 Environmental Site Assessment for Selected Alignment. Prior to construction, the City shall conduct a Phase 1 Environmental Site Assessment according to American Society for Testing and Materials (ASTM) protocol for the selected conveyance pipeline alignment, pump station, well, and WTP site. If any hazardous materials or waste sites are identified during the Phase 1 Environmental Site Assessment, the City shall implement Mitigation Measure 3.8-5b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction of all Off-site Water Facilities Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development </p>	Water	<p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: no direct & indirect PS</p>
<p>NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)</p> <p>CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)</p> <p>B (Beneficial) NI (No impact) LTS (Less than significant) PS (Potentially significant) S (Significant) SU (Significant and unavoidable)</p>		

Table ES-1 Summary of Impacts and Mitigation Measures		
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Mitigation		
<p>Department.</p> <p>2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department.</p> <p>3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</p> <p>Mitigation Measure 3B.8-5b: Develop and Implement a Remediation Plan. If determined necessary to mitigate for potential hazards resulting from disturbance of existing contaminated areas, the extent of contamination from hazardous materials sites within or adjacent to the Off-site Water Facilities construction area shall be delineated during final design. Disturbance to contaminated areas during Off-site Water Facilities construction shall be avoided, or any work done within contaminated areas shall be undertaken in compliance with standards approved by the DTSC or Sacramento County Department of Environmental Health to ensure that hazardous materials will not be released as a result of the ground disturbance.</p> <p>Additionally, if unidentified contaminated soil or groundwater are encountered, or if suspected contamination is encountered during any construction activities, work shall be halted in the area of potential exposure, and the type and extent of contamination shall be identified. A qualified professional, in consultation with appropriate regulatory agencies, will then develop and implement a plan to remediate the contamination and properly dispose of the contaminated material.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction of all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department. 3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3B.8-6: Impair or Interfere with an Adopted Emergency Response Plans or Emergency Evacuation Plans. Implementation of the Off-site Water Facilities would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect

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Impact	Land/Water/GPA	Significance
Mitigation		
<p>3B.8-7: Exposure to Wildland Fire Hazards. Implementation of the Off-site Water Facilities could expose people or structures to a significant risk of loss, injury or death involving wildland fires.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.8-7a: Keep Construction Area Clear of Combustible Materials. The City shall ensure, through the enforcement of contractual obligations that during construction, staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. The contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction and operation of all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Fire Department</p> <p>Mitigation Measure 3B.8-7b: Provide Accessible Fire Suppression Equipment. Work crews shall be required to carry or have sufficient fire suppression equipment to ensure that any fire resulting from construction activities is immediately extinguished. All off-road equipment using internal combustion engines shall be equipped with spark arrestors.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction and operation of all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Fire Department</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3B.8-7: Exposure to Wildland Fire Hazards. Implementation of the Off-site Water Facilities could expose people or structures to a significant risk of loss, injury or death involving wildland fires.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect</p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Executive Summary

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Folsom South of U.S. 50 Specific Plan Project/DERIDERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.9 HYDROLOGY AND WATER QUALITY - LAND		
<p>3A.9-1: Potential Temporary, Short-Term Construction-Related Drainage and Water Quality Effects. Construction activities during project implementation would involve extensive grading and movement of earth, which would substantially alter on-site drainage patterns and could generate sediment, erosion, and other nonpoint source pollutants in on-site stormwater that could drain to off-site areas and degrade local water quality.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-1: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs. Prior to the issuance of grading permits, the project applicant(s) of all projects disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the SWRCB's NPDES stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific SWPPP at the time the NOI is filed. The project applicant(s) shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to Sacramento County, City of Folsom, El Dorado County (for the off-site roadways into El Dorado Hills under the Proposed Project Alternative). The SWPPP and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none"> ▶ the use of an effective combination of robust erosion and sediment control BMPs and construction techniques accepted by the local jurisdictions for use in the project area at the time of construction, that shall reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury from project-related construction sites. These may include but would not be limited to temporary erosion control and soil stabilization measures, sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences ▶ the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities; ▶ the pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation; ▶ spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills; ▶ personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and ▶ the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. <p>Where applicable, BMPs identified in the SWPPP shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. BMPs may include, but are not limited to, such measures as those listed below.</p> <ul style="list-style-type: none"> ▶ Implementing temporary erosion and sediment control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances, in compliance with state and local standards in effect at the time of construction. These measures may include silt fences, staked straw bales or wattles, 	Land	<p>ON- & OFF-SITE NP: direct & indirect LTS NCP, PP, RIM, CD, RHD: direct & indirect significant</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project/DERIDERS
City of Folsom and USACE

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Executive Summary

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation.</p> <ul style="list-style-type: none"> ▶ Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration. ▶ Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. <p>A copy of the approved SWPPP shall be maintained and available at all times on the construction site.</p> <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, Caltrans shall coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) during all project phases and on-site and off-site elements.</p> <p>Timing: Submittal of the State Construction General Permit NOI and SWPPP (where applicable) and development and submittal of any other locally required plans and specifications before the issuance of grading permits for all on-site project phases and off-site elements and implementation throughout project construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation. 3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. 4. For the U.S. 50 interchange improvements: Caltrans. 5. For all construction activities subject to the state's Construction General Permit and violators of local ordinances referred to the state for enforcement: Central Valley Regional Water Quality Control Board. <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>3A.9-2: Potential Increased Risk of Flooding and Hydromodification from Increased Stormwater Runoff. Project implementation would increase the amount of impervious surfaces on the SPA, thereby increasing surface runoff. This increase in surface runoff would result in an increase in both the total volume and the peak discharge rate of stormwater runoff, and therefore could result in greater potential for on- and off-site flooding.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-2: Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans. Before the approval of grading plans and building permits, the project applicant(s) of all project phases shall submit final drainage plans to the City, and to El Dorado County for the off-site roadway connections into El Dorado Hills, demonstrating that off-site upstream runoff would be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention basins or managed with through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts.</p> <p>The plans shall include, but not be limited to, the following items:</p> <ul style="list-style-type: none"> ▶ an accurate calculation of pre-project and post-project runoff scenarios, obtained using appropriate engineering methods, that accurately evaluates potential changes to runoff, including increased surface runoff; ▶ runoff calculations for the 10-year and 100-year (0.01 AEP) storm events (and other, smaller storm events as required) shall be performed and the trunk drainage pipeline sizes confirmed based on alignments and detention facility locations finalized in the design phase; ▶ a description of the proposed maintenance program for the on-site drainage system; ▶ project-specific standards for installing drainage systems; ▶ City and El Dorado County flood control design requirements and measures designed to comply with them; <p>Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These BMPs will be designed and constructed in accordance with the forthcoming SSQP Hydromodification Management Plan (to be adopted by the RWQCB) and may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • use of Low Impact Development (LID) techniques to limit increases in stormwater runoff at the point of origination (these may include, but are not limited to: surface swales; replacement of conventional impervious surfaces with pervious surfaces [e.g., porous pavement]; impervious surfaces disconnection; and trees planted to intercept stormwater); • enlarged detention basins to minimize flow changes and changes to flow duration characteristics; • bioengineered stream stabilization to minimize bank erosion, utilizing vegetative and rock stabilization, and inset floodplain restoration features that provide for enhancement of riparian habitat and maintenance of natural hydrologic and channel to floodplain interactions; • minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow 					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

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Executive Summary

Table ES-1 Summary of Impacts and Mitigation Measures					
Impact	Land/Water/GPA	Significance			
Mitigation					
<p>velocity; and</p> <ul style="list-style-type: none"> • minimize to the extent possible detention basin, bridge embankment, and other encroachments into the channel and floodplain corridor, and utilize open bottom box culverts to allow sediment passage on smaller drainage courses. <p>▶ The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments and El Dorado County Department of Transportation that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the SPA would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom Public Works Department).</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County.</p> <p>Implementation: Project applicant(s) during all on-site project phases and off-site elements.</p> <p>Timing: Before approval of grading plans and building permits of all project phases.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Public Works Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation.</p> <p><i>Significance after Mitigation: less than significant</i></p>					
<p>3A.9-3: Long-Term Water Quality and Hydrology Effects from Urban Runoff. Project implementation would convert a large area of undeveloped land to residential and commercial uses, thereby changing the amount and timing of potential long-term pollutant discharges in stormwater and other urban runoff to Alder Creek, Buffalo Creek, Coyote Creek, Carson Creek, and other on- and off-site drainages.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-3: Develop and Implement a BMP and Water Quality Maintenance Plan. Before approval of the final small-lot subdivision map grading permits for all project phases any development project requiring a subdivision map, a detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the project applicant(s) of all project phases the development project. Drafts of the plan shall be submitted to the City of Folsom and El Dorado County for the off-site roadway connections into El Dorado Hills, for review and approval concurrently with development of tentative subdivision maps for all project phases. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> ▶ A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features. ▶ Predevelopment and postdevelopment calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City 					
NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>of Folsom and including details regarding the size, geometry, and functional timing of storage and release pursuant to the "Stormwater Quality Design Manual for Sacramento and South Placer Regions" ([SSQP 2007b] per NPDES Permit No. CAS082597 WDR Order No. R5-2008-0142, page 46) and El Dorado County's NPDES SWMP (County of El Dorado 2004).</p> <ul style="list-style-type: none"> ► Source control programs to control water quality pollutants on the SPA, which may include but are limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas. ► A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding. ► LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to: <ul style="list-style-type: none"> • surface swales; • replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); • impervious surfaces disconnection; and • trees planted to intercept stormwater. ► New stormwater facilities shall be placed along the natural drainage courses within the SPA to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in "Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4" (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes. <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County and Caltrans.</p> <p>Implementation: Project applicant(s) during all on-site project phases and off-site elements.</p> <p>Timing: Prepare plans before the issuance of grading permits for all project phases and off-site elements and implementation throughout project construction.</p> <p>Enforcement: <ol style="list-style-type: none"> 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department and Public Works Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation. 3. For the U.S. 50 interchange improvements: Caltrans. </p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.9-4: Potential Exposure of People or Structures to a Significant Risk of Flooding as a Result of the Failure of a Levee or Dam. The SPA is not in an area protected by levees and is not located within the Folsom Dam inundation zone; however, there are existing dams impounding water within and upstream of the SPA.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-4: Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary. Prior to submittal to the City of tentative maps or improvement plans the project applicant(s) of all project phases shall perform conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the applicants(s) shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City of Folsom Public Works Department.</p> <p>Implementation: Project applicant(s) of all on-site project phases and off-site elements.</p> <p>Timing: Prior to submittal to the City of tentative maps or improvement plans.</p> <p>Enforcement: City of Folsom Public Works Department.</p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.9-5: Potential Effects on Groundwater Recharge. Shallow and deep percolation of rainwater and related runoff and consequent depth to groundwater could be affected locally by the development of additional impervious surfaces, which could limit infiltration and recharge.</p> <p>NP: No mitigation measures are required.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.9-6: Potential Effects on Groundwater Recharge. Shallow and deep percolation of rainwater and related runoff and consequent depth to groundwater could be affected locally by the development of additional impervious surfaces, which could limit infiltration and recharge.</p> <p>NP: No mitigation measures may be imposed.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.9 HYDROLOGY AND WATER QUALITY – WATER		
3B.9-1: Potential Temporary, Short-Term Construction-Related Drainage and Water Quality Effects. Construction of the Off-site Water Facilities could generate discharges to surface water resources that could potentially violate water quality standards or waste discharge requirements.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect PS (construction-related water quality)
<p>NCP, PA, 1, 1A, 3, 3A, 4, & 4A: Mitigation Measure 3B.9-1a: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs. The City shall prepare a SWPPP specific to the selected Off-site Water Facility Alternative and secure coverage under SWRCB's NPDES stormwater permit for general construction activity (Order 2009-0009-DWQ). The SWPPP shall identify specific actions and BMPs relating to the prevention of stormwater pollution from project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall reflect localized surface hydrological conditions and shall be reviewed and approved by the City prior to commencement of work and shall be made conditions of the contract with the contractor selected to build the Off-site Water Facilities. The SWPPP shall incorporate control measures in the following categories:</p> <ul style="list-style-type: none"> ▶ soil stabilization and erosion control practices (e.g., hydroseeding, erosion control blankets, mulching, etc.); ▶ dewatering and/or flow diversion practices, if required (see Mitigation Measure 3B.9-1b); ▶ sediment control practices (temporary sediment basins, fiber rolls, etc.); ▶ temporary and post-construction on- and off-site runoff controls; ▶ special considerations and BMPs for water crossings, wetlands, drainages, and vernal pools; ▶ monitoring protocols for discharge(s) and receiving waters, with emphasis placed on the following water quality objectives: dissolved oxygen, floating material, oil and grease, pH, and turbidity; ▶ waste management, handling, and disposal control practices; ▶ corrective action and spill contingency measures; ▶ agency and responsible party contact information, and ▶ training procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP. <p>The SWPPP shall be prepared by a qualified SWPPP practitioner with BMPs selected to achieve maximum pollutant removal and represent the best available technology that is economically achievable. Emphasis for BMPs shall be placed on controlling discharges of oxygen-depleting substances, floating material, oil and grease, acidic or caustic substances or compounds, and turbidity. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (inadvertent petroleum release) as required to determine adequacy of the measure.</p> <p>Implementation: City of Folsom Utilities Department</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Timing:	Development of the SWPPP prior to construction of all Off-site Water Facilities and implementation throughout construction.	
Enforcement:	<ol style="list-style-type: none"> 1. Central Valley Regional Water Quality Control Board. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. 	
<p>Mitigation Measure 3B.9-1b: Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board. All hydrostatic test water and construction dewatering shall be discharged to an approved land disposal area or drainage facility in accordance with Central Valley RWCQB requirements. The City or its construction contractor shall provide the Central Valley RWQCB with the location, type of discharge, and methods of treatment and monitoring for all hydrostatic test water discharges. Emphasis shall be placed on those discharges that would occur directly to surface water bodies.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Incorporation measures into SWPPP prior to construction and implementation throughout construction, as appropriate.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> 1. Central Valley Regional Water Quality Control Board. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. <p>Mitigation Measure: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Incorporation of measures into SWPPP prior to construction and implementation throughout construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> 1. Central Valley Regional Water Quality Control Board. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department. <p>2, 2A, 2B: Implement Mitigation Measure 3B.9-1a and 3B.9-1b.</p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures			
Impact	Land/Water/GPA	Significance	
Mitigation			
<p>3B.9-2: Exceedance of Surface Water Quality Standards during Operation. The operation of the Off-site Water Facilities could result in changes to the quality of surface water resources that could potentially violate water quality standards or waste discharge requests.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: no direct & indirect LTS	
<p>3B.9-3: Alteration of Drainage Patterns Resulting in Off-site Flooding and/or Erosion. The Off-site Water Facilities could result in the alteration of existing drainage patterns thereby increasing the rate or amount of surface runoff in a manner that could result in substantial flooding and/or erosion or siltation on- or off-site.</p> <p>NCP, PA, 1, 1A, 3, 3A, 4, & 4A: Mitigation Measure 3B.9-3a: Prepare and Implement Drainage Plan(s) for Structural Facilities. The City shall prepare a Drainage Plan for the selected Off-site Water Facility WTP and shall incorporate measures to maintain off-site runoff during peak conditions to pre-construction discharge levels. The Drainage Plan shall provide both short- and long-term drainage solutions to ensure the proper sequencing or drainage facilities during and following construction. The City shall evaluate options for on-site detention including, but not limited to, providing temporary storage within a portion or portions of proposed paved areas, linear infiltration facilities along the site perimeter, and/or other on-site opportunities for detention, retention, and/or infiltration facilities. Design specifications for the detention, retention, and/or infiltration facilities shall provide sufficient storage capacity to accommodate the 10-year, 24-hour storm event. In addition, the Drainage Plan shall delineate the overland release path for flows generated by a 100-year frequency storm, so that structural pad elevations for buildings, containment facilities, storage tank, and container storage areas are placed a minimum of one foot above the property's highest frontage curb elevation.</p> <p>Implementation: City of Folsom Utilities Department Timing: Development of the Drainage Plan prior to start of construction. Enforcement: 1. Central Valley Regional Water Quality Control Board. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p>Mitigation Measure 3B.9-3b: Ensure the Provision of Sufficient Outlet Protection and On-site Containment. Energy dissipaters, vegetated rip-rap, soil protection, and/or other appropriate BMPs shall be included within all storm-drain outlets to slow runoff velocities and prevent erosion at discharge locations for the WTP. A long-term maintenance plan shall be implemented for all drainage discharge control devices. The WTP layout shall also include sufficient on-site containment and pollution-control devices for drainage facilities to avoid the off-site release of water quality pollutants, oil and grease.</p>	Water	NCP, PA, 1, 1A, 3, 3A: direct PS & no indirect 4, 4A: direct & indirect PS 2, 2A, 2B: direct & indirect LTS	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures			
Impact	Land/Water/GPA	Significance	
Mitigation			
<p>Implementation: City of Folsom Utilities Department Timing: Incorporation of measures into the Drainage Plan prior to start of construction. Enforcement: 1. Central Valley Regional Water Quality Control Board. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p>2, 2A, 2B: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>			
<p>3B.9-4: Changes to Flow within the Sacramento River. The Off-site Water Facilities could result in adverse effects to existing flows within the Sacramento River.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect NWF: no impacts	
<p>3B.9-5: Exceed Drainage Capacity and Contribute Sources Polluted Runoff. The Off-site Water Facilities could 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.</p> <p>NCP, PA, 1, 1A, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.9-3a and 3B.9-3b.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 3, 3A: direct PS & indirect LTS 2, 2A, 2B: LTS 4, 4A: direct & indirect PS	
<p>3B.9-6: Impede or Redirect Flood Flows. The Off-site Water Facilities could place structures within a 100-year flood hazard area, which would impede or redirect flood flows</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.7-1a and 3B.9-1a.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect PS	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.9-7: Inundation from Flooding or Mudflows. The Offsite Water Facility Alternatives would not expose people or structures to a significant risk of loss, injury or death involving inundation by flooding, including flooding as a result of the failure of a levee or dam, seiche, or tsunami or inundation by mudflows. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: no impacts
3A.10 LAND USE AND AGRICULTURAL RESOURCES		
3A.10-1: Consistency with Sacramento LAFCo Guidelines. Annexation of the SPA into the City of Folsom would require approval by Sacramento LAFCo. NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	NP: no direct & indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect
3A.10-2: Consistency with the SACOG Sacramento Region Blueprint. Project implementation could conflict with the SACOG Sacramento Region Preferred Blueprint Scenario. ON-SITE NP, NCP, RIM: No mitigation measures may be imposed PP, CD, RHD: No mitigation measures are required. OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i>	Land	ON-SITE NP, NCP, RIM: inconsistent PP, CD, RHD: consistent OFF-SITE No consistency

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.10-3: Cancellation of Existing On-Site Williamson Act Contracts. Project implementation could result in the cancellation of Williamson Act contracts. ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No feasible mitigation measures are available. OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i>	Land	ON-SITE NP: No direct or indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE Direct LTS, no indirect
3A.10-4: Potential Conflict with Existing Off-site Williamson Act Contracts. Project implementation could conflict with lands under Williamson Act contracts south of the SPA; thereby potentially resulting in cancellation of those contracts. ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No feasible mitigation measures are available. OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i>	Land	ON-SITE NP: No direct or indirect NCP, PP, RIM, CD, RHD: indirect significant, no direct OFF-SITE Indirect LTS, no direct

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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 Folsom South of U.S. 50 Specific Plan Project DERIVERS City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.10 LAND USE AND AGRICULTURAL RESOURCES – WATER		
3B.10-1: Conflict with Applicable Water Resource Management and Facility Plans, Policies, or Regulations. Implementation of the Off-site Water Facility Alternatives would not conflict with applicable water resource management and facility plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: No mitigation measures are required. Significance after Mitigation: less than significant	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct & indirect LTS
3B.10-2: Conflict with Applicable Local Agency Land Use Plans, Policies, or Regulations. Implementation of the Off-site Water Facility Alternatives could conflict with an applicable land use plan, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. 1, 1A, 3, 3A, 4, & 4A: Mitigation Measure 3B.10-2: Acquire Development Approvals for Off-site WTPs. The City shall implement one of the two following options to enable development of the White Rock WTP under Off-site Water Facility Alternatives 1, 1A, 3, and 3A: (1) Annexation and Pre-Zoning to Public Use. The City shall file an application with Sacramento LAFCo to amend its sphere of influence to include the White Rock WTP and City Corporation Yard, if applicable . The application shall include a statement describing that the sphere of influence amendment is necessary to ensure the provision of adequate water supply, distribution, and treatment for planned development with the Folsom SPA. Subject to LAFCo approval of the sphere of influence amendment, the City shall prepare an application to annex and prezone the White Rock WTP site for Public Use. As part of the White Rock WTP site's design, spacing opportunities between the WTP facilities and adjacent land use shall be maximized to encourage open space continuity and disruption to adjacent agricultural areas. Prior to the annexation approval, the City shall provide LAFCo with the following: (a) dedications of rights-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping/open space for the protection of adjoining and nearby properties. or (2) Obtain County Use Permit or General Plan Amendment. The City shall file an application with Sacramento County for a Use Permit to allow the operation of the proposed WTP within the AG-80 zone. The City shall comply with the conditions of the Use Permit, so that the WTP site is developed consistent with County requirements in terms of the following: (a) dedications of right-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping for the protection of adjoining and nearby properties. Alternatively, the City may file an application for a General Plan Amendment and Rezone to designate the White Rock WTP site for Public Use. In addition to complying with the requirements of the Public zone, the City shall develop the site consistent with the County's for the following: (a) dedications of right-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping for the protection of adjoining and nearby properties.	Water	NCP, PA: consistent direct & indirect LTS 1, 1A, 3, 3A: inconsistent direct & indirect significant 2, 2A, 2B: consistent direct & indirect LTS 4, 4A: consistent direct & indirect LTS (<i>location</i>), potentially inconsistent (<i>planning</i>)

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS City of Folsom and USACE
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Implementation: City of Folsom Utilities Department Timing: Prior to acquisition and development of the Off-site WTP Enforcement: <ol style="list-style-type: none"> For annexation and sphere of influence applications: Sacramento County LAFCo. For the entitlement and General Plan applications through Sacramento County: Sacramento County Planning and Community Development Department. NCP, PA, 2, 2A, 2B: No mitigation measures are required. Significance after Mitigation: potentially significant and unavoidable for 1, 1A, 3, and 3A, 4 and 4A Significance after Mitigation: less than significant for NCP, PA, 2, 2A, 2B		
3B.10-3: Conversion of Important Farmland to Nonagricultural Uses. Implementation of the Off-site Water Facilities could result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural uses. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. Significance after Mitigation: less than significant	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect
3B.10-4: Cancellation of Existing On-Site Williamson Act Contracts. Construction of the Off-site Water Facilities could conflict with lands under Williamson Act contracts; thereby potentially resulting in cancellation of those contracts. NCP, PA, 1, 1A: No feasible mitigation measures are available. 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. Significance after Mitigation: potentially significant and unavoidable	Water	NCP, PA, 1, 1A: direct LTS & indirect significant 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect
3B.10-5: Potential Temporary Disruptions to Existing Agricultural Operations. Implementation of the Off-site Water Facilities could potentially affect existing agricultural operations and result in a loss in agricultural productivity. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.10-4: Restore Affected Agricultural Lands to Preproject Conditions. The City shall consult with all affected land owners where the selected alignment would cross Important Farmland. As part of the easement acquisition process, the City shall demonstrate a good-faith effort to negotiate with affected landowners an agreed-upon compensation for the loss of any existing pasture and/or row crops currently in production. During these consultations the City shall also, in conjunction with landowners' input, identify areas along the right-of-way that could be left in agricultural production as well as locations for access gates to allow for city staff access. Access gate locations shall be included in the final design	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct significant & no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
plans for the Off-site Water Facilities. Compensation for the loss of crops and associated revenues shall be up to the provisions of law. Implementation: City of Folsom Utilities Department Timing: Immediately following construction Enforcement: Sacramento County Community Development and Planning Department <i>Significance after Mitigation: less than significant</i>		
3A.11 NOISE - LAND		
3A.11-1: Temporary, Short-Term Exposure of Sensitive Receptors to Increased Equipment Noise from Project Construction. Project implementation would result in temporary, short-term construction activities associated with development of residential, commercial, schools, and park uses, supporting roadways, and other infrastructure improvements. Project-related construction activities could expose existing off-site and future on-site sensitive receptors to temporary noise levels that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels. NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-1: Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors. To reduce impacts associated with noise generated during project-related construction activities, the project applicant(s) and their primary contractors for engineering design and construction of all project phases shall ensure that the following requirements are implemented at each work site in any year of project construction to avoid and minimize construction noise effects on sensitive receptors. The project applicant(s) and primary construction contractor(s) shall employ noise-reducing construction practices. Measures that shall be used to limit noise shall include the measures listed below:	Land ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE PP: direct significant, no indirect NCP, RIM, CD, RHD: direct LTS, no indirect	
<ul style="list-style-type: none"> Noise-generating construction operations shall be limited to the hours between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 6 p.m. on Saturdays and Sundays. All construction equipment and equipment staging areas shall be located as far as possible from nearby noise-sensitive land uses. All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. All motorized construction equipment shall be shut down when not in use to prevent idling. Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site). 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators) as planned phases are built out and future noise sensitive receptors are located within close proximity to future construction activities. Written notification of construction activities shall be provided to all noise-sensitive receptors located within 850 feet of construction activities. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification. To the extent feasible, acoustic barriers (e.g., lead curtains, sound barriers) shall be constructed to reduce construction-generated noise levels at affected noise-sensitive land uses. The barriers shall be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971). When future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise. The primary contractor shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified above. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins. Construction shall not commence until the construction noise management plan is approved by the City of Folsom. Mitigation for the two off-site roadway connections into El Dorado County must be coordinated by the project applicant(s) of the applicable project phase with El Dorado County, since the roadway extensions are outside of the City of Folsom's jurisdictional boundaries. Implementation: Project applicant(s) and primary contractor(s) of all project phases. Timing: Before and during construction activities on the SPA and within El Dorado Hills. Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department. <i>Significance after Mitigation: significant and unavoidable</i>		
3A.11-2: Temporary, Short-Term Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Project Construction. Project implementation would result in temporary increases in on- and off-site roadway traffic noise associated with project construction. Construction-generated traffic could expose sensitive receptors to noise levels along on- and off-site roadways that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels. NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.11-3: Temporary, Short-Term Exposure of Sensitive Receptors to Potential Groundborne Noise and Vibration from Project Construction. Project implementation could expose sensitive receptors to groundborne noise and vibration levels that exceed applicable standards that could cause human disturbance or damage structures.</p> <p>ON- & OFF-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-3: Implement Measures to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities.</p> <ul style="list-style-type: none"> To the extent feasible, blasting activities shall not be conducted within 275 feet of existing or future sensitive receptors. To the extent feasible, bulldozing activities shall not be conducted within 50 feet of existing or future sensitive receptors. All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the State of California. A blasting plan, including estimates of vibration levels at the residence closest to the blast, shall be submitted to the enforcement agency for review and approval prior to the commencement of the first blast. Each blast shall be monitored and documented for groundbourne noise and vibration levels at the nearest sensitive land use and associated recorded submitted to the enforcement agency. <p>Implementation: Project applicant(s) and primary contractor(s) of all project phases. Timing: Before and during bulldozing and blasting activities on the SPA and within El Dorado Hills and the County of Sacramento Enforcement: <ol style="list-style-type: none"> For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department. For the U.S. 50 interchange improvements: Caltrans. <p><i>Significance after Mitigation: significant and unavoidable</i></p> </p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE Direct significant, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.11-4: Long-Term Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Project Operation. Project implementation would result in long-term increases in ADT volumes on affected roadway segments. Increased traffic volumes would result in a substantial (e.g., 3 dB L_{dn}/CNEL) increase in ambient noise levels on- and off-site at nearby noise-sensitive receptors.</p> <p>ON-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-4: Implement Measures to Prevent Exposure of Sensitive Receptors to Increases in Noise from Project-Generated Operational Traffic on Off-site and On-Site Roadways.</p> <p>To meet applicable noise standards as set forth in the appropriate General Plan or Code (e.g., City of Folsom, County of Sacramento, and County of El Dorado) and to reduce increases in traffic-generated noise levels at noise-sensitive uses, the project applicant(s) of all project phases shall implement the following:</p> <ul style="list-style-type: none"> Obtain the services of a consultant (such as a licensed engineer or licensed architect) to develop noise-attenuation measures for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms) that will produce a minimum composite Sound Transmission Class (STC) rating for buildings of 30 or greater, individually computed for the walls and the floor/ceiling construction of buildings, for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms). Prior to submittal of tentative subdivision maps and improvement plans, the project applicant(s) shall conduct a site-specific acoustical analysis to determine predicted roadway noise impacts attributable to the project, taking into account site-specific conditions (e.g., site design, location of structures, building characteristics). The acoustical analysis shall evaluate stationary- and mobile-source noise attributable to the proposed use or uses and impacts on nearby noise-sensitive land uses, in accordance with adopted City noise standards. Feasible measures shall be identified to reduce project-related noise impacts. These measures may include, but are not limited to, the following: <ul style="list-style-type: none"> limiting noise-generating operational activities associated with proposed commercial land uses, including truck deliveries; constructing exterior sound walls; constructing barrier walls and/or berms with vegetation; using "quiet pavement" (e.g., rubberized asphalt) construction methods on local roadways; and, using increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; exterior wall insulation). <p>Implementation: Project applicant(s) of all project phases. Timing: During project construction activities at noise-sensitive receptors on the SPA; at the existing noise-sensitive receptors on Empire Ranch Road from Broadstone Parkway to Iron Point Road; and at the existing noise-sensitive receptors on Latrobe Road from White Rock Road to Golden Foothills Parkway Enforcement: <ol style="list-style-type: none"> For all noise-sensitive receptors that would be located within the City of Folsom: City of Folsom Community Development Department. For all noise-sensitive receptors in El Dorado Hills: El Dorado County Development Services Department. For all noise-sensitive receptors in the vicinity the off-site detention basin west of Prairie City Road: Sacramento County Planning and </p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE Direct LTS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Community Development Department. 4. For all noise-sensitive receptors adjacent to the U.S. 50 interchange improvements: Caltrans.		
OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i>		
3A.11-5: Long-Term Exposure of Sensitive Receptors to Increased Stationary-Source Noise Levels from Project Operation. Project implementation would result in increases in on-site stationary-source noise levels associated with the proposed residential, commercial, mixed-use, office/industrial, park, and educational land uses. These stationary noise sources could exceed the applicable noise standards (hourly and maximum) and result in a substantial increase in ambient noise levels.	Land	ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct PS, no indirect (Mechanical HVAC Equipment, Emergency Electrical Generators, Parking Lot Activities, & Loading Dock and Delivery Activity) NCP, PP, RIM, CD, RHD: direct LTS, no indirect (Emergency Facilities & Outdoor Recreational and Educational Activities) OFF-SITE No direct or indirect
ON-SITE NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-5: Implement Measures to Reduce Noise from Project-Generated Stationary Sources. The project applicant(s) of all project phases for any particular discretionary development project shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor: <ul style="list-style-type: none"> Routine testing and preventive maintenance of emergency electrical generators shall be conducted during the less sensitive daytime hours (i.e., 7:00 a.m. to 6:00 p.m.). All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications. External mechanical equipment associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating generators within equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors. Parking lots shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of parking lot noise can be achieved by locating parking lots as far away as possible-feasible from noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of loading dock noise can be achieved by locating loading docks as far away as possible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. Implementation: Project applicant(s) of all project phases. Timing: Before submittal of improvement plans for each project phase, and during project operations for testing of emergency generators. Enforcement: City of Folsom Community Development Department.		
OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.11-6: Single-Event Aircraft Noise. New noise sensitive land uses proposed in the Specific Plan area could be exposed to noise from aircraft overflights. Overflights would not result in interior noise levels that create sleep disturbance.	Land	ON-SITE NP, NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.11-7: Compatibility of Proposed On-Site Land Uses with the Ambient Noise Environment. The project includes development of on-site noise-sensitive land uses that could be exposed to noise levels that exceed the noise standards set forth in the applicable General Plan and Code.	Land	ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect (Roadway Traffic) NCP, PP, RIM, CD, RHD: direct LTS, no indirect (Aerojet General Corporation & Prairie City State Vehicular Recreation Area) OFF-SITE No direct or indirect
ON-SITE NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.11-4. Timing: Before submittal of tentative subdivision maps or improvement plans Enforcement: Folsom Community Development Department		

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CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
OFF-SITE		
No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3B.11 NOISE – WATER		
3B.11-1: Temporary and Short-term Noise Levels in Excess of Standards. The Off-site Water Facilities could expose persons to or generate noise levels in excess of applicable City and County standards.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.11-1a: Limit Construction Hours. Construction activities shall be limited to daylight hours between 7 a.m. and 7 p.m. Monday through Friday, and 9 a.m. and 5 p.m. on Saturday. No construction shall be allowed on Sundays or holidays.		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. 	
Mitigation Measure 3B.11-1b: Minimize Noise from Construction Equipment and Staging. Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools, where used. The City's construction specifications shall also require that the contractor select staging areas as far as feasibly possible from sensitive receptors.		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. 	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Mitigation Measure 3B.11-1c: Maximize the Use of Noise Barriers. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences. If feasible, noise barriers shall be used at the construction site and staging area. Temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate in instances where construction noise would exceed 90 dBA and occur within less than 50 feet from a sensitive receptor. The final selection of noise barriers will be subject to the City's approval and shall provide a minimum 10 dBA reduction in construction noise levels.		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. 	
Mitigation Measure 3B.11-1d: Prohibit Non-Essential Noise Sources During Construction. No amplified sources (e.g., stereo "boom boxes") shall be used in the vicinity of residences during project construction.		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. 	
Mitigation Measure 3B.11-1e: Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints. An on-site complaint and enforcement manager shall track and respond to noise complaints. The City shall also provide a mechanism for residents, businesses, and agencies to register complaints with the City if construction noise levels are overly intrusive or construction occurs outside the required hours.		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. <i>Significance after Mitigation: significant and unavoidable</i>		
3B.11-2: Exposure to and/or Generation of Groundborne Vibration. The Off-site Water Facilities could expose persons to or generate excessive groundborne vibration or groundborne noise levels. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS, no indirect
3B.11-3: Permanent Increase in Ambient Noise Levels. The Off-site Water Facilities could create a substantial permanent increase in ambient noise levels in the vicinity of new pumping facilities. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.11-3a: Implement Operational Noise Minimization Measures. The following mitigation measures shall be implemented for the design of the WTP and the pump station(s) to ensure that operational noise levels at the property line do not exceed the City/County standards: <ul style="list-style-type: none"> Shielding and other specified measures as deemed appropriate and effective by the design engineer shall be incorporated into the design in order to comply with performance standards. Pumps located underground shall be shielded to not affect nearby sensitive receptors. Project equipment shall be outfitted and maintained with noise-reduction devices such as equipment closures, fan silencers, mufflers, acoustical louvers, noise barriers, and acoustical panels to minimize operational noise. Particularly noisy equipment shall be located as far away as feasibly possible from nearby sensitive receptors. The orientation of acoustical exits shall always be facing away from nearby sensitive receptors. Buildings and landscaping shall be incorporated, where possible, to absorb or redirect noise away from nearby sensitive receptors. Implementation: City of Folsom Utilities Department Timing: Approval of engineering plans for the On- or Off-site WTPs and Off-site booster pumping facilities prior to construction Enforcement: <ol style="list-style-type: none"> For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 	Water	NCP, PA: direct PS, no indirect (<i>Pump Station(s)</i>); direct LTS, no indirect (<i>Water Treatment Plant & Traffic Noise</i>) 1, 1A, 3, 3A, 4, 4A: direct PS, no indirect (<i>pumping noise</i>) 2, 2A, 2B: direct LTS, no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. <i>Significance after Mitigation: significant and unavoidable</i>		
3A.12 PARKS AND RECREATION - LAND		
3A.12-1: Sufficiency of Proposed Parkland to Meet Increased Demand and Potential Increased Use and Deterioration of Existing Facilities. Residential development proposed for the SPA would require 5 acres of parkland per 1,000 residents to meet the adopted City of Folsom standards. Increased population could increase the demand on existing neighborhood and community parks such that the physical deterioration of the existing facilities could occur or be accelerated. NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	ON-SITE NP: indirect LTS, no direct NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect
3A.12-2: Increased Use and Potential Physical Deterioration of Existing Off-site Local or Regional Park Facilities. Project implementation would result in a large number of new residents, which would increase the use and could cause the potential physical deterioration of existing off-site local and regional park facilities. NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	Direct impacts are analyzed in Impact 3A.12-1. ON-SITE NP: indirect LTS NCP, PP, RIM, CD, RHD: indirect LTS OFF-SITE No indirect
3B.12 PARKS AND RECREATION - WATER		
3B.12-1: Temporary Disruptions to Existing Recreational Facilities and Opportunities. Implementation of the Off-site Water Facilities could temporarily disrupt trail, golf course, or park facility access. NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4 & 4A: Mitigation Measure 3B.12-1: Provide for Continued Recreational Access as Identified in Mitigation Measure 3.14-1a. As part of the Traffic Control Plan identified in Mitigation Measure 3.14-1a, the City shall ensure that trail access is maintained throughout the construction period through the use of detours. Proper signage shall be included in multiple locations, where necessary, to provide advance notice to hikers and equestrian riders of up-comings construction activities. Implementation: City of Folsom Utilities Department	Water	NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4 & 4A: direct PS, no indirect 2B: no impacts

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Timing: Prior to and during construction activities		
Enforcement: 1. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 2. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.		
2B: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3B.12-2: Effects to Water-Oriented Recreational Facilities and Opportunities. Implementation of the Off-site Water Facilities would not cause an adverse change in river flows or lake elevations that could result in substantial changes to existing recreational opportunities.	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS, no indirect
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.13 POPULATION, EMPLOYMENT, AND HOUSING - LAND		
3A.13-1: Temporary Increase in Population and Subsequent Housing Demand during Construction. Project implementation would generate a temporary increase in employment and subsequent housing demand in Sacramento County and the City of Folsom from construction jobs.	Land	NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.13-2: Permanent Increase in Population Growth. Project implementation would result in the development of new residential dwelling units, which would cause a direct long-term increase in population.	Land	ON-SITE NP: direct LTS, indirect impacts evaluated throughout EIR/EIS NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS OFF-SITE direct LTS, indirect impacts evaluated throughout EIR/EIS
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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Impact	Land/Water/GPA	Significance
Mitigation		
3A.13-3: Displacement of Existing Housing or People Resulting from Project Development. Project implementation would displace one existing residence located in the SPA.	Land	ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect
NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>		
3A.14 PUBLIC SERVICES - LAND		
3A.14-1: Temporary Reduction in Emergency Response Services during Construction. Project implementation could obstruct roadways in the project vicinity during construction, potentially obstructing or slowing emergency vehicles attempting to access the area.	Land	NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect
NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.14-1: Prepare and Implement a Construction Traffic Control Plan. The project applicant(s) of all project phases shall prepare and implement traffic control plans for construction activities that may affect road rights-of-way. The traffic control plans must follow any applicable standards of the agency responsible for the affected roadway and must be approved and signed by a professional engineer. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flagperson to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. Traffic control plans shall be submitted to the appropriate City or County department or the California Department of Transportation (Caltrans) for review and approval before the approval of all project plans or permits, for all project phases where implementation may cause impacts on traffic. Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties and Caltrans). Implementation: Project applicant(s) of all project phases. Timing: Before the approval of all relevant plans and/or permits and during construction of all project phases.		
Enforcement: 1. For those roadways that would be annexed into the City of Folsom: City of Folsom Public Works Department. 2. For those roadways that would remain under the control of Sacramento County: Sacramento County Department of Transportation. 3. For the two off-site roadway connections into El Dorado Hills: El Dorado County Department of Transportation. 4. For U.S. 50 interchange improvements: Caltrans.		
<i>Significance after Mitigation: less than significant</i>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.14-2: Increased Demand for Fire Protection Facilities, Systems, Equipment, and Services. Project development would result in increased demand for fire protection facilities and services, potentially resulting in the need for additional staff and equipment to maintain an adequate level of service.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.14-2: Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval. To reduce impacts related to the provision of new fire services, the project applicant(s) of all project phases shall do the following, as described below.</p> <ol style="list-style-type: none"> Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards. Improvement plans showing the incorporation automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 ("Vehicular Access Requirements"). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code. Submit a Fire Systems New Buildings, Additions, and Alterations Document Submittal List to the City of Folsom Community Development Department Building Division for review and approval before the issuance of building permits. <p>In addition to the above measures, the project applicant(s) of all project phases shall incorporate the provisions described below for the portion of the SPA within the EDHFD service area, if it is determined through City/El Dorado County negotiations that EDHFD would serve the 178-acre portion of the SPA.</p> <ol style="list-style-type: none"> Incorporate into project designs applicable requirements based on the EDHFD fire prevention standards. For commercial development, improvement plans showing roadways, land splits, buildings, fire sprinkler systems, fire alarm systems, and other commercial building improvements shall be submitted to the EDHFD for review and approval. For residential development, improvement plans showing property lines and adjacent streets or roads; total acreage or square footage of the parcel; the footprint of all structures; driveway plan views describing width, length, turnouts, turnarounds, radiuses, and surfaces; and driveway profile views showing the percent grade from the access road to the structure and vertical clearance shall be submitted to the EDHFD for review and approval. Submit a Fire Prevention Plan Checklist to the EDHFD for review and approval before the issuance of building permits. In addition, residential development requiring automation fire sprinklers shall submit sprinkler design sheet(s) and hydraulic calculations from a California State Licensed C-16 Contractor. <p>The City shall not authorize the occupancy of any structures until the project applicant(s) have obtained a Certificate of Occupancy from the City of Folsom Community Development Department verifying that all fire prevention items have been addressed on-site to the satisfaction of the City of Folsom Fire Department</p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct PS, indirect impacts evaluated throughout EIR/EIS OFF-SITE No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>and/or the EDHFD for the 178-acre area of the SPA within the EDHFD service area.</p> <p>Implementation: Project applicant(s) of all project phases. Timing: Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases. Enforcement: City of Folsom Fire Department, and City of Folsom Community Development Department, and/or EDHFD for the portion of the SPA within the EDHFD service area.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>		
<p>3A.14-3: Increased Demand for Fire Flow. Project implementation would include the development of residential, commercial, school, and other uses that would require adequate available water flow for fire suppression. Lack of adequate fire flow would impede effective fire suppression at the SPA.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Implement Mitigation Measure 3A.14-2. Mitigation Measure 3A.14-3: Incorporate Fire Flow Requirements into Project Designs. The project applicant(s) of all project phases shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code, and/or EDHFD for those areas of the SPA within the EDHFD service area and shall verify to City of Folsom Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p> <p>Implementation: Project applicant(s) of all project phases. Timing: Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases. Enforcement: City of Folsom Fire Department, City of Folsom Community Development Department, and/or EDHFD for the 178-acre portion of the SPA within the EDHFD service area.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect OFF-SITE No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.14-4: Increased Demand for Police Protection Facilities, Services, and Equipment. Project development would increase the demand for police protection facilities and services, resulting in the need for additional staff and equipment to maintain an adequate level of service.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, indirect impacts evaluated in EIR/EIS NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p>OFF-SITE No direct or indirect</p>
<p>3A.14-5: Increased Demand for Public Elementary School Facilities and Services. Project implementation would increase demand for elementary schools (grades K-5) to serve the project.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p>OFF-SITE No direct or indirect</p>
<p>3A.14-6: Increased Demand for Public Middle and High School Facilities and Services. Project implementation would increase demand for middle schools (grades 6-8) and high schools (grades 9-12) to serve the project.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p>OFF-SITE No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15 TRAFFIC AND TRANSPORTATION - LAND		
<p>3A.15-1: Increases to Peak-Hour and Daily Traffic Volumes, Resulting in Unacceptable Levels of Service. Implementation of development of the Project or build alternatives would cause an increase in a.m. peak-hour, p.m. peak-hour, and/or daily traffic volumes on area roadways, resulting in unacceptable LOS and warranting the need for improvements such as traffic signals and additional lanes.</p> <p>NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Project Participation in Funding Transportation Improvements</p> <p>a. Within and adjacent to the project boundaries, the Applicant shall construct all feasible physical improvements necessary and available to reduce the severity of the project's significant transportation-related impacts, which may be subject to fee credits and/or reimbursement, coordinated by the City, from other fee-paying development projects if available with respect to roads or other facilities that would also serve those non-project fee-paying development projects. Funding of improvements on the perimeter of the project boundaries will be shared with other development/jurisdictions.</p> <p>b. Outside the project boundaries, the Applicant shall be responsible for the project's fair share of feasible physical improvements necessary and available to reduce the severity of the project's significant transportation-related impacts within the City of Folsom, in other jurisdictions and on State facilities, based on "cumulative plus project conditions." For purposes of this measure, "cumulative plus project conditions" refers to development authorized under the project as well as development consistent with approved general plans, specific plans, and other entitlements in the City and other jurisdictions. In cases where the project's fair share contribution is identified, the share will be based on the project's relative contribution to traffic growth under "cumulative plus project conditions." The project's contribution toward such improvements may take any, or some combination, of the following forms:</p> <ol style="list-style-type: none"> Construction of roads, road improvements, or other transportation facilities outside the boundaries of the project, subject in some instances to fee credit against other improvements necessitated by the project or future reimbursement, coordinated by the City, from other fee-paying development projects if available where the roads or improvements at issue would also serve those non-project fee paying development projects; The payment of impact fees to the City of Folsom in amounts that constitute the project's fair share contributions to the construction of transportation facilities to be built or improved within the City, consistent with the City's Capital Improvement Program ("CIP"); The payment of other adopted regional impact fees that would provide improvements to roadways, intersections and/or interchanges that are affected by multiple jurisdictions, except where the project applicant's payments of other fees or construction of improvements within the City of Folsom creates credit against the payment of regional impact fees; The payment of impact fees to the City of Folsom in amounts that constitute the project's fair share contributions to the construction of transportation facilities and/or improvements within affected jurisdictions outside of Folsom, which payments to the City of Folsom and transmittal of fees to other agencies would occur through one or more enforceable agreements provided that for each required improvement, there is a reasonable mitigation plan that ensures that (i) the fees collected from the project will be used for their intended purposes, and (ii) the improvements will actually be built within a reasonable period of time, and The payment of impact fees to the City of Folsom in amounts that constitute the project's fair share contributions to the construction of transportation 	Land	<p>NP: no impact NCP, PP, RIM, CD, RHD: direct SU</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>facilities and/or improvements on federal or state highways or freeways needed in part because of the project, to be made available to the California Department of Transportation ("Caltrans") if and when Caltrans and the City of Folsom enter into an enforceable agreement consistent with state law provided that, for each required improvement, Caltrans has a reasonable mitigation plan that ensures that (i) the fees collected from the project will be used for their intended purposes, and (ii) the improvements will actually be built within a reasonable period of time.</p> <p>c. In pursuing a single agreement or multiple agreements with any jurisdictions outside of the City of Folsom that will be affected by traffic from the project in order to effectuate proposed mitigation measures for improvements outside the City of Folsom, the City will seek to negotiate in good faith with these other jurisdictions to enter into fair and reasonable arrangements with the intention of achieving, within a reasonable time period after approval of the project's, commitments for (i) the provision of adequate "fair share" mitigation payments from the project for out-of-jurisdiction traffic impacts and impacts on federal and state freeways and highways, and (ii) reciprocal payments from regional development projects to the City of Folsom to address cumulative "fair share" mitigation payments towards federal and state freeways and highways for transportation-related facilities and/or improvements within the City of Folsom necessitated by the development within the region. It is intended that these agreements shall permit the participating agencies flexibility in providing cross-jurisdictional credits and reimbursements consistent with the general "fair share" mitigation standard, and require an updated model run incorporating the best available information in order to obtain the most accurate, up-to-date impact assessment feasible and to generate the most accurate, up-to-date estimates of regional fair share contributions. Best efforts should be made to secure funding from federal, state and regional sources. These agreements, moreover, should also include provisions that allow for periodic updates to the traffic modeling on which fair share payment calculations depend in order to account for (i) newly approved projects cumulatively contributing to transportation-related impacts and that therefore should contribute to the funding of necessary improvements (ii) additional physical improvements necessitated in whole or in part by newly approved projects, and (iii) changing cost calculations for the construction of needed improvements based on changes in the costs of materials, labor, and other inputs.</p> <p>d. If transportation improvements required to be constructed as mitigation are constructed prior to project implementation, the project will pay its fair share portion for those improvements.</p> <p>e. In considering individual projects within the project area (e.g., small-lot tentative subdivision maps or similar discretionary non-residential approvals), the City of Folsom shall identify required improvements, and shall base its calculations for such projects' fair share payments, based on the most recent traffic modeling (i.e., modeling that accounts for (i) newly approved projects cumulatively contributing to transportation-related impacts and that therefore should contribute to the funding of necessary improvements, (ii) additional physical improvements necessitated in whole or in part by newly approved projects, and (iii) changing cost calculations for the construction of needed improvements based on changes in the costs of materials, labor, and other inputs).</p> <p>Significance after Mitigation: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1a: Unacceptable LOS at the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1). Project or build alternative traffic would cause signalized intersection operations at the Folsom Boulevard/Blue Ravine Road intersection to deteriorate with an increase in delay of more than 5 seconds during either or both a.m./p.m. peak hours.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1). To ensure that the Folsom Boulevard/Blue Ravine Road intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Folsom Boulevard/Blue Ravine Road intersection (Intersection 1).</p> <p>Implementation: City of Folsom Public Works Department. Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share funding should be paid. Enforcement: City of Folsom Public Works Department</p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.15-1b: Unacceptable LOS at the Sibley Street/ Blue Ravine Road Intersection (Intersection 2). Project or build alternative traffic would cause signalized intersection operations at the Sibley Street/Blue Ravine Road intersection to deteriorate with an increase in delay of more than 5 seconds during the a.m. peak hour.</p> <p>NCP, RIM: No mitigation measures are required. PP, CD, RHD: Mitigation Measure 3A.15-1b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements at the Sibley Street/ Blue Ravine Road Intersection (Intersection 2). To ensure that the Sibley Street/Blue Ravine Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Intersection 2).</p> <p>Implementation: City of Folsom Public Works Department. Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share funding should be paid. Enforcement: City of Folsom Public Works Department</p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1c: Unacceptable LOS at the Scott Road (West)/White Rock Road Intersection (Intersection 28). Unsignalized intersection operations at Scott Road (West)/White Rock Road would degrade to LOS D during the p.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1c: The Applicant Shall Fund and Construct Improvements to the Scott Road (West)/White Rock Road Intersection (Intersection 28). To ensure that the Scott Road (West)/White Rock Road intersection operates at an acceptable LOS, a traffic signal must be installed.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-1d: Unacceptable LOS D at the Scott Road (East)/Easton Valley Parkway Intersection (Intersection 38). Signalized intersection operations at Scott Road (East)/Easton Valley Parkway would operate at unacceptable LOS D during the p.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: LTS
<p>3A.15-1e: Unacceptable LOS at the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41). Unsignalized intersection operations at Hillside Drive/Easton Valley Parkway would be at LOS D during both a.m. and p.m. peak hours.</p> <p>NCP, PP, RIM, CD: No mitigation measures are required.</p> <p>RHD: Mitigation Measure 3A.15-1e: Fund and Construct Improvements to the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41). To ensure that the Hillside Drive/Easton Valley Parkway intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of one dedicated left turn lane and two through lanes, and the westbound approach must be reconfigured to consist of two through lanes and one dedicated right-turn lane. The applicant shall fund and construct these improvements.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p>	Land	NCP, PP, RIM, CD: LTS RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3A.15-1f: Unacceptable LOS at the Oak Avenue Parkway/Middle Road Intersection (Intersection 44). Unsignalized intersection operations at Oak Avenue Parkway/Middle Road would operate at unacceptable LOS D during either or both a.m./p.m. peak hours.</p> <p>NCP, RIM: No mitigation measures are required.</p> <p>PP, CD, RHD: Mitigation Measure 3A.15-1f: Fund and Construct Improvements to the Oak Avenue Parkway/Middle Road Intersection (Intersection 44). To ensure that the Oak Avenue Parkway/Middle Road intersection operates at an acceptable LOS, control all movements with a stop sign. The applicant shall fund and construct these improvements.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	NCP, RIM: LTS PP, CD, RHD: significant
<p>3A.15-1g: Unacceptable LOS at the Hazel Avenue/Gold Country Blvd Intersection (Sacramento County Intersection 1). Signalized intersection operations at Hazel Avenue/Gold Country Boulevard would deteriorate, with the volume-to-capacity ratio increasing by more than 0.05 during the p.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: LTS
<p>3A.15-1h: Unacceptable LOS at the Hazel Avenue/Folsom Blvd Intersection (Sacramento County Intersection 2). Signalized intersection operations at Hazel Avenue/Folsom Boulevard would deteriorate, with the volume-to-capacity ratio increasing by more than 0.05 during the p.m. peak hour.</p> <p>NCP, CD: Mitigation Measure 3A.15-1h: Participate in Fair Share Funding of Improvements to Reduce Impacts to the Hazel Avenue/Folsom Boulevard Intersection (Sacramento County Intersection 2). To ensure that the Hazel Avenue/Folsom Boulevard intersection operates at an acceptable LOS, this intersection must be grade separated including "jug handle" ramps. No at grade improvement is feasible. Grade separating and extended (south) Hazel Avenue with improvements to the U.S. 50/Hazel Avenue interchange is a mitigation measure for the approved Easton-Glenbrough Specific Plan development project. The</p>	Land	NCP, CD: significant PP, RIM, RHD: LTS

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/Folsom Boulevard intersection (Sacramento County Intersection 2).</p> <p>Implementation: Sacramento County Public Works Department and Caltrans.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p> <p>Enforcement: Sacramento County Public Works Department and Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p> <p>PP, RIM, RHD: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>		
<p>3A.15-1i: Unacceptable LOS at the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3). Delay at the unsignalized Grant Line Road/White Rock Road intersection would increase delay by more than 5 seconds during the a.m. and p.m. peak hours.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road (Sacramento County Intersection 3). Improvements must be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection (Sacramento County Intersection 3).</p> <p>Implementation: Sacramento County Public Works Department.</p> <p>Timing: Before project build out. Design of the White Rock Road widening to four lanes, from Grant Line Road to Prairie City Road, with intersection improvements has begun, and because this widening project is environmentally cleared and fully funded, it's construction is expected to be complete before the first phase of the Proposed Project or alternative is built.</p> <p>Enforcement: Sacramento County Public Works Department</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1j: Unacceptable LOS on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Sacramento County Roadway Segment 10). The volume-to-capacity ratio on this LOS F segment would increase by more than 0.05 with project-related traffic.</p> <p>NCP, RIM: No mitigation measures are required.</p> <p>PP, CD, RHD: Mitigation Measure 3A.15-1j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Roadway Segment 10). To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.</p> <p>Implementation: Sacramento County Public Works Department.</p> <p>Timing: Before project build out. Construction of phase two of the Hazel Avenue widening, from Madison Avenue to Curragh Downs Drive, is expected to be completed by year 2013, before the first phase of the Proposed Project or alternative is complete. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Madison Avenue and Curragh Downs Drive (Sacramento County Roadway Segment 10).</p> <p>Enforcement: Sacramento County Public Works Department</p> <p>Significance after Mitigation: significant and unavoidable</p>		
<p>3A.15-1k: Unacceptable LOS on Hazel Avenue between Curragh Downs Drive and Gold Country Boulevard (Sacramento County Roadway Segment 11). Operations on this roadway segment would deteriorate, with an increase in the volume-to-capacity ratio of this LOS F segment by more than 0.05 under the project and all build alternatives.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>Significance after Mitigation: less than significant</p>	Land	NCP, PP, RIM, CD, RHD: LTS
<p>3A.15-1l: Unacceptable LOS at the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3). Unsignalized intersection operations at White Rock Road/Windfield Way would degrade as the delay would increase by more than 5 seconds under unacceptable LOS F conditions during the p.m. peak traffic hour.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1l: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3). To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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 City of Folsom and USAACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Rock Road/Windfield Way intersection (El Dorado County Intersection 3). Implementation: El Dorado County Department of Transportation. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: El Dorado County Department of Transportation <i>Significance after Mitigation: significant and unavoidable</i>		
3A.15-1m: Unacceptable LOS at the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1). Signalized intersection operations at Hazel Avenue/U.S. 50 westbound ramps would degrade as the delay increases with the addition of project or alternative traffic. NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	NCP, PP, RIM, CD, RHD: LTS
3A.15-1n: Unacceptable LOS at the Hazel Avenue/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 2). Signalized intersection operations at Hazel Avenue/U.S. 50 eastbound ramps would degrade as the delay would increase during the p.m. peak hour. NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	NCP, PP, RIM, CD, RHD: LTS
3A.15-1o: Unacceptable LOS at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 4). The signalized intersection of Folsom Boulevard/U.S. 50 eastbound ramps would degrade from an acceptable LOS C to an unacceptable LOS F during the p.m. peak traffic hour with project-related traffic. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1o: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 4). Congestion on eastbound U.S. 50 is causing vehicles to use Folsom Boulevard as an alternate parallel route until they reach U.S. 50, where they must get back on the freeway due to the lack of a parallel route. It is preferred to alleviate the congestion on U.S. 50 than to upgrade the intersection at the end of this reliever route. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4). To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans <i>Significance after Mitigation: significant and unavoidable</i>		
3A.15-1p: Unacceptable LOS at the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12). The signalized intersection of Grant Line Road/State Route 16 would experience an increase in delay during the a.m. peak traffic hour and degrade to an unacceptable LOS F during the p.m. peak traffic hour. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12). To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches must be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing must be provided on the northbound and southbound approaches. Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding. <ul style="list-style-type: none"> Improvements to this intersection must be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection (Caltrans Intersection 12). Implementation: Caltrans, Sacramento County Department of Transportation and the City of Rancho Cordova Department of Public Works Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans, Sacramento County Department of Transportation and the City of Rancho Cordova Department of Public Works <i>Significance after Mitigation: significant and unavoidable</i>	Land	NCP, PP, RIM, CD, RHD: significant
3A.15-1q: Unacceptable LOS on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus-carpool (HOV) lane must be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Lane and Community Enhancements Project. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). Implementation: Caltrans Timing: Before project build out. Construction of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project is expected to be completed by year 2013, before the first phase of the Proposed Project or alternative is complete. Enforcement: Caltrans Significance after Mitigation: significant and unavoidable		
3A.15-1r: Unacceptable LOS on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3). This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour with project-related traffic.	Land	NCP, PP, RIM, CD, RHD: significant
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3). Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed to determine during which project phase the improvement should be built. Enforcement: Caltrans Significance after Mitigation: significant and unavoidable		
3A.15-1s: Unacceptable LOS on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4). This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour and would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the p.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4). Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans Significance after Mitigation: significant and unavoidable		
3A.15-1t: Unacceptable LOS on Eastbound U.S. 50 between El Dorado Hills Boulevard – Latrobe Road and Bass Lake Grade (Freeway Segment 9). This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the p.m. peak.	Land	NCP, PP, RIM, CD, RHD: LTS
NCP, PP, RIM, CD, RHD: No mitigation measures are required. Significance after Mitigation: less than significant		
3A.15-1u: Unacceptable LOS on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16). This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the a.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1u: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16). To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16). Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans Significance after Mitigation: significant and unavoidable		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-1v: Unacceptable LOS on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18). This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the a.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1v: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18). To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement Enforcement: Caltrans</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		
3A.15-1w: Unacceptable LOS at the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4). This freeway merge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-1x: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Diverge (Freeway Diverge 5). This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Diverge (Freeway Diverge 5). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge (Freeway Diverge 5).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		
3A.15-1y: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Merge (Freeway Merge 6). This freeway merge would degrade to an unacceptable LOS F during the p.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Direct Merge (Freeway Merge 6). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road on-ramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge (Freeway Merge 6).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1z: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8). This new freeway weave would operate an unacceptable LOS F during the p.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1z: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans should be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a "braided ramp". The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave (Freeway Weave 8).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-1aa: Unacceptable LOS at the U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge (Freeway Merge 9). This new freeway merge would operate an unacceptable LOS F during the p.m. peak.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1aa: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge (Freeway Merge 9). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1bb: Unacceptable LOS at the U.S. 50 Eastbound/EI Dorado Hills Boulevard – Latrobe Road Merge (Freeway Merge 19). This freeway merge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: LTS
<p>3A.15-1cc: Unacceptable LOS at the U.S. 50 Westbound/EI Dorado Hills Boulevard Diverge (Freeway Diverge 20). This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: LTS
<p>3A.15-1dd: Unacceptable LOS at the U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge (Freeway Merge 23). This freeway merge would operate at an unacceptable LOS F during the a.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1dd: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge (Freeway Merge 23). To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge (Freeway Merge 23).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-1ee: Unacceptable LOS at the U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29). This freeway merge would operate at an unacceptable LOS F during the a.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1ee: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29). To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on ramp should start the westbound auxiliary lane that ends at the Prairie City Road off ramp. The slip on ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge (Freeway Merge 29).</p> <p>Implementation: Caltrans</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p>		
3A.15-1ff: Unacceptable LOS at the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32). This freeway merge would degrade to an unacceptable LOS F during the a.m. peak hour. □	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1ff: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32).</p> <p>Implementation: Caltrans</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-1gg: Unacceptable LOS at the U.S. 50 Westbound/Prairie City Road Ramp Merge (Freeway Merge 33). This freeway merge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour. □	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1gg: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Direct Ramp Merge (Freeway Merge 33). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road direct ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road direct ramp merge (Freeway Merge 33).</p> <p>Implementation: Caltrans</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p>		
3A.15-1hh: Unacceptable LOS at the U.S. 50 Westbound/Folsom Boulevard Diverge (Freeway Diverge 34). This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour, and degrade from an acceptable LOS D to an unacceptable LOS F during the p.m. peak hour.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1hh: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Diverge (Freeway Diverge 34). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge must be constructed. Improvements to this freeway segment must be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge (Freeway Diverge 34).</p> <p>Implementation: Caltrans</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Caltrans</p> <p>Significance after Mitigation: significant and unavoidable</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-1ii: Unacceptable LOS at the U.S. 50 Westbound/Hazel Avenue Ramp Merge (Freeway Merge 38). This freeway merge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1iii: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge (Freeway Merge 38). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge (Freeway Merge 38).</p> <p>Implementation: Caltrans Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Caltrans</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-2: Increased Demand for Single-Occupant Automobile Travel in the Project Area. Project implementation would increase demand for single-occupant automobile travel on area roadways and intersections causing roadway and intersection impacts.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-2: Develop Commercial Support Services and Mixed-use Development Concurrent with Housing Development, and Develop and Provide Options for Alternative Transportation Modes. The project applicant(s) for any particular discretionary development application for all project phases including commercial or mixed-use development along with residential uses shall develop commercial and mixed-use development concurrent with housing development, to the extent feasible in light of market realities and other considerations, to internalize vehicle trips. Pedestrian and bicycle facilities shall be implemented to the satisfaction of the City Public Works Department. To further minimize impacts from the increased demand on area roadways and intersections, the project applicant(s) any particular discretionary development application for all project phases involving schools or commercial centers shall develop and implement safe and secure bicycle parking at schools and commercial centers to promote alternative transportation uses and reduce the volume of single-occupancy vehicles using area roadways and intersections.</p> <p>Implementation: City of Folsom and Applicant(s) Timing: Before approval of improvement plans for any particular discretionary development application that includes residential and commercial or mixed-use development at all project phases. Enforcement: City of Folsom Public Works Department.</p> <p>The project applicant(s) any particular discretionary development application for all project phases shall participate in capital improvements and operating funds</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>for transit service to increase the percent of travel by transit. The project's fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project's development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.</p> <p>Implementation: City of Folsom, Regional Transit, and Applicant(s) Timing: As a condition of project approval and/or as a condition of the development agreement for all project phases. Enforcement: City of Folsom Public Works Department.</p> <p>Mitigation Measure 3A.15-2b: Participate in the City's Transportation System Management Fee Program. The project applicant(s) any particular discretionary development application for all project phases shall pay an appropriate amount into the City's existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.</p> <p>Implementation: City of Folsom and Applicant(s) Timing: Concurrent with construction for all project phases. Enforcement: City of Folsom Public Works Department.</p> <p>Mitigation Measure 3A.15-2c: Participate with the 50 Corridor Transportation Management Association. The project applicant(s) any particular discretionary development application for all project phases shall join and participate with the 50 Corridor Transportation Management Association to reduce the number of single-occupant automobile travel on area roadways and intersections.</p> <p>Implementation: 50 Corridor Transportation Management Association and Applicant(s) Timing: Concurrent with construction for all project phases. Enforcement: City of Folsom Public Works Department.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		
<p>3A.15-3: Potential Impacts Associated with the City's Transportation Impact Fee Program. The City of Folsom has a transportation impact fee program to implement roadway facilities (those identified in the City General Plan for implementation before Year 2030) within the city limits. However, this fee program does not cover the new roadway facilities that will be needed due to the Proposed Project or alternative.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-3: Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program.</p> <p>In accordance with Measure W, the project applicant(s) any particular discretionary development application for all project phases shall provide fair-share contributions to the City's transportation impact fee program to fully fund improvements only required because of the Specific Plan.</p> <p>Implementation: City of Folsom and Applicant(s) Timing: As a condition of project approval and/or as a condition of the development agreement for all project phases.</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Enforcement: City of Folsom Public Works Department. <i>Significance after Mitigation: significant and unavoidable</i>		
3A.15-4: Increases to Peak-Hour and Daily Traffic Volumes, Resulting in Unacceptable Levels of Service, under Cumulative (2030) Conditions. Implementation of the Proposed Project (or alternatives) and other reasonably foreseeable development would cause an increase in a.m. peak traffic hour, p.m. peak traffic hour, and/or daily traffic volumes on area roadways, resulting in unacceptable LOS and warranting the need for improvements such as traffic signals and additional lanes under cumulative (2030) conditions. NP: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Land	NP: no direct or indirect
3A.15-4a: Unacceptable LOS at the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2) under Cumulative (2030) Conditions. This signalized intersection would degrade to an unacceptable level of service D or E with an increase of five or more seconds of delay during the a.m. peak traffic hour under cumulative (2030) conditions. NCP, RIM: No mitigation measures are required. PP, CD, RHD: Mitigation Measure 3A.15-4a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2). To ensure that the Sibley Street/Blue Ravine Road intersection operates at a LOS D with less than the Cumulative No Project delay, the northbound approach must be reconfigured to consist of two left-turn lane, two through lanes, and one dedicated right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Folsom Intersection 2). Implementation: City of Folsom Public Works Department. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: City of Folsom Public Works Department <i>Significance after Mitigation: less than significant</i>	Land	NCP, RIM: LTS PP, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures				
Impact	Land/Water/GPA	Significance		
Mitigation				
3A.15-4b: Unacceptable LOS at the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6) under Cumulative (2030) Conditions. This signalized intersection would degrade to an unacceptable level of service D with an increase of five or more seconds of delay during the p.m. peak traffic hours under cumulative (2030) conditions. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6). To ensure that the Oak Avenue Parkway/East Bidwell Street intersection operates at an acceptable LOS, the eastbound (East Bidwell Street) approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the westbound (East Bidwell Street) approach must be reconfigured to consist of two left-turn lanes, four through lanes, and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible. <i>Significance after Mitigation: significant and unavoidable</i>			Land	NCP, PP, RIM, CD, RHD: significant
3A.15-4c: Unacceptable LOS at the East Bidwell Street/College Street Intersection (Folsom Intersection 7) under Cumulative (2030) Conditions. Project or build alternative traffic would increase delay at this deficient intersection by more than 5 seconds during the p.m. peak traffic hour under cumulative (2030) conditions. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-7c: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/College Street Intersection (Folsom Intersection 7). To ensure that the East Bidwell Street/College Street intersection operates at acceptable LOS C or better, the westbound approach must be reconfigured to consist of one left-turn lane, one left-through lane, and two dedicated right-turn lanes. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the East Bidwell Street/Nesmith Court intersection (Folsom Intersection 7). Implementation: City of Folsom Public Works Department. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: City of Folsom Public Works Department <i>Significance after Mitigation: less than significant</i>	Land	NCP, PP, RIM, CD, RHD: significant		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-4d: Unacceptable LOS at the East Bidwell Street /Iron Point Road Intersection (Folsom Intersection 21) under Cumulative (2030) Conditions. This signalized intersection would degrade to an unacceptable LOS F during the p.m. peak traffic hours under the Proposed Project Alternative and all of the build alternatives under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4d: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/Iron Point Road Intersection (Folsom Intersection 21). To ensure that the East Bidwell Street /Iron Point Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the southbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4e: Unacceptable LOS at the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23) under Cumulative (2030) Conditions. Traffic increases would increase the delay at this deficient intersection by more than 5 seconds under cumulative (2030) conditions.</p> <p>NCP, PP, RIM: No mitigation measures are required.</p> <p>CD, RHD: Mitigation Measure 3A.15-4e: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23). To improve LOS at the Serpa Way/ Iron Point Road intersection, the northbound approaches must be restriped to consist of one left-turn lane, one shared left-through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Serpa Way/Iron Point Road Intersection (Folsom Intersection 23).</p> <p>Implementation: City of Folsom Public Works Department. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be build. Enforcement: City of Folsom Public Works Department <i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM: LTS CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-4f: Unacceptable LOS at the Empire Ranch Road/Iron Point Road Intersection (Folsom Intersection 24) under Cumulative (2030) Conditions. During the p.m. peak traffic hour, this intersection would operate at LOS E or F with an increase in delay of 5 or more seconds under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4f: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Empire Ranch Road/Iron Point Road Intersection (Folsom Intersection 24). To ensure that the Empire Ranch Road / Iron Point Road intersection operates at a LOS D or better, all of the following improvements are required:</p> <ul style="list-style-type: none"> ▶ The eastbound approach must be reconfigured to consist of one left-turn lane, two through lanes, and a right-turn lane. ▶ The westbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and a through-right lane. ▶ The northbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. ▶ The southbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Empire Ranch Road / Iron Point Road Intersection (Folsom Intersection 24).</p> <p>Implementation: City of Folsom Public Works Department. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: City of Folsom Public Works Department <i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4g: Unacceptable LOS at the Oak Avenue Parkway/Easton Valley Parkway Intersection (Folsom Intersection 33) under Cumulative (2030) Conditions. This new signalized intersection would operate at an unacceptable LOS D during the a.m. peak traffic hour with the addition of Proposed Project Alternative and alternative traffic under cumulative (2030) conditions.</p> <p>NCP, RIM: No mitigation measures are required.</p> <p>PP, CD, RHD: Mitigation Measure 3A.15-4g: The Applicant Shall Fund and Construct Improvements to the Oak Avenue Parkway/Easton Valley Parkway Intersection (Folsom Intersection 33). To ensure that the Oak Avenue Parkway/Easton Valley Parkway intersection operates at an acceptable LOS the southbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and two right-turn lanes. The applicant shall fund and construct these improvements.</p> <p>Implementation: City of Folsom Public Works Department. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>	Land	NCP, RIM: LTS PP, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

AECOM
Executive Summary

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Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
project phase the improvement should be built. Enforcement: City of Folsom Public Works Department Significance after Mitigation: less than significant and unavoidable		
3A.15-4h: LOS D at the Scott Road (East)/Easton Valley Parkway Intersection (Intersection 38) under Cumulative (2030) Conditions. This new signalized intersection would operate at LOS D during the p.m. peak traffic hour with project traffic under cumulative (2030) conditions. NCP, PP, RIM, CD, RHD: No mitigation measures are required. Significance after Mitigation: less than significant	Land	NCP, PP, RIM, CD, RHD: LTS
3A.15-4i: Unacceptable LOS at the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3) under Cumulative (2030) Conditions. This signalized intersection would degrade to an unacceptable LOS F during the a.m. peak traffic hours under cumulative (2030) conditions. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3). To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange. Improvements to this intersection are identified in the Sacramento County's Proposed General Plan. Implementation of these improvements would assist in reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3). Implementation: Sacramento County Department of Transportation. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Sacramento County Department of Transportation. Significance after Mitigation: significant and unavoidable	Land	NCP, PP, RIM, CD, RHD: significant

Comment [svt27]: See text at p. 3A.15-102.

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
City of Folsom and USACE

ES-195

AECOM
Executive Summary

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-4j: Unacceptable LOS on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7) under Cumulative (2030) Conditions. Operating conditions of these deficient roadway segments would deteriorate and the V/C ratio would increase by more than 0.05 with project traffic under cumulative (2030) conditions. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7). To improve operation on Grant Line Road between White Rock Road and Kiefer Boulevard, this roadway segment must be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7). The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. Implementation: Sacramento County Department of Transportation. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Sacramento County Department of Transportation. Significance after Mitigation: less than significant	Land	NCP, PP, RIM, CD, RHD: significant
3A.15-4k: Unacceptable LOS on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8) under Cumulative (2030) Conditions. Operating conditions of this deficient roadway segment would degrade by increasing the V/C by 0.05 with increased traffic under cumulative (2030) conditions. NCP, PP, CD, RHD: Mitigation Measure 3A.15-4k: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8). To improve operation on Grant Line Road between Kiefer Boulevard and Jackson Highway, this roadway segment could be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8). The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.	Land	NCP, PP, CD, RHD: significant RIM: LTS

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Implementation:	Sacramento County Department of Transportation.	
Timing:	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	
Enforcement:	Sacramento County Department of Transportation.	
RIM: No mitigation measures are required.		
Significance after Mitigation: less than significant		
3A.15-4l: Unacceptable LOS on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segment s 12-13) under Cumulative (2030) Conditions.	Land	NCP, PP, RIM, CD, RHD: significant
Operation of these deficient roadway segments degrade with the V/C ratio increasing by more than 0.05 with project and alternative traffic under cumulative (2030) conditions.		
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4l: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segment s 12-13). To improve operation on Hazel Avenue between Curragh Downs Drive and the U.S. 50 westbound ramps, this roadway segment could be widened to eight lanes. This improvement is inconsistent with Sacramento County's general plan because the county's policy requires a maximum roadway cross section of six lanes.		
Analysis shown later indicates that improvements at the impacted intersection in this segment can be mitigated (see Mitigation Measure 3A.15-4q). Improvements to impacted intersections on this segment will improve operations on this roadway segment and, therefore, mitigate this segment impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segments 12-13).		
Implementation:	Sacramento County Department of Transportation.	
Timing:	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	
Enforcement:	Sacramento County Department of Transportation.	
Significance after Mitigation: significant and unavoidable		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3A.15-4m: Unacceptable LOS on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22) under Cumulative (2030) Conditions.	Land	NCP, PP, RIM, CD, RHD: significant
Operation of this roadway segment would degrade this LOS F segment by increasing the V/C ratio by more than 0.05 with project and alternative traffic under cumulative (2030) conditions.		
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4m: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22). To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment must be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County.		
The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom South of U.S. 50 impacts. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22).		
Implementation:	Sacramento County Department of Transportation.	
Timing:	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	
Enforcement:	Sacramento County Department of Transportation.	
Significance after Mitigation: significant and unavoidable		
3A.15-4n: Unacceptable LOS on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28) under Cumulative (2030) Conditions.	Land	NCP, PP, RIM, CD, RHD: significant
Operating conditions on this roadway segment would deteriorate from an acceptable LOS D to an unacceptable LOS F with the Centralized Development, Reduced Hillside Development alternative under cumulative (2030) conditions, and deteriorate from an acceptable LOS D to an unacceptable LOS E with the Propose Project, No Federal Action and Resource Impact Minimization alternatives under cumulative (2030) conditions.		
NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4n: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28). To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment must be widened to six lanes. Improvements to this roadway segment must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>program established by that agency to reduce the impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28).</p> <p>Implementation: Sacramento County Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Sacramento County Department of Transportation.</p> <p>Significance after Mitigation: significant and unavoidable</p>		
<p>3A.15-4o: Unacceptable LOS at the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1) under Cumulative (2030) Conditions. This signalized intersection would degrade to an unacceptable LOS F during the a.m. peak traffic hour under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4o: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1). To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane must be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1).</p> <p>Implementation: El Dorado County Department of Public Works.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: El Dorado County Department of Public Works.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4p: Unacceptable LOS at the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1) under Cumulative (2030) Conditions. This signalized intersection would degrade from an unacceptable LOS F during the a.m. and p.m. peak traffic hours with an increase in the delay at this intersection during the a.m. and p.m. peak traffic hours by more than 5 seconds under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1). To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach must be reconfigured to consist of one dedicated left turn lane, one shared left-through lane and three dedicated right-</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>turn lanes. Improvements to this intersection must be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1)</p> <p>Implementation: California Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: California Department of Transportation.</p> <p>Significance after Mitigation: significant and unavoidable</p>		
<p>3A.15-4q: Unacceptable LOS on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1) under Cumulative (2030) Conditions. Project traffic would increase on this LOS F freeway segment under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). To ensure that Eastbound US 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic from U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-4r: Unacceptable LOS on Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3) under Cumulative (2030) Conditions. Project traffic would increase on this LOS F freeway segment under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3). To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4s: Unacceptable LOS on Eastbound US 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5) under Cumulative (2030) Conditions. This freeway segment would deteriorate from LOS E to LOS F during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5). To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact.</p> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>		
<p>3A.15-7t: Unacceptable LOS on Eastbound US 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6) under Cumulative (2030) Conditions. This freeway segment would degrade to an unacceptable LOS F during the a.m. peak traffic hour with project and build alternative traffic, and this deficient freeway segment (LOS F) would experience higher volumes during the p.m. peak traffic hour with the addition of traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4t: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6). To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see Mitigation Measures 3A.15-4u, v and w), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.15-4u: Unacceptable LOS at the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6). Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4u: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6). To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge (Freeway Merge 6).</p> <p>Implementation: California Department of Transportation. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: California Department of Transportation.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4v: Unacceptable LOS at the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7). Project and alternative traffic would increase at this LOS F freeway weave during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4v: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7). To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>project phase the improvement should be built.</p> <p>Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>		
<p>3A.15-4w: Unacceptable LOS at the U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8). Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8). To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on ramp should merge with the eastbound auxiliary lane that starts at the southbound Prairie City Road braided flyover on ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p>Significance after Mitigation: significant and unavoidable</p>	Land	NCP, PP, RIM, CD, RHD: significant
<p>3A.15-4x: Unacceptable LOS at the U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27). This freeway merge would degrade to an unacceptable LOS F during the a.m. and p.m. peak traffic hours with the project and build alternative traffic under cumulative (2030) conditions.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27). To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge (Freeway Merge 27).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

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City of Folsom and USACE

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
project phase the improvement should be built. Enforcement: Capitol Southeast Connector Joint Powers Authority. <i>Significance after Mitigation: significant and unavoidable</i>		
3A.15-4y: Unacceptable LOS at the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35). Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.	Land	NCP, PP, RIM, CD, RHD: significant
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35). To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35).</p> <p>Implementation: California Department of Transportation. Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. Enforcement: California Department of Transportation. <i>Significance after Mitigation: significant and unavoidable</i></p>		
3B.15 TRAFFIC AND TRANSPORTATION - WATER		
3B.15-1: Temporary and Short-Term Reduction in Roadway Capacity during Construction. Off-site Water Facility Alternatives construction could result in temporary reductions in roadway capacities, which could be substantial in relation to existing volume-to-capacity ratios on local roadways and congestion at intersections.	Water	NCP, PA, 1, 1A: direct & indirect PS (construction) direct significant (heavy trucks) NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS, no indirect
<p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.15-1a: Prepare Traffic Control Plan. Prior to construction, the City shall prepare a Traffic Control Plan for roadways and intersections affected by Off-site Water Facilities-related construction. The Traffic Control Plan shall designate haul routes and comply with requirements in the encroachment permits issued by the City of Rancho Cordova, Sacramento County, and Caltrans. The Traffic Control Plan to be prepared by the construction contractor(s) shall, at minimum, include the following measures:</p> <ul style="list-style-type: none"> Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage. 		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Folsom South of U.S. 50 Specific Plan Project DERIVERS
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Maintaining alternate one-way traffic flow past the lay down area and site access when feasible. Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7 a.m. to 8 a.m. and 5 p.m. to 6 p.m. on weekdays). The City shall provide a minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone. The City, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the schedule of the Off-site Water Facilities throughout the construction period. This information will be posted in a local newspaper, via the City's web site, or at City Hall and will be updated on a monthly basis. To the extent practical depending the alignment of the selected Off-site Water Facility Alternative, the City shall maximize opportunities for coordinated construction and installation of the conveyance pipeline with other planned roadway improvement projects. <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction of all Off-site Water Facilities Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p>Mitigation Measure 3B.15-1b: Assess Pre-Off-site Water Facilities Roadway Conditions. Prior to construction, the City's construction contractor(s) shall be responsible for assessing current road conditions for Off-site Water Facilities-related haul routes including the local access roads and develop post construction road restoration requirements. As part of the encroachment permitting process, an agreement shall be entered into with applicable jurisdictions prior to construction that details post construction road restoration requirements. Staff with the City of Rancho Cordova and Sacramento County shall review the post construction restoration standards for each of the affected roadways. The City shall perform roadway repairs or rehabilitation as necessary such that post construction requirements are met. Implementation: City of Folsom Utilities Department Timing: Prior to and during construction of all Off-site Water Facilities Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department. <i>Significance after Mitigation: less than significant</i></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3B.15-2: Exceedance of Established Level of Service Standards for Local Roadways. The implementation of Off-site Water Facility Alternatives could cause traffic conditions to exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3B.15-1a. <i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS, no indirect Direct & indirect LTS (<i>traffic-related impacts</i>)
<p>3B.15-3: Increased Traffic Hazards on Local Roadways. Implementation of the Off-site Water Facility Alternatives could substantially increase hazards on local roadways due to the presence of incompatible uses, such as construction equipment.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measure 3B.15-1a. <i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS, no indirect
<p>3B.15-4: Possible Inadequate Emergency Vehicle Access. Construction of the Off-site Water Facilities could result in disruptions to emergency access.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS, no indirect
3A.16 UTILITIES AND SERVICE SYSTEMS - LAND		
<p>3A.16-1: Increased Demand for On-Site Wastewater Collection and Conveyance Facilities and the Off-Site Force Main. Project implementation would result in increased generation of wastewater.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.16-1: Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. Before the approval of the final map and issuance of building permits for all project phases, the project applicant(s) of all project phases shall submit proof to the City of Folsom that an adequate wastewater</p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct PS, indirect impacts evaluated throughout EIR/EIS</p> <p>OFF-SITE Direct LTS, indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
 CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)

B (Beneficial) NI (No impact) LTS (Less than significant) PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>conveyance system either has been constructed or is ensured through payment of the City's facilities augmentation fee as described under the Folsom Municipal Code Title 3, Chapter 3.40, "Facilities Augmentation Fee – Folsom South Area Facilities Plan," or other sureties to the City's satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and issuance of building permits for any project phases. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>		
<p>3A.16-2: Increased Demand for SRCSD Off-Site Wastewater Collection and Conveyance Facilities. The wastewater generated within the 3,313-acre SRCSD service area would require off-site collection facilities to the Folsom East Interceptor.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect</p> <p>OFF-SITE No direct or indirect</p>
<p>3A.16-3: Increased Demand for SRWTP Wastewater Treatment Plant Facilities. Project implementation would result in increased generation of wastewater. Collected wastewater flows from the 3,313-acre SRCSD portion of the SPA would ultimately be transported to the SRWTP for treatment and disposal.</p> <p>ON-SITE NP: No mitigation measures are required.</p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct PS, indirect SU</p> <p>OFF-SITE Direct LTS & indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
 CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)

B (Beneficial) NI (No impact) LTS (Less than significant) PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.16-3: Demonstrate Adequate SRWTP Wastewater Treatment Capacity. The project applicant(s) of all project phases shall demonstrate adequate capacity at the SRWTP for new wastewater flows generated by the project. This shall involve preparing 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 for all project phases shall not be granted until the City verifies adequate SRWTP capacity is available for the amount of development identified in the tentative map.</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and issuance of building permits for any project phases. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i></p>		
<p>3A.16-4: Increased Demand for EID Off-Site Wastewater Collection and Conveyance Facilities. The wastewater generated within the 189-acre EID service area would require off-site wastewater collection and conveyance facilities to the EID facility.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.16-4: Submit Proof of Adequate EID Off-Site Wastewater Conveyance Facilities and Implement EID Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. Before the approval of the final map and issuance of building permits for all project phases, the project applicant(s) of all project phases shall obtain proof from EID that an adequate wastewater conveyance system either has been constructed or is ensured through the use of bonds or other sureties. The project applicants of all project phases shall submit this proof to the City of Folsom. EID off-site wastewater conveyance infrastructure sufficient to provide adequate service to project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and issuance of building permits for any project phase. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: potentially significant and unavoidable</i></p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct & indirect PS OFF-SITE No direct or indirect</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
 CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)

B (Beneficial) NI (No impact) LTS (Less than significant) PS (Potentially significant) S (Significant) SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.16-5: Increased Demand for El Dorado Hills Wastewater Treatment Plant Facilities. Project implementation would result in increased generation of wastewater. Collected wastewater flows from the 189-acre EID portion of the SPA would ultimately be transported to the El Dorado Hills WWTP for treatment and disposal.</p> <p>ON-SITE NP: No mitigation measures are required. PP: Mitigation Measure 3A.16-5: Demonstrate Adequate El Dorado Hills Wastewater Treatment Plant Capacity. The project applicant(s) of all project phases shall demonstrate adequate capacity at the El Dorado Hills WWTP for new wastewater flows generated by project development. This shall involve preparing a tentative map-level study and paying connection and capacity fees as identified by EID. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate El Dorado Hills WWTP capacity is available for the amount of development identified in the tentative map.</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and issuance of building permits for any project phases involving the El Dorado Hills WWTP. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>RIM, CD, RHD, NF: Implement Mitigation Measure 3A.16-6.</p> <p>OFF-SITE No mitigation measures are required. <i>Significance after Mitigation: potentially significant and unavoidable</i></p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct & indirect PS OFF-SITE No direct or indirect</p>
<p>3A.16-6: Short-Term Generation of Solid Waste during Project Construction. Project construction would generate short-term construction-related debris and waste.</p> <p>ON-SITE NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.16-7: Increased Long-Term Generation of Solid Waste. Project implementation would increase long-term solid-waste generation.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, no indirect OFF-SITE No direct or indirect</p>
<p>3A.16-8: Increased Demand for Electricity and Infrastructure. Project implementation would increase the demand for electricity and electrical infrastructure.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS OFF-SITE No direct or indirect</p>
<p>3A.16-9: Increased Demand for Natural Gas and Infrastructure. Project implementation would increase the demand for natural gas and infrastructure and would include the extension of existing natural gas pipelines.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS OFF-SITE No direct or indirect</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
 CD (Centralized Development) RHD (Reduced Hillside Development) PA (Preferred Off-site Water Facility Alternative)

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.16-10: Increased Demand for Telecommunications Service and Infrastructure. Project implementation would increase the demand for telecommunications service and infrastructure and would include the extension of existing telecommunication lines.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS OFF-SITE No direct or indirect</p>
<p>3A.16-11: Increased Demand for Cable Television and Communications Service and Infrastructure. Project implementation would increase the demand for cable television service and infrastructure and would include the extension of existing cable television lines.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect impacts evaluated throughout EIR/EIS OFF-SITE No direct or indirect</p>
<p>3A.16-12: Increased Energy Demand. Project implementation would increase energy consumption during construction and operation.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: direct LTS, no indirect NCP, PP, RIM, CD, RHD: direct LTS, indirect uncertain OFF-SITE direct LTS, no indirect</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
3B.16 UTILITIES AND SERVICE SYSTEMS - WATER		
3B.16-1: Generation of Wastewater. The operation of the Off-site Water Facility Alternatives would generate wastewater that would require off-site conveyance and treatment. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct & indirect LTS
3B.16-2: Changes in Operation of the Central Valley Project Water Supply Entitlement. The operation of the Off-site Water Facility Alternatives would not infringe upon the water rights of other legal users of water. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect
3B.16-3: Potential Disruption to Existing Utilities and Infrastructure. Construction of the Off-site Water Facilities has the potential to disrupt existing public and private utilities and infrastructure. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.16-3a: Minimize Utility Conflicts by Implementing an Underground Services Alert. Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as "pot-holing"). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider. Implementation: City of Folsom Utilities Department Timing: Prior to construction of all Off-site Water Facilities Enforcement: Public and Private Utilities, where applicable, including: Sacramento County Sanitation District, Pacific Gas and Electric, Sacramento Municipal Utility District, City of Folsom Public Works Department, Sacramento County Department of Water Resources, Sacramento County Water Agency, City of Rancho Cordova Public Works Department, Sacramento County Roads and Airports, Golden State Water Company, and Aerojet Corporation. Mitigation Measure 3B.16-3b: Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions. Prior to installation, the City shall consult with SCWA, SRCSD, CSD-1, and PG&E to determine proper installation methods and final design criteria to minimize the potential for disruptions to existing and planned utilities. Implementation: City of Folsom Utilities Department	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
Timing: Prior to construction of all Off-site Water Facilities Enforcement: Public and Private Utilities, where applicable, including: Sacramento County Sanitation District, Pacific Gas and Electric, Sacramento Municipal Utility District, City of Folsom Public Works Department, Sacramento County Department of Water Resources, Sacramento County Water Agency, City of Rancho Cordova Public Works Department, Sacramento County Roads and Airports, Golden State Water Company, and Aerojet Corporation. <i>Significance after Mitigation: less than significant</i>		
3B.16-4: Increased Generation of Solid Waste. Construction and operation of the Off-site Water Facilities would generate solid waste, which could impact the City's ability to comply with solid waste diversion requirements of the state. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect
3B.16-5: Potential Inefficient Energy Consumption. Construction and operation of the Off-site Water Facilities could result in the inefficient consumption of energy thereby adversely affecting current and future energy conservation efforts. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.4-1a and 3B.4-1b. <i>Significance after Mitigation: less than significant</i>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS
3B.17 GROUNDWATER - WATER		
3B.17-1: Exceedance of Water Quality Standards and Requirements for Groundwater. The Off-site Water Facilities could generate discharges to or contribute to the depletion of groundwater resources thereby potentially directly and indirectly violating water quality standards or waste discharge requirements. NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Mitigation Measure 3B.17-1a: Implement Construction Dewatering Best Management Practices. During construction at site locations containing high groundwater, if groundwater from dewatering activities cannot be contained within the construction area (e.g. pipeline corridor, WTP), it shall be pumped to an authorized onsite land area, existing detention facilities, or Baker tanks or equivalent with sufficient capacity to control the volume of groundwater. Tanks shall be equipped with either a gel coagulant, a filter system, or other containment to remove sediment. The Off-site Water Facilities Stormwater Pollution Prevention Plan (SWPPP) shall include BMPs, as appropriate, to retain, treat, and dispose of groundwater from dewatering activities. Measures shall include, but not limited to, the following: ▶ temporarily retain pumped groundwater, as appropriate, to reduce turbidity and concentrations of suspended sediments before discharge to surface waterways; ▶ convey pumped groundwater to a suitable land disposal area capable of percolating flows; and/or	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct PS & no indirect

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>► incorporate other applicable measures from the Caltrans Storm Water Quality Handbook, Section 7: Dewatering Operations (2004).</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction Enforcement: 1. California Department of Fish and Game or Regional Water Quality Control Board 2. City of Folsom Community Development Department. 3. Sacramento County Planning Department or City of Rancho Cordova Planning Department for improvements within their respective jurisdictions.</p> <p>Mitigation Measure 3B.17-1b: Implement a Dewatering Discharge Monitoring Program. A groundwater discharge monitoring program shall be implemented to ensure that receiving water quality does not exceed levels that would impact aquatic resources and agricultural use. If monitoring reveals that water quality would impact these beneficial uses, discharges to surface waterways shall be reduced or diluted to acceptable levels, or terminated. If discharges are reduced or terminated, groundwater shall be disposed through land application. Groundwater collected during dewatering shall be tested for contamination prior to disposal and comply with Central Valley RWQCB requirements.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction Enforcement: 1. California Department of Fish and Game or Regional Water Quality Control Board 2. City of Folsom Community Development Department. 3. Sacramento County Planning Department or City of Rancho Cordova Planning Department for improvements within their respective jurisdictions.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p>3B.17-2: Depletion of Groundwater Supplies Through Pumping. The Off-site Water Facilities is unlikely to 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 levels.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: direct LTS & no indirect

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3B.17-3: Alteration of Surface Water Hydrology through Substantial Groundwater Pumping. Substantial groundwater pumping from the Excelsior Well Field required by Off-site Water Facilities operations could alter existing surface hydrology.</p> <p>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
3A.18 WATER SUPPLY - LAND		
<p>3A.18-1: Increased Demand for Water Supplies. Project water demands would require the acquisition of surface water entitlements from the Natomas Central Mutual Water Company to provide a reliable water supply.</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.18-1: Submit Proof of Surface Water Supply Availability.</p> <p>a. Prior to approval of any small-lot tentative subdivision map subject to Government Code Section 66473.7 (SB 221), the City shall comply with that statute. Prior to approval of any small-lot tentative subdivision map for a proposed residential project not subject to that statute, the City need not comply with Section 66473.7, or formally consult with any public water system that would provide water to the affected area; nevertheless, the City shall make a factual showing or impose conditions similar to those required by Section 66473.7 to ensure an adequate water supply for development authorized by the map.</p> <p>b. Prior to recordation of each final subdivision map, or prior to City approval of any similar project-specific discretionary approval or entitlement required for nonresidential uses, the project applicant(s) of that project phase or activity shall demonstrate the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy.</p> <p>Implementation: The project applicant(s) of all project phases. Timing: Before approval of final maps and issuance of building permits for any project phases. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p>ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct PS OFF-SITE Direct LTS, indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project) NCP (No USACE Permit) PP (Proposed Project) RIM (Resource Impact Minimization)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>3A.18-2: Increased Demand for Off-Site Water Conveyance and Treatment Facilities. Project implementation would result in increased demand for off-site water treatment facilities to deliver water to customers on the project site.</p> <p style="text-align: center;">Land</p> <p style="text-align: center;">ON-SITE NP: no direct or indirect NCP, PP, RIM, CD, RHD: direct PS, indirect impacts evaluated throughout EIR/EIS OFF-SITE Direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.18-2a: Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured.</p> <p>Before the approval of the final <u>subdivision</u> map and issuance of building permits for all project phases, the project applicant(s) <u>for any particular discretionary development application of all project phases</u> shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured or other sureties to the City's satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final <u>subdivision</u> map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p> <p>Implementation: The project applicant(s) <u>of all project phases for any particular discretionary development application.</u> Timing: Before approval of final maps and issuance of building permits for any project phases. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>Mitigation Measure 3A.18-2b: Demonstrate Adequate Off-Site Water Treatment Capacity (if the Off-Site Water Treatment Plant Option is Selected).</p> <p>If an off-site water treatment plant (WTP) alternative is selected (as opposed to the on-site WTP alternative), the project applicant(s) <u>of all project phases for any particular discretionary development application</u> shall demonstrate adequate capacity at the off-site WTP. This shall involve preparing a tentative map-level study and paying connection and capacity fees as determined by the City. Approval of the final project map shall not be granted until the City verifies adequate water treatment capacity either is available or is certain to be available when needed for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases.</p> <p>Implementation: The project applicant(s) <u>of all project phases for any particular discretionary development application.</u> Timing: Before approval of final maps and issuance of building permits for any project phases. Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
CUMULATIVE - LAND		
<p>Land Use Compatibility with High-Volume Arterial Roadways. When quarry truck trips are added to modeled roadway segments before the year 2030, traffic volumes within 400 feet of sensitive receptors that would be constructed in the SPA could result in exposure of those receptors to high levels of toxic air contaminants (see Table 4-4). Therefore, this direct impact would be potentially significant. No indirect impacts would occur.</p> <p>Cumulative Mitigation Measure AIR-1-Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants from Quarry Truck Traffic.</p> <p>The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County of Sacramento. The City's authority to control the activities of the quarry trucks includes restrictions or actions that would be applicable within the City's jurisdictional boundaries. For example, the City could designate truck routes through the City consistent with California Vehicle Code section 21101(c), including truck routes in the Folsom South of U.S. 50 project area, so as to prohibit or limit quarry trucks' use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational emissions of toxic air contaminants from quarry truck traffic and/or traffic safety hazards. If this approach is selected by the City, then prior to the approval of the first tentative subdivision map or any other discretionary project approval that would place sensitive receptors along any roads the quarry trucks could use to access U.S. 50, the City's traffic department and consultants shall analyze and propose to the City Council for approval designated truck routes from the quarries through City jurisdiction to access U.S. 50 that would allow a level of truck traffic that would avoid any potentially significant impact on sensitive receptors from toxic air contaminant emissions within the Folsom South of U.S. 50 project area, as well as any other existing or planned uses that would contain sensitive receptors, so as to ensure that the risk of cancer to sensitive receptors is no more than 296 in one million (or such different threshold of significance recommended by SMAQMD or ARB at the time, if any) as may be determined by a Health Risk Assessment (HRA) paid for by the applicant.</p> <p>As an alternative to designating truck routes, the following measures could be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite (Walltown)) to reduce exposure of sensitive receptors to TACs generated by quarry truck traffic and are encouraged:</p> <ul style="list-style-type: none"> ▶ The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost. ▶ A site-specific, project-level screening analysis and/or Health Risk Assessment (HRA) should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-4 as being potentially significant under any of the analyzed scenarios. Each project-level analysis shall be performed according to the standards set forth by SMAQMD for the purpose of disclosure to the public and decision makers. The project-level analysis shall account for the location of the receptors relative to the roadway, their distance from the roadway, the projected future traffic volume for the year 2030 (including the proportion of diesel trucks), and emission rates representative of the vehicle fleet for the year when the sensitive land uses would first become operational and/or occupied. If the incremental increase in cancer risk determined by in the HRA exceeds 296 in one million (or a different threshold of significance recommended by SMAQMD or ARB at the time, if any), then project design mitigation should be employed, which may include the following: 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> Increase the setback distance between the roadway and affected receptor. If this mitigation measure is determined by the City of Folsom to be necessary, based on the results of the HRA, the quarry truck applicant(s) should pay the Folsom South of 50 Specific Plan project applicant(s) and the City of Folsom a fee that shall serve as compensation for lost development profit and lost City tax revenues, all as determined by the parties. Said mitigation fee shall be determined in consultation with the quarry project applicant(s), the Folsom South of 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks shall be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid. Implement tiered tree planting of fine-needle species, such as redwood, along the near side of the roadway segments and, if feasible, along the roadway 500 feet in both directions of the initial planting (e.g., 500 feet north and south of a roadway that runs east-west) to enhance the dispersion and filtration of mobile-source TACs associated with the adjacent roadway. These trees should be planted at a density such that a solid visual buffer is achieved after the trees reach maturity, which breaks the line of sight between U.S. 50 and the proposed homes. These trees should be planted before occupation of any affected sensitive land uses. This measure encourages the planting of these trees in advance of the construction of potentially affected receptors to allow the trees to become established and progress toward maturity. The life of these trees should be maintained through the duration of the quarry projects. The planting, cost, and ongoing maintenance of these trees should be funded by the quarry project applicant(s). To improve the indoor air quality at affected receptors, implement the following measures before the occupancy of the affected residences and schools: <ul style="list-style-type: none"> equip all affected residences and school buildings developed in the SPA with High Efficiency Particle Arresting (HEPA) filter systems at all mechanical air intake points to the interior rooms; use the heating, ventilation, and air conditioning (HVAC) systems to maintain all residential units under positive pressure at all times; locate air intake systems for HVAC as far away from roadway air pollution sources as possible; and Develop and implement an ongoing education and maintenance plan about the filtration systems associated with HVAC for residences and schools. <p>To the extent this indoor air quality mitigation would not already be implemented as part of the Folsom South of 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.</p> <p>Implementation: The project applicant(s) of the Folsom South of 50 Specific Plan project.</p> <p>Timing: Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p>Significance after Mitigation: less than significant</p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	Ni (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
CUMULATIVE - NOISE		
<p>Compatibility of Sensitive Land Uses with the Ambient Noise Environment. The 60-dB L_{dn}/CNEL noise contours for adjacent roadways (i.e., U.S. 50, White Rock Road, and Prairie City Road) with the inclusion of projected quarry truck trips completely encompass the SPA. Even considering that a typical 6-foot sound wall would reduce noise levels from approximately 5-6 dB and for each additional foot of wall another 1 dB (Caltrans 1998), and incorporating the maximum setback distance feasible, noise levels would still exceed applicable standards at those sensitive uses proposed as part of the project. Thus, the incremental contribution of the "Land" portion of the project to this significant cumulative impact would be cumulatively considerable.</p> <p>Cumulative Mitigation Measure Noise-1-Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Quarry Truck Traffic.</p> <p>The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County of Sacramento. The City's authority to control the activities of the quarry trucks includes restrictions or actions that would be applicable within the City's jurisdictional boundaries. For example, the City could designate truck routes through the City consistent with California Vehicle Code section 21101(c), including truck routes in the Folsom South of U.S. 50 project area, so as to prohibit or limit quarry trucks' use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational noise from quarry truck traffic and/or traffic safety hazards. If this approach is selected by the City, then prior to the approval of the first tentative subdivision map or any other discretionary approval that would place sensitive receptors along any roads the quarry trucks could use to access U.S. 50, the City's traffic department and consultants shall analyze and propose to the City Council for approval designated truck routes from the quarries through City jurisdiction to access U.S. 50 that would allow a level of truck traffic that would avoid any potentially significant impact on sensitive receptors from truck traffic noise within the Folsom South of U.S. 50 project area, as well as any other existing or planned uses that would contain sensitive receptors, so as to ensure that sensitive receptors are not exposed to interior noise levels in excess of 45 dBA, or increases in interior noise levels of 3 dBA or more, whichever is more restrictive.</p> <p>As an alternative to designating truck routes, the following measures could be voluntarily implemented by the quarry project applicant(s) (Granite [Walltown], Teichert, and DeSilva Gates) to reduce exposure of new sensitive receptors developed in the SPA to increases in traffic noise levels generated by quarry truck traffic, and are encouraged.</p> <ul style="list-style-type: none"> The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost. A site-specific, project-level screening analysis should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-8 as being potentially significant under any of the analyzed scenarios. The analysis should be conducted using an approved three dimensional traffic noise modeling program (i.e., TNM or SoundPlan). Each project-level analysis should be performed according to the standards set forth by the City of Folsom for the purpose 		

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Table ES-1 Summary of Impacts and Mitigation Measures		
Impact	Land/Water/GPA	Significance
Mitigation		
<p>of disclosure to the public and decision makers. The project-level analysis should account for the location of the receptors relative to the roadway, their distance from the roadway, and the projected future traffic volume for the year 2030 (including the percentage of heavy trucks). If the incremental increase in traffic noise levels are determined to exceed the threshold of significance recommended by the City of Folsom, then design mitigation should be employed, which may include the following:</p> <ul style="list-style-type: none"> • Model the benefits of soundwalls (berm/wall combination) along the quarry truck hauling roadways and affected receptors not to exceed a total height of eight feet (two-foot berm and six-foot concrete mason wall). If this mitigation measure is determined by the City of Folsom to be inadequate, additional three dimensional traffic noise modeling should be conducted with the inclusion of rubberized asphalt at the expense of the quarry truck applicant(s). No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation has been agreed upon by the City of Folsom and fees for construction of said mitigation are paid by the quarry truck applicant(s). • Implement the installation of rubberized asphalt (quiet pavement) on roadway segments adjacent to sensitive receptors that carry quarry trucks if soundwalls do not provide adequate reduction of traffic noise levels. The inclusion of rubberized asphalt would provide an additional 3 to 5 dB of traffic noise reduction. The cost of construction using rubberized asphalt should be borne by the quarry truck applicant(s). Said mitigation fee should be determined in consultation with the quarry project applicant(s), the Folsom South of 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid. • To improve the indoor noise levels at affected receptors, implement the following measures before the occupancy of the affected residences and schools: <ul style="list-style-type: none"> - Conduct an interior noise analysis once detailed construction plans of residences adjacent to affected roadways are available to determine the required window package at second and third floor receptors to achieve the interior noise level standard of 45 dB L_{dn} without quarry trucks. - Determine the interior quarry truck traffic noise level increases at second and third floor receptors adjacent to affected roadways compared to no quarry truck conditions. Window package upgrades are expected to be necessary due to the traffic noise level increases caused by quarry trucks along affected roadways. Quarry truck applicant(s) should pay for the cost of window package upgrades (increased sound transmission class rated windows) required to achieve the interior noise level standard of 45 dB L_{dn} with the inclusion of quarry truck traffic. <p>Implementation: The project applicant(s) of the Folsom South of 50 Specific Plan project.</p> <p>Timing: Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p>Significance after Mitigation: less than significant</p>		

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			S (Significant)
			SU (Significant and unavoidable)

The City and USACE note that edits suggested by FSAG to the Executive Summary Table (Table ES-1) have not been individually coded as FSAG comments. The City and USACE have provided the entire Executive Summary Table as part of Chapter 1, "Introduction" of this FEIR/FEIS, with all edits required by DEIR/DEIS text changes shown in track changes.

FSAG-1 *The comment references Mitigation Measures 3A.2-1b, 3A.2-1g, and 3A.4-1 (on pages 3A.3-32, 3A.3-29, and 3A.4-14 of the DEIR/DEIS, respectively) and states that measures required to reduce NO_x emissions from construction would, in many instances, also reduce GHG emissions associated with project construction, and vice-versa.*

The commenter restates text that is contained in the DEIR/DEIS; the comment is noted.

FSAG-2 *The comment suggests that the calculation of the off-site NO_x mitigation fee to be paid to SMAQMD should be determined after applying whatever additional reductions would be achieved through the application of all feasible GHG reduction measures. The comment further suggests that implementation of the two mitigation schemes should be considered together so that the project applicants would not have to pay more in NO_x fees than truly warranted for the project because of the synchronous reductions in pollutants.*

Quantification of GHG co-benefits of criteria pollutant construction mitigation measures and vice versa (criteria pollutant co-benefits associated with Mitigation Measure 3A.4-1, on page 3A.4-14 of the DEIR/DEIS) might not be possible. NO_x and PM have well defined construction mitigation measures and associated reductions, although GHG reductions from construction are much more speculative at this time (i.e., NO_x, PM, and GHG reductions associated with material lifecycles and NO_x, PM, and GHG emissions factors for new technologies or low carbon fuels used in heavy-duty diesel equipment might not necessarily be available). In fact, the use of biodiesel might increase NO_x emissions, which would need to be mitigated with the off-site NO_x mitigation fee, if in excess of the significance threshold.

As shown in Chapter 5, "Errata" of the FEIR/FEIS, the text on pages 3A.4-26 and 3A.4-27 of the DEIR/DEIS has been revised to state that NO_x emission reductions and increases associated with GHG mitigation should be added to or subtracted from the amount above the construction threshold to determine off-site mitigation fees, when possible.

FSAG-3 *The comment suggests that calculation of SMAQMD off-site mitigation fees should take into account the further reductions in NO_x to be achieved through simultaneous implementation of the reduction measures required for GHG emissions during construction.*

See response to comment FSAG-2.

FSAG-4

The comment states that SMAQMD has approved the Air Quality Management Plan (AQMP), which would be imposed on the project to reduce operational emissions by 43%, to a less-than-significant level. That comment further states that the AQMP exceeds the 35% minimum reduction required per the LAFCo MOU, and SMAQMD has determined that the plan provides a model example of air pollutant reduction efforts for large-scale, long-term land use plans in the Sacramento region. The comment also states that SMAQMD has said that implementation of the AQMP will reduce the operational impacts of the project to a less than significant level. The comment references Mitigation Measure 3A.2-1 on page 3A.2-43 of the DEIR/DEIS.

Since the time the DEIR/DEIS air quality analysis was prepared, SMAQMD has approved the AQMP, which is intended to achieve a 48.3% reduction in operational emissions of ozone precursors. However, this would not reduce operational ROG, NO_x, or GHG emissions to less-than-significant levels. As explained in DEIR/DEIS Section 3A.2, “Air Quality,” page 3A.2-48: “Therefore, one would overestimate the reduction achieved by the AQMP by reducing the levels of operational NO_x emissions reported in Tables 3A.2-6 through 3A.2-10 by 35%. The actual emission reduction benefit of the AQMP would be some amount less than 35%. Nonetheless, even if operational emissions of ROG and NO_x were 35% lower than the levels reported in Tables 3A.2-6 through 3A.2-10, they would still exceed SMAQMD’s significance threshold of 65 lb/day. As a result, this impact would be significant and unavoidable.” Even a 48.3% reduction would not reduce the project’s emissions to a less-than-significant level based on the data presented in Tables 3A.2-6 through 3A.2-10.

FSAG-5

The comment states that for many of the proposed mitigation measures, the DEIR/DEIS would require substantial amounts of on- and off-site acreage to be set aside or obtained for habitat preservation or creation. The comment further states that, although the document does not expressly acknowledge it, the project applicants assume that wherever the habitat values were appropriate, “stacking” of mitigation credit would be allowed by regulatory agencies. “Stacking” is defined in the following comment as the practice of using a particular parcel, where scientifically defensible, to mitigate more than one category of biological impacts.

If a particular mitigation site would provide appropriate habitat functions and values to simultaneously reduce impacts on more than one species or resource to a less-than-significant level, it would be acceptable to use that site to mitigate more than one impact. This approach could be accepted by the resource agencies; however, USFWS could ask for compensation at a higher ratio than USACE. Ratios would be determined during Section 7 consultation. The City and USACE may accept mitigation credits that served to simultaneously mitigate more than one impact (e.g., vernal pool fairy shrimp habitat and waters of the U.S. or vernal pool grasslands as Swainson’s hawk foraging habitat and also as vernal pool wetland mitigation). However, the City and USACE cannot confirm that USFWS or DFG would not request higher mitigation ratios as a condition of permits than USACE or the City.

FSAG-6

The comment acknowledges that “stacking” is routinely allowed by USACE, USFWS, and other responsible agencies with jurisdiction over the project and requests the confirmation that “stacking” habitat credit would be allowed for the project wherever the evidence supported a finding that the offered mitigation land supported overlapping habitat values.

See response to comment FSAG-5 regarding the way the comment defines “stacking.” From a CEQA perspective, compensation for wetland habitat under the Clean Water Act

also could mitigate the impact on vernal pool fairy shrimp, provided the compensatory habitat was suitable to support vernal pool fairy shrimp. Likewise, compensatory vernal pools within a grassland matrix that also would provide foraging habitat values for Swainson's hawks could be used as mitigation for impacts on both resources.

FSAG-7 through
FSAG-8

The first comment states that the third paragraph on page 3A.3-6 of the DEIR/DEIS should be corrected to indicate that the hydrophytic plant species listed occur within perennial drainages on the project site. The second comment states that, in the same paragraph, the description should be revised to indicate that blackberry scrub (Himalayan blackberry) is a non-native invasive species.

As requested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, the text in the third paragraph on page 3A.3-6 of the DEIR/DEIS has been revised to indicate that the hydrophytic plant species listed occur within perennial drainages on-site, and also noting that Himalayan blackberry is an invasive species.

FSAG-9

The comment states that the fourth paragraph on page 3A.3-7 of the DEIR/DEIS should be revised because the term "open space" only has meaning in a primarily planning and zoning sense.

As requested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, the text in the fourth paragraph of page 3A.3-7 of the DEIR/DEIS has been revised to use the term "natural habitat" rather than "open space."

FSAG-10

The comment suggests that the "Potential for Occurrence" column of Table 3A.3-1 of the DEIR/DEIS should be revised to note the results of recent special-status species surveys on SPA lands. The comment further suggests that surveys with either positive or negative results should be included in this column.

The results of the surveys referred to by the commenter were not available when the DEIR/DEIS was prepared. As requested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3A.3-1 of the DEIR/DEIS has been revised to specify that special-status plant surveys have been conducted on all of the SPA except for the Folsom Heights and Javanifard & Zarghami sites, and that no special-status plants were found. This information has been added as a footnote to Table 3A.3-1 and the Potential for Occurrence column has been edited to specify that species could occur only in portions of the SPA that have not been surveyed and in the off-site elements. Information about previously conducted special-status plant surveys also is provided in the second paragraph on page 3A.3-17 of the DEIR/DEIS.

FSAG-11

The comment suggests that including only California Natural Diversity Database (CNDDDB) "hits" and not the results of the focused on-site surveys in Table 3A.3-1 does not present a complete picture of special-status species occurrences (and lack thereof) on the project site.

See response to comment FSAG-10. The discussion on page 3A.3-17 of the DEIR/DEIS lists the parcels within the SPA that have been surveyed for special-status plants and states that no special-status plants were found during surveys. As suggested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, the second paragraph on page 3A.3-17 of the DEIR/DEIS has been revised to include Carpenter Ranch as one of the sites that has been surveyed for special-status plants, edited to note that surveys

conducted on the Carpenter Ranch and Sacramento Country Day School sites targeted all of the appropriate species, and edited to change the name Hillsborough to Folsom 560.

FSAG-12

The comment states that virtually the entire project site has been surveyed for listed vernal pool crustaceans with negative results. The comment further states that 2 years of wet season surveys for Federally listed branchiopods were conducted for all properties except Country Day School and Javanifard & Zarghami, and only vernal pool fairy shrimp were found on two wetland features on the Prairie City Road Business Park project. Footnote 1 to this comment lists two biological surveys that were conducted but not included in the DEIR/DEIS; the reports from these biological surveys were attached to the commenter's letter.

As suggested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, page 3A.3-17 of the DEIR/DEIS has been edited to include a discussion of the special-status wildlife surveys that have been conducted and the results of those surveys. Furthermore, pages 3A.3-1 and 3A.3-2 of the DEIR/DEIS have been edited to include the Folsom South amphibian and reptile survey report and Folsom South listed vernal pool branchiopod survey report on the list of documents used as information sources for the biological resources section.

FSAG-13

The comment suggests that the conclusion in the "Potential for Occurrence" column of Table 3A.3-2 should be revised to state that vernal pool fairy shrimp could occur.

As suggested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3A.3-2 of the DEIR/DEIS has been revised to say vernal pool fairy shrimp are known to occur on the Prairie City Road Business Park site and could occur in vernal pools on the Country Day School site and off-site elements. The potential for occurrence has also been revised to note that vernal pool fairy shrimp were not found during surveys conducted on the Folsom South, Folsom 560, Folsom 138, and Carpenter Ranch sites. The second to the last sentence on page 3A.3-57 of the DEIR/DEIS has also been edited to acknowledge that vernal pool fairy shrimp were found on the Prairie City Road Business Park site during focused surveys.

FSAG-14

The comment states that no vernal pool tadpole shrimp were found to occur, and therefore, the conclusion should be revised to state that they would not be likely to occur or could occur for this species.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3A.3-2 of the DEIR/DEIS has been revised to say that vernal pool tadpole shrimp could occur in suitable wetlands on the Country Day School site and off-site elements and was not found during surveys conducted on the Folsom South, Folsom 560, Folsom 138, and Carpenter Ranch sites. However, the USACE notes that although surveys have been conducted, until a final determination is made by the USACE/USFWS regarding species presence or absence, it is assumed for purposes of this DEIR/DEIS that suitable habitat may still be present within the Folsom South, Folsom 560, Folsom 138, and Carpenter Ranch sites.

FSAG-15

The comment states that no Swainson's hawks have been observed during any site surveys, delineations, etc. conducted for the properties, and therefore, the conclusion should be revised to state that they could occur.

As suggested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3A.3-2 has been revised to state that Swainson's hawk could occur because suitable nesting and foraging habitat are present and to note that Swainson's hawks have

not been observed in the SPA during any of the biological surveys, but that focused surveys for the species have not been conducted.

FSAG-16

The comment refers to Exhibit 3A.3-2 on page 3A.3-15 and states that the Swainson's hawk occurrence (at the center of the project along White Rock Road) is a 28-year-old, single-soaring observation, not a nest. The comment further states that the closest known nest is 2 miles to the southwest and requests that Exhibit 6 (attached to commenter's letter) be reviewed.

Exhibit 6 provided by the commenter has been reviewed. The DEIR/DEIS does not make any assertions with regard to the Swainson's hawk occurrence on the CNDDDB map (Exhibit 3A.3-2 of the DEIR/DEIS) and does not base any conclusions regarding this species on that CNDDDB record.

FSAG-17

The comment refers to text in the second paragraph on page 3A.3-17 of the DEIR/DEIS and states that the discussion of the narrowleaf soap plant (Chlorogalum angustifolium) as weak indicator of serpentine does not include any reference to support this assertion, making reference to Stafford et al., in Madrono 52(4).

According to Safford et al. 2005, narrowleaf soap plant has a rating of 2.4 on the serpentine affinity scale, which means it is a weak indicator of serpentine soils. This indicates that 55–64% of this species' occurrences are on serpentine soils. Therefore, no changes to the DEIR/DEIS are required.

FSAG-18 through
FSAG-19

The comment states that Stafford's findings indicate narrowleaf soap plant may be found on serpentine soils, but that it is not a so-called serpentine endemic. The comment further states that because serpentine soils do not occur on the project site (according to soil survey results for the SPA), the presence of narrowleaf soap plant is irrelevant regarding the potential for occurrence of big-scale balsam root or other serpentine endemics.

The DEIR/DEIS does not state that narrowleaf soap plant is a serpentine endemic (see response to comment FSAG-17). The presence of narrowleaf soap plant is pointed out because it has a serpentine affinity rating of 2.4 and big-scale balsamroot has a serpentine affinity rating of 2.5 (Safford et al. 2005). Between 65 and 74% of big-scale balsamroot occurrences are found on serpentine soils, thus it is not restricted to serpentine soils. The DEIR/DEIS states in Table 3A.3-1 that the probability of big-scale balsamroot occurring in the SPA is low because serpentine soils are not present. Also, in the second paragraph on page 3A.3-17 of the DEIR/DEIS, the discussion mentions: "Big-scale balsamroot has very low potential to occur in grassland and oak woodland habitat in the SPA because serpentine soils are not present and the nearest documented occurrences are more than 10 miles away. The potential for this species cannot be completely ruled out, however, because although big-scale balsamroot is most often associated with serpentine soils, it is not restricted to serpentine and there is potentially suitable habitat present." Therefore, no changes to the DEIR/DEIS are required.

FSAG-20

The comment states that the last sentence in the second paragraph on page 3A.3-17, "The remainder of the SPA and off-site elements has not been surveyed for special-status plant species," is incorrect.

See responses to comments FSAG-11 and FSAG-21.

FSAG-21

The comment states that special-status plant surveys were conducted according to California Native Plant Society (CNPS) protocols on the Folsom South property in 2006 and again in 2009. The comment further states that all species observed during those surveys would have been documented.

The DEIR/DEIS acknowledges that special-status plant surveys have been conducted on the Folsom South property; however, the special-status plant survey report for Folsom South indicates that the surveys were conducted specifically for Ahart's dwarf rush, Bogg's Lake hedge hyssop, dwarf downingia, legenera, pincushion navarretia, Sacramento orcutt grass, slender orcutt grass, and Tuolumne button-celery. The report also states that areas of the site that did not contain habitat for these particular species, which all grow in vernal pools or other seasonal wetlands, were not surveyed. Therefore, species that grow in upland habitats, such as Brandegees clarkia, and species that grow in perennial wetlands, such as Sanford's arrowhead, would have been unlikely to be identified during these surveys, even if they were present.

FSAG-22

The comment states that the SPA is not located within a (USFWS) core recovery area.

The DEIR/DEIS does not suggest that the SPA is within a USFWS core recovery area. The vernal pool recovery plan, discussed on page 3A.3-26 of the DEIR/DEIS, is presented because it is a regional plan that is an information source used to help evaluate impacts on vernal pool species in a regional context. The benefit of including the goals and objectives of the recovery plan in the consideration of impacts on vernal pool habitat and species is that it provides an ecosystem approach to conserving biological diversity (USFWS 2005).

FSAG-23

The comment states that the vernal pool recovery plan does not have regulatory force (i.e., implementation of the measures contained in the recovery plan are not required to be conditions of any BO).

See response to comment FSAG-25. The vernal pool recovery plan discussion on page 3A.3-26 of the DEIR/DEIS points out that the plan is not regulatory in nature. However, it is important to consider the goals and objectives of the recovery plan, because of their direct relevance to CEQA thresholds. Consideration of consistency with the recovery plan can help determine if a project will have a substantial adverse effect on species listed as threatened or endangered or on candidates for listing under the Federal ESA and if a project could cause a wildlife population to drop below self-sustaining levels. Recovery plans are prepared specifically for the purpose of maintaining secure, self-sustaining wild populations of listed and candidate species with the minimum necessary investment of resources. Therefore, not considering an applicable recovery plan during the environmental review process would be negligent.

FSAG-24

The comment suggests that the statement "... the Recovery Plan needs to be taken into consideration... to ensure that projects do not prevent or impair the plan's future long term [sic] implementation success..." would require compliance with a plan "...that does not have regulatory force."

See response to comment FSAG-23. As indicated by the comment and as shown in Chapter 5, "Errata" of the FEIR/FEIS, the second to last sentence in the last paragraph on page 3A.3-26 of the DEIR/DEIS has been revised to say the recovery plan should be taken into consideration.

FSAG-25

The comment states the vernal pool recovery plan was not subject to NEPA review, and therefore, to set a standard of analysis that would require compliance with the plan would not be appropriate. The comment includes a footnote that refers to three legal cases in support of this comment.

The DEIR/DEIS does not state that compliance with the vernal pool recovery plan is required; it states only that the recovery plan should be considered when analyzing potential impacts on vernal pools and associated biota. See responses to comments FSAG-23 and FSAG-24.

FSAG-26

The comment refers to the analysis methodology discussion in the second paragraph on page 3A.3-27 of the DEIR/DEIS that states in the AG-80 zone "...row crops, tree crops, and dairies are not consistent with this land use designation." The comment states that nothing in the Sacramento County zoning code prohibits such uses.

The comment is correct that the County zoning code does not expressly prohibit more intensive land uses such as row crops and tree crops; the zoning categories establish compatible land uses based on land characteristics such as soil capability class, topography, water supply. According to the Land Use Element of the Sacramento County General Plan (Sacramento County 1993), the Ag-80 designation identifies land that is generally used for agricultural purposes but that is less suited for intensive agriculture than the agricultural cropland designation. Therefore, even though County zoning does preclude intensive agricultural uses, the area is zoned Ag-80 because physical constraints limit the suitability of this land for intensive agriculture. These constraints include shallow soils, uncertain water supply, moderately sloped topography, and fair to poor crop yield. Because the site has poor soils and very little groundwater, it is unsuitable for intensive agriculture and that is why it has historically been and continues to be used for livestock grazing. This fact also is noted in the FPASP (Appendix N of the DEIR/DEIS).

FSAG-27

The comment states that any uses of the [project] site as irrigated pasture would result in unregulated indirect impacts to seasonal wetland and vernal pool habitat on the site, under the No Project Alternative.

Conversion to irrigated pasture could certainly have adverse effects to seasonal wetlands and vernal pools; however, there is no evidence to suggest, and no reason to assume, that the SPA would be systematically converted to irrigated pasture if the specific plan were not implemented. It is more likely that the current land uses that have been ongoing on the site for decades would continue into the foreseeable future, based on the reasons discussed above in response to comment FSAG-26.

FSAG-28

The comment states that the conclusion that the No USACE Permit Alternative would have lesser indirect impacts than the Proposed Project Alternative is contradicted by the fact that the preserve edge of the avoidance area would be markedly larger in the No USACE Permit Alternative than in the Proposed Project Alternative.

A larger edge would exist for the larger preserve area under the No USACE Permit Alternative, particularly because many of the additional habitats being preserved would have linear aquatic features. Because the No USACE Permit Alternative would require all waters of the U.S. to be preserved, a greater acreage of wetlands would exist and other waters preserved within the SPA would be indirectly affected. Most of the wetlands and other waters that would be subject to indirect impacts under the No USACE Permit Alternative would be filled under the Proposed Project Alternative. Although the total acres of waters that would be subject to indirect effects might be greater under the No

USACE Permit Alternative because more acres would be preserved, that would not make indirect effects greater in magnitude. Less indirect effects would occur because streams would not be fragmented, tributaries to Alder Creek would not be filled, and more micro watershed areas would remain intact. As stated on page 3A.3-28 of the DEIR/DEIS, indirect significant impacts would result from implementing the No USACE Permit Alternative, but the magnitude of indirect impacts would be less. Furthermore, under the Proposed Project Alternative, grading and construction of recreational amenities (e.g., bike paths and trails) would occur to within 25 feet of retained wetlands and other water features, resulting in an actual avoidance area of only 701 acres, whereas the avoidance area under the No USACE Permit Alternative would be nearly 1,500 acres.

FSAG-29

The comment states that indirect effects noted under the Proposed Project Alternative would be exacerbated under the No USACE Permit Alternative.

See response to comment FSAG-28.

FSAG-30

The comment states that, in the absence of a Clean Water Act permit, no preservation mechanism would exist that would include a conservation easement and long-term management of the wetland preserves.

As suggested by the commenter and as shown in Chapter 5, “Errata” of this FEIR/FEIS, the discussion of indirect impacts under the NCP Alternative on page 3A.3-28 has been revised to note that no mechanism would exist for establishing a conservation easement or providing long-term management to reduce habitat degradation. A statement also has been added that habitat degradation would be reduced under this alternative even without long-term management because no fragmentation of stream channels would occur and wetlands would be retained within larger, more connected habitat patches.

FSAG-31

The comment states that the third sentence in the second paragraph on page 3A.3-33, “All portions of the SPA, with the exception of the 25-foot buffers around the preserved wetlands, would be subject to contour grading, which could affect wetland hydrology and water quality,” is incorrect. The comment further states that a substantial portion of the open space (such as the oak tree preservation areas) would not be subject to grading.

As suggested by the commenter and as shown in Chapter 5, “Errata” of this DEIR/DEIS, the text on page 3A.3-33 of the DEIR/DEIS has been revised to reflect that some of the oak tree preservation areas would not be subject to grading. The sentence indicated in the comment has been edited, removing the word contour before the word grading and replacing it with ‘at least surface-level’ because contour grading would be limited primarily to the eastern portions of the SPA.

FSAG-32

The comment states that the discussion of adverse effects on hydrology and water quality in Alder Creek should be revised to provide some additional context. The comment further states that within the SPA, Alder Creek receives urban flows from the development areas north of U.S. 50.

The addition of urban runoff from development of the SPA would only exacerbate the indirect effects on Alder Creek. The fact that Alder Creek already receives runoff from existing urban development is not a valid argument for discounting the potential effects of this project. Furthermore, the text on page 3A.3-33 of the DEIR/DEIS to which the comment refers states filling intermittent tributaries and seasonal swales that are directly connected to Alder Creek could adversely affect hydrology and water quality of

preserved portions of Alder Creek on the SPA. This statement is true regardless of the fact that Alder Creek already receives runoff from urban areas north of U.S. 50.

FSAG-33

The comment states that Alder Creek downstream of the [SPA] property flows past the Folsom Auto Mall and other urban uses before entering Lake Natoma, and Lake Natoma receives urban flows from surrounding areas.

Even though Alder Creek currently flows past various urban uses before entering Lake Natoma, implementing the project could still alter hydrologic patterns and adversely affect wetlands and drainage channels retained in the SPA, as well as off-site wetlands, by altering hydration periods, peak flows, runoff volumes, and runoff durations; and thus, mitigation measures must be implemented to avoid and minimize these indirect impacts.

FSAG-34

The comment states that it is difficult to imagine a significant impact to hydrology or water quality from the SPA development, considering that projects within the City of Folsom's sphere of influence must implement construction stormwater BMPs, post-project stormwater treatment, and wetland preservation, etc.

Implementing BMPs, designing stormwater drainage plans and erosion and drainage control plans, implementing stormwater quality controls, use of LID features and free-spanning bridges, preparation of a SWPPP, and monitoring discharge sites into Alder Creek and tributaries to Carson Creek, Coyote Creek, and Buffalo Creek are all mitigation measures proposed in the DEIR/DEIS (Mitigation Measure 3A.3-1a on page 3A.3-31 of the DEIR/DEIS), specifically to avoid and minimize the impacts on hydrology and water quality discussed on page 3A.3-33.

FSAG-35

The comment states that the intermittent drainage corridors have minimum 25-foot no-disturbance and additional 50-foot minimum open space areas. The comment further states that Alder Creek generally has a no-disturbance area of 100 feet in the SPA.

The analysis on page 3A.3-33 of the DEIR/DEIS states: "Preserved wetlands and other waters within the designated open space areas would be provided a 25-foot buffer where no project-related ground disturbance would occur. Outside of the 25-foot buffer, an additional 50 feet of no development buffer would be established; however, disturbance associated with contour grading, mitigation planting, trails, benches, and other passive recreational amenities may occur in the outer 50 feet of buffer." Although these buffers would reduce potential indirect effects on wetlands and other waters, they would not eliminate them, especially given the substantial grading and creation of impervious surfaces proposed for adjacent uplands.

FSAG-36

The comment states that the No USACE Permit Alternative would be subject to the same impacts to hydrology and water quality as the Proposed Project Alternative. The comment suggests that the discussion should be revised to reflect this fact.

See response to comment FSAG-28.

FSAG-37

The comment suggests that the column heading, "Preserved" in Table 3A.3-4, should be replaced with "Not Impacted" or "Avoided" because the No Project Alternative would not necessarily result in wetland preservation.

As suggested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, the column headings for Table 3A.3-3 and Table 3A.3-4 of the DEIR/DEIS have been revised, replacing the word "preserved" with the word "avoided."

FSAG-38

The comment references the second arrow bullet on page 3A.3-38 of the DEIR/DEIS and states that the use of the California Rapid Assessment Method (CRAM) would require specific field data collection for various wetland types. The comment further states no modules exist for several types of wetlands on-site, and many of the aquatic features are not wetlands, but rather waters of the U.S.

CRAM includes wetland assessment modules for estuarine, riverine, depressional, vernal pool, and vernal pools system wetlands, which essentially covers all of the wetland types found in the SPA with the exception of the seep wetlands. Another assessment method and monitoring protocol suitable for seep wetlands could be used in place of CRAM when monitoring seeps and establishing the baseline functional condition. The applicant's proposed mitigation for the loss of seep wetlands is to purchase seasonal wetland credits from an approved mitigation bank (see responses to comments FSAG-106 through FSAG-111). There would be no need for the permittees to monitor these compensatory wetlands because they would have already demonstrated functional success prior to approval for sale of the mitigation credits. Note that this would not be in-kind mitigation because seasonal wetlands are not the same as seep wetlands; seeps on the site are slope wetlands created where groundwater reaches the ground surface creating permanently saturated conditions in the root zone. Seasonal wetlands are depressional features that are saturated or inundated for a portion of each year and depend primarily on direct precipitation rather than groundwater as their main source of water. Seeps generally support different plant associations and provide different wetland functions than seasonal wetlands. See edits to Mitigation Measure 3A.3-1b (see responses to FSAG-40 and FSAG -41) as shown in Chapter 5, "Errata" of this FEIR/FEIS to indicate that another assessment and monitoring protocol could be used, if appropriate, as determined through consultation with USACE and USFWS.

FSAG-39

The comment suggests that the FEIR/FEIS should clarify that CRAM would only be required if the appropriate modules were available or applicable.

See response to comment FSAG-40.

FSAG-40

The comment suggests that the text for the second arrow bullet on page 3A.3-38 of the DEIR/DEIS be revised regarding the use of CRAM scores.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text of the second bullet point on page 3A.3-38 of the DEIR/DEIS has been revised to indicate that CRAM scores, or other protocol determined through consultation with USACE and USFWS, would be used.

FSAG-41

The comment suggests that because the DEIR/DEIS requires a pre-construction CRAM of the impact site, no need exists for "reference" wetlands.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text of the fourth bullet point on page 3A.38 of the DEIR/DEIS has been revised to remove the statement regarding "reference" wetlands and to clarify the use of CRAM scores. This change to the mitigation would still provide an effective means of measuring the success of compensatory wetlands because it would allow for comparison of the functional capacity of compensatory wetlands with the baseline functional capacity of the wetlands they are replacing.

- FSAG-42 *The comment states that the highest possible CRAM score is scaled against the highest quality wetland for each wetland type, and the CRAM scores from the impact site assessment can be readily compared to the mitigation site CRAM scores.*
- See response to comment FSAG-41.
- FSAG-43 *The comment suggests that the method described in comment FSAG-42 provides a much more sensitive analytical tool regarding replacement of impact site functions and values than comparison to an arbitrary set of reference wetlands.*
- See response to comment FSAG-41.
- FSAG-44 *The comment states that the indirect impacts of the Resource Impact Minimization Alternative are virtually identical to those of the Proposed Project Alternative despite that the Resource Impact Minimization Alternative has fewer wetland impacts.*
- The indirect impacts under the Resource Impact Minimization Alternative would not be comparable to those under the Proposed Project Alternative. As stated on page 3A.3-41 of the DEIR/DEIS, indirect impacts under both of these alternatives would be significant; however, the magnitude of indirect effects would be less under the Resource Impact Minimization Alternative because the larger preserve area would provide larger wetland habitat buffers (generally at least 250 feet), preserve more of the micro watershed areas, support species that use both wetland and upland habitats, and maintain greater hydrological functionality and wetland connectivity because more of the intermittent drainage channels and swales would be preserved.
- FSAG-45 *The comment states that greater preserve area means greater edge (as can be viewed when comparing the two alternative figures).*
- Because more wetlands and other waters would be preserved under the Resource Impact Minimization Alternative and many of these would have linear features, a greater amount of shared edge would exist between preserved habitats and developed areas than under the Proposed Project Alternative. However, the amount of shared edge between developed and preserved areas would not be the only factor considered in the evaluation of indirect impacts. The configuration of preserved lands under the Resource Impact Minimization Alternative would result in larger, more interconnected tracts of habitat with less fragmentation of aquatic resources and other habitats and larger buffer areas for interior wetlands and other waters. Furthermore, under the Proposed Project Alternative, grading and construction of recreational amenities (e.g., bike paths and trails) would occur to within 25 feet of retained wetlands and other water features, resulting in an actual avoidance area of approximately 700 acres, whereas the avoidance area under the Resource Impact Minimization Alternative would be approximately 1,060 acres.
- FSAG-46 *The comment states that because comparable land uses are proposed under both alternatives, the Resource Impact Minimization Alternative would have at least as great, if not greater impacts, not “lesser” indirect impacts.*
- Although the total acreage of waters that would be subject to indirect effects might be greater under the Resource Impact Minimization Alternative because more acres would be preserved, that would not make the indirect effects greater. Less indirect effects would occur because fewer streams would be fragmented, fewer tributaries to Alder Creek would be filled, more micro watershed areas would remain intact, and the preserve areas would be larger, resulting in larger, more contiguous tracts of habitat with a larger

proportion of adjacent upland habitat preserved. The types of indirect impacts that would occur might be the same, but the magnitude would be less, though still significant, as stated on page 3A.3-32 of the DEIR/DEIS.

FSAG-47

The comment references the conclusion in the third paragraph on page 3A.3-49 of the DEIR/DEIS that the mitigation measures "... would reduce significant impacts on jurisdictional wetlands... but not necessarily to a less-than-significant level..." and, "Creating compensatory wetlands cannot be guaranteed to fully replace the functions of wetlands lost..." seems to be at odds with USACE's longstanding "no net loss of wetlands" policy, which assumes that "net loss" can be avoided through off-site restoring or re-creation.

The referenced conclusion on page 3A.3-49 of the DEIR/DEIS provides several reasons why impacts on waters of the U.S. would remain significant and unavoidable even with implementation of all feasible mitigation measures. Many of these reasons have to do with indirect impacts on the wetland habitat that would be retained in the SPA and adjacent wetland habitats. Because many of the preserved wetlands would have very little buffer from adjacent urban development, many would not have their micro watershed areas preserved, and wetland complexes would become fragmented, habitat functions and values as well as hydrologic and water quality functions are expected to be substantially diminished following project implementation. Creation and preservation of wetlands within smaller and more fragmented areas surrounded by urban development could not fully compensate for the whole suite of ecological services that would be provided by larger expanses of interconnected wetland complexes surrounded by open space. Furthermore, compensatory mitigation would not be available within the affected subwatersheds and a net loss of wetland function would, therefore, occur in the Alder Creek, Carson Creek, Buffalo Creek, and Coyote Creek watersheds. The impact conclusion does not assert that net loss could not be avoided through off-site restoration and creation, only that it would not be feasible in this particular case to avoid loss at the appropriate watershed scale consistent with the 2008 Compensatory Mitigation Rule (33 CFR Parts 325 and 332 and 40 CFR Part 230).

As shown in Chapter 5, "Errata" of this FEIR/FEIS, page 3A.3-50 of the DEIR/DEIS has been revised to clarify the conclusion that direct and indirect impacts would remain significant and unavoidable pursuant to NEPA and CEQA. However, this issue is separate from the ultimate determination that USACE would need to make to issue permits to fill on-site wetlands, based on whether the project would cause "significant degradation of waters of the United States" (40 CFR 230.10[c]). This subsequent determination would have, by the express terms of the regulation, a necessarily broader focus than the individual watershed approach followed in the analysis in the DEIR/DEIS. Therefore, the significant and unavoidable conclusion in this analysis does not preclude USACE from issuing fill permits for the project if it found the project mitigation sufficient to avoid "significant degradation of the waters of the United States."

FSAG-48 through
FSAG-49

The comments state that the DEIR/DEIS does not acknowledge the considerable preservation that would occur on-site with project development, resulting from conservation easements, preserve management and monitoring, and other factors that would add value to the wetlands and habitats preserved, over that which would exist under the No Project Alternative.

The DEIR/DEIS does acknowledge the preservation component of each alternative and these factors were considered when evaluating potential project impacts. For example,

page 3A.3-33 of the DEIR/DEIS states: “The Proposed Project Alternative includes 1,050 acres of open space designed to preserve approximately 52% of the wetlands and other waters of the U.S. present in the SPA, including most of Alder Creek.” The analysis on page 3A.3-33 of the DEIR/DEIS states, “The open space design provides a large habitat patch that maintains stream networks and wetland complexes, provides corridors for habitat connectivity both on and off the SPA, and minimizes the perimeter-to-area ratio (i.e., edge effects).”

The creation of conservation easements within an urbanized environment, however, would not add habitat value, but rather would mitigate the adverse effects of the project. Wetland values would be the benefits that wetland functions would provide and could be ecological, social, or economic (Novitzki, Smith, and Fretwell 1997). The value of a wetland is subjective and difficult to measure, but no evidence exists to support the commenter’s conclusion that implementing the project would add value to the preserved wetlands from an ecological perspective.

FSAG-50 through
FSAG-52

The comments address USACE policy of “no net loss.” (The no net loss policy requirements include the preparation of mitigation plans, monitoring programs, and remediation methodology to ensure that no net loss of wetland function and value occurs.) The commenter states that it is incorrect to conclude that the proposed mitigation “would reduce significant impacts on jurisdictional wetlands... but not to a less-than-significant level” because considerable preservation would occur on-site with project development; compensatory wetlands must meet performance standards; and, the mitigation requires that the mitigation be successful and that corrective measures be implemented if initial efforts are not successful.

Although the mitigation measures in the DEIR/DEIS would require performance standards, monitoring protocols, and adaptive management if performance standards were not met, impacts on wetlands and other waters of the U.S. would remain significant and unavoidable for several reasons. See response to comment FSAG-47. The discussion on page 3A.3-39 of the DEIR/DEIS points out that net losses while compensatory habitats reach performance standards to demonstrate functionality would be temporary and would only result if mitigation credits were not available to offset losses in the SPA. However, many other impacts would be permanent including indirect impacts on the wetland habitats retained within and adjacent to the SPA and the net loss of function at the subwatershed scale, where no feasible mitigation would be available. As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on pages 3A.3-49 and 3A.3-50 of the DEIR/DEIS has been revised to clarify the distinction of why and how impacts would remain significant and unavoidable despite successful implementation of permittee-responsible compensatory wetland mitigation or purchase of fully functioning, in-kind wetland mitigation credits.

FSAG-53

The comment states that it is inappropriate to suggest that the lead and responsible agencies overseeing the implementation of this mitigation would not adequately enforce compliance with these criteria.

The City and USACE do not believe that the text of the DEIR/DEIS contains the message suggested by the commenter, either express or implied. Compensatory wetland mitigation through purchase of credits at agency-approved mitigation banks authorized to service the SPA would be expected to successfully replace the wetlands lost from the SPA because mitigation banks undergo a lengthy review process and are required to demonstrate success before they can sell mitigation credits. However, despite

enforcement of all the standards proposed in Mitigation Measure 3A.3-1b on page 3A.3-37 of the DEIR/DEIS, impacts on wetlands and other waters of the U.S. would remain significant and unavoidable because, as noted in the DEIR/DEIS, sufficient credits from a fully functioning, agency-approved mitigation bank might not be available in the future for all phases of the project, in which case a developer would have to provide compensatory wetlands elsewhere that satisfy USACE's performance criteria, and until those criteria were determined to be achieved and sustained, temporal losses could result; feasible compensatory wetland mitigation might not be available in the same watersheds where losses occurred, thus an overall loss of function up to the subbasin level could result, and the value of wetland habitats preserved in the SPA would be substantially diminished following project implementation, as discussed in response to comment FSAG-47 and on pages 3A.3-49 and 3A.3-50 of the DEIR/DEIS.

FSAG-54 through
FSAG-56

The comments reference the fourth paragraph on page 3A.3-49 of the DEIR/DEIS and suggest that the statement "...there is a limited amount of undeveloped, unspoken for land that supports existing wetlands that could be preserved, or that is suitable for creation of compensatory aquatic habitats..." warrants reconsideration. The comments further suggest that reconsideration should be based on the commenter's assertion that the project includes the preservation of 1,050 acres of open space and, according to the Natural Resources Conservation Service's Soil Survey Geographic Database, in 2005 over 81,000 acres of level San Joaquin soils were located in Sacramento County, south of the American River, that would be appropriate for construction of compensatory wetlands of the types found in the SPA.

The project applicants have not secured suitable land that would compensate for aquatic habitat losses resulting from project implementation. Although thousands of acres of land in Sacramento County might have suitable soils for creating compensatory wetlands, these lands might not be available for purchase by the project applicants for their proposed purposes. A great deal of development occurred in Sacramento County after 2005, and much of the undeveloped land is already planned for development (see Tables 4-2, 4-3, and 4-5 on pages 4-10, 4-11, and 4-30, respectively, of the DEIR/DEIS for recently completed and planned projects). Full buildout of the City of Rancho Cordova General Plan planning area alone is projected to convert up to 20,728 acres of vernal pool grasslands. As development continues in the County, more and more projects will need compensatory mitigation lands, yet lands suitable for this mitigation will become more limited.

FSAG-57 through
FSAG-58

The comments states that the text in the referenced bullet on page 3a.3-49 of the DEIR/DEIS is not clear, namely: "...the amount of habitat loss and degradation is extensive and contributes significantly to the loss of this habitat type in the region[.]" The comments requests that habitat type, region, and context and/or analysis be provided for the conclusion.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-49 of the DEIR/DEIS has been revised to clarify that the habitat type being discussed is aquatic habitat and the region is the Central Valley and foothills. Please refer to the cumulative impact discussion on pages 4-29 through 4-33 of the DEIR/DEIS for a more detailed discussion of the extensive loss of wetlands and other waters of the types found in the SPA in Sacramento County and surrounding areas.

FSAG-59

The comment asks for a further explanation of the significance of “micro watersheds,” which are discussed on page 3a.3-49 of the DEIR/DEIS.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-49 of the DEIR/DEIS has been expanded to define micro watersheds and explain why they are important.

FSAG-60 through
FSAG-63

The comments state that an incidental take permit for Swainson’s Hawk is required under CESA when a project involves physical harm that leads to death. The comments further state that DFG does not require an incidental take permit for the loss of foraging habitat, but only for the loss of occupied nests, which are not located within the project site. The comments suggest that the text on page 3A.3-50 of the DEIR/DEIS should be amended to state that an incidental take permit is not required.

Because surveys for nesting raptors have not been conducted in the SPA, absence of Swainson’s hawk nesting cannot be confirmed and the statement in the DEIR/DEIS that take of Swainson’s hawk could occur is accurate at this time. Therefore, preconstruction raptor nesting surveys are proposed in Mitigation Measure 3A.3-2a beginning on page 3A.3-51 of the DEIR/DEIS to determine presence or absence of nesting Swainson’s hawks in the SPA. The DEIR/DEIS does not state that a take permit for Swainson’s hawk would be needed, but rather proposes that avoidance measures consistent with DFG guidelines would be implemented if active Swainson’s hawk nests were found during preconstruction surveys. DFG would require compensation for loss of Swainson’s hawk foraging habitat, based on proximity of suitable foraging habitat to known active nest sites.

FSAG-64 through
FSAG-66

The comments define suitable Swainson’s hawk habitat based on County Code Section 16.130.030(B)(2), as land that is “...identified through the CEQA process, based on DFG staff report regarding mitigation for impacts to Swainson’s Hawks in the Central Valley of California, to provide suitable Swainson’s Hawk foraging habitat....” The comments suggest, therefore, the statement on page 3A.3-50 of the DEIR/DEIS regarding AG-80 zoning providing 100% foraging habitat value for Swainson’s hawk is incorrect and should be amended.

In 2006, Sacramento County DERA, in coordination with DFG, developed a methodology for determining impacts on Swainson’s hawk foraging habitat in unincorporated areas of Sacramento County. According to this methodology, areas zoned Ag 80 provide 100% foraging habitat value for Swainson’s hawk (see responses to comments Sac Cnty-2-78 and Sac Cnty-2-79). The commenter refers to a statement on DEIR/DEIS page 3A.3-50 that is contained under the No Project Alternative. That statement in the DEIR/DEIS is correct, because under the No Project Alternative, the SPA would not be annexed into the City of Folsom and would remain under the jurisdiction of Sacramento County, in which case, DERA’s methodology would apply.

FSAG-67

The comment states that the SPA contains large areas of oak woodlands that are not considered to be Swainson’s hawk foraging habitat.

The analysis of the No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development Alternatives contained in DEIR/DEIS Impact 3A.3-2 relies on the standard DFG methodology for assessing impacts to Swainson’s hawk; it does not rely on DERA’s methodology. The DEIR/DEIS

does not include the oak woodland habitat in the impact acreage calculation for Swainson's hawk foraging habitat. However, as stated on page 3A.3-59 of the DEIR/DEIS, the 2,594 acres of grassland present in the SPA are considered foraging habitat for Swainson's hawk.

FSAG-68

The comment references comments FSAG-28–30 regarding the No USACE Permit alternative in the first paragraph on page 3A.3-50.

See responses to comments FSAG-28 through FSAG-30.

FSAG-69

The comment states that a vernal pool recovery plan is advisory and not subject to NEPA analysis. The comment suggests that Mitigation Measure 3A.3-2e on page 3A.3-55 of the DEIR/DEIS should not include the requirement that any HCP prepared would need to be consistent with the goals of USFWS Recovery Plan.

Although the vernal pool recovery plan is not regulatory in nature and has not been subject to NEPA analysis, it provides a set of goals, objectives, and strategies for the recovery of vernal pool species; it is appropriate to follow these guidelines when developing a mitigation plan for the species covered in the recovery plan to ensure that the project would not prevent or impair the plan's future long term implementation success. The recovery plan was prepared and approved by USFWS and identifies actions the agency believes to be necessary to achieve self-sustaining, wild populations of listed species, including vernal pool fairy shrimp, which has been identified in the SPA. USFWS uses the recovery plan to determine recommendations and requirements during endangered species consultations, and the ESA mandates that recovery plans be developed and implemented by USFWS. Therefore, the vernal pool recovery plan should be considered during development of mitigation plans for species covered under the plan that would be possibly be affected by the project.

FSAG-70

The comment references the statement in the first paragraph of Mitigation Measure 3A.3-2f on page 3A.3-55 of the DEIR/DEIS, indicating that the project must wait for a BO from USFWS before beginning project construction. The comment suggests that the statement is not correct and should reflect that the receipt of a Section 10 Incidental Take Permit would be necessary, not the receipt of a BO.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-56 of the DEIR/DEIS has been revised to state that no project construction would proceed until USFWS issued a take permit.

FSAG-71

The comment references the statement in the first paragraph under PP on page 3A.3-57 of the DEIR/DEIS, indicating that ". . .special-status wildlife listed under ESA that could be substantially affected by the Proposed Project Alternative include vernal pool fairy shrimp, vernal pool tadpole shrimp,..." is contradicted by the negative-result vernal pool invertebrate surveys that have been conducted for most of the project site.

Vernal pool fairy shrimp was found in the SPA during surveys and would be affected by project implementation. The discussion on page 3A.3-58 of the DEIR/DEIS provides the results of vernal pool invertebrate surveys and acknowledges that only vernal pool fairy shrimp have been found in the SPA. See also responses to comments FSAG-12 and FSAG-14.

FSAG-72

The comment states that the terrestrial species listed on page 3A.3-57 of the DEIR/DEIS would be affected to virtually the same degree by the No USACE Permit alternative as the Proposed Project Alternative.

The DEIR/DEIS acknowledges the significant direct and indirect impacts on terrestrial wildlife species that would result from implementing the No USACE Permit alternative and concludes that these impacts are similar to the impacts that would occur under the Proposed Project Alternative.

FSAG-73

The comment states that negative results of vernal pool studies are again ignored in the discussion of habitat definitions under Wildlife Associated with Vernal Pool in the first paragraph on page 3A.3-57 of the DEIR/DEIS.

See response to comment FSAG-71.

FSAG-74 through
FSAG-75

The comments state that seasonal wetland swales do not represent suitable habitat for larval western spadefoot toads. The comments further state that the larvae of western spadefoot toads require permanent inundation for growth and development and that the seasonal wetland swales identified on page 3A.3-57 of the DEIR/DEIS do not have the continuous periods of extended inundation necessary for larval maturation.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-57 of the DEIR/DEIS has been revised to explain that seasonal wetland swales typically do not provide the appropriate hydroperiod for successful western spadefoot reproduction. The period of time required for larval development is uncertain and varies depending on conditions (e.g., temperature and food resources), but it generally takes from 3 to 7 weeks for western spadefoot to reach metamorphosis. Although seasonal wetland swales typically do not provide the appropriate hydroperiod for western spadefoot development, a species specific habitat analysis to identify features that are and are not suitable for western spadefoot was not conducted in the SPA, making it difficult to categorically rule out particular wetland features. Most of the 26 acres identified as seasonal swales probably do not provide the required conditions for western spadefoot larvae to complete metamorphosis; however, it is not possible to conclude that no portion of any of the seasonal swales in the SPA could support western spadefoot based on the information provided. Western spadefoot eggs and larvae have been documented in a variety of wetland features including rivers, creeks, pools in intermittent and ephemeral drainages, vernal pools, temporary rain pools, artificial ponds, roadside and irrigation ditches, and tire ruts (Safford, Viers, and Harrison 2005).

FSAG-76

The comment states that 2 years of wet-season surveys for Federally listed branchiopods (including vernal pool fairy shrimp and vernal pool tadpole shrimp) were conducted for the majority of the SPA. The comment further states that these areas included portions of Country Day School and J&Z, as part of the Backbone Infrastructure Surveys. The comment also states that Folsom Heights did not support potential habitat, and the Folsom 138 property owners have completed 1 year of wet-season surveys. The comment adds that vernal pool fairy shrimp were only found in two wetland features on the Prairie City Road Business Park project.

See response to comment FSAG-71.

FSAG-77 *The comment suggests that the conclusion in the second paragraph on page 3A.3-58 of the DEIR/DEIS should state vernal pool fairy shrimp “could occur.”*

Vernal pool fairy shrimp was identified at two locations on the Prairie City Road Business Park site; therefore, it is appropriate to conclude that the species is “known to occur.”

FSAG-78 *The comment states that most of the SPA is in different watersheds or upstream from the single occurrence of vernal pool fairy shrimp noted in the DEIR/DEIS.*

The information provided for preparation of the DEIR/DEIS indicates that vernal pool fairy shrimp were found at two locations (i.e., in two wetlands) on the Prairie City Road Business Park site. As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-58 of the DEIR/DEIS has been revised to explain that the Prairie City Road Business Park is downstream from the remainder of the SPA.

FSAG-79 *The comment states that the occurrence of California linderiella in the SPA does not counter the multi-year negative surveys for listed vernal pool crustaceans on the project site.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-58 of the DEIR/DEIS has been revised to remove the statement about California linderiella in light of the negative results of protocol-level surveys.

FSAG-80 *The comment states that no vernal pool tadpole shrimp were found to occur in surveys to date. The comment suggests that the conclusions should state that vernal pool tadpole shrimp are “not likely to occur” or “could occur.”*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-58 of the DEIR/DEIS has been revised to include results of protocol-level branchiopod surveys that indicate absence of vernal pool tadpole shrimp and Conservancy fairy shrimp on all sites surveyed, which consists of all of the SPA having potentially suitable habitat except for the Sacramento Country Day School site and off-site elements. The edits specify that Federally listed vernal pool crustaceans, including vernal pool tadpole shrimp, could occur in suitable habitat on the Sacramento Country Day School site and off-site elements where suitable habitat is present.

FSAG-81 through
FSAG-82

The comments state that even if potential exists for the spadefoot toad on the project site, the negative survey findings argue against any findings of significant impact to the species. The comments suggest that the conclusion for occurrence be reconsidered.

The amphibian and reptile surveys conducted on the Folsom South property were not sufficient to determine absence of western spadefoot for the following reasons:

- ▶ Aquatic habitats were sampled only once, in April, rather than multiple times throughout the breeding season. Egg-laying can occur between February and late May, depending on rainfall and temperature conditions; thus, it is possible that egg-laying did not occur until after the surveys were completed.
- ▶ The survey report does not indicate what the water temperatures were at the time the surveys were conducted; water temperatures must reach a minimum 48 degrees Fahrenheit before western spadefoot will lay their eggs.

- ▶ The surveys consisted only of daytime dip net sampling and did not include nighttime vocalization surveys to detect adults; adults could have been present but not reproducing yet.
- ▶ The survey report does not describe rainfall and temperature conditions for that particular season; if conditions were not suitable, western spadefoot may not have reproduced yet that season.
- ▶ The surveys were conducted on only one site within the SPA and did not include the remained of the SPA or the off-site elements, which may contain suitable habitat for western spadefoot.
- ▶ The survey report concludes that western spadefoot is unlikely to occur in the SPA because of the presence of bullfrogs. Although bullfrogs are a predator on western spadefoot tadpoles, these species are known to co-occur at some sites, and spatial and temporal segregation factors may limit interactions between these species. For example, western spadefoot breed in temporary wetlands, whereas bullfrogs are more strongly associated with permanent wetlands; western spadefoot are more active after storms, when temperatures are low and moisture is high while bullfrogs are more active before storms when temperatures are higher and moisture is lower. Therefore, the presence of bullfrogs does not preclude the presence of western spadefoot. (Safford, Viers, and Harrison 2005)

Therefore, the conclusions in the DEIR/DEIS regarding the potential for western spadefoot are appropriate.

FSAG-83 through
FSAG-88

The comments state that the land within the boundaries of the SPA is at the very eastern edge of Swainson's hawk known geographic range in Sacramento County. The comments suggest that a 1:1 habitat ratio may be inappropriate. The comments refer to Mitigation Measure 3A.3-2b (on page 3A.3-52–54 of the DEIR/DEIS) that proposes to replace lost foraging habitat at off-site locations at ratios of 0.75:1 for anything over 1 mile and less than 5 miles and 0.5:1 for any habitat loss greater than 5 miles and less than 10 miles from the nearest known active nest. The comments recommend these ratios because they are consistent with the ratios set forth in the DFG's Swainson's Hawks Guidelines (1999), and Swainson's hawk foraging habitat of higher value is available in other portions of Sacramento County. The comments request that if higher quality habitat is secured, agreed on by the City and agency staff and/or consulting biologists, which could be used as mitigation, it might be appropriate to reduce the acreage required according to agreed-on habitat multipliers.

The commenter misunderstands the mitigation ratios proposed in Mitigation Measure 3.3A-2b; the measure does not propose that 1 acre of mitigation land be provided for every 1 acre of potential foraging habitat lost, but rather that mitigation be provided at 1:1 habitat value based on Swainson's hawk nesting distribution consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-53 of the DEIR/DEIS has been revised to spell out what the specific mitigation ratios are for each foraging value category based on distance from active nest sites (i.e., 1:1 for foraging habitat within 1 mile, 0.75:1 for over 1 mile but less than 5 miles, and 0.5:1 for over 5 miles but less than 10 miles).

With regards to reducing mitigation acreage requirements for higher quality habitat, the City/USACE feel it is inappropriate to revise the DEIR/DEIS mitigation measures as suggested because the mitigation sites, criteria for determining habitat quality, and the habitat-value multipliers that would be used have not been established. Therefore, the public would have no opportunity to review and comment on the proposed mitigation modification. Implementing the project would result in a net loss of Swainson's hawk foraging habitat because mitigation would involve preserving existing habitat and not creating new foraging habitat.

FSAG-89 through
FSAG-90

The comments state that ECORP has prepared a list of mitigation banks with available Swainson's hawk foraging habitat credits in Sacramento County. The comments further state that the list provides substantial evidence to demonstrate the likely availability of sufficient additional credits in the counties of Yuba, Placer, Butte, Merced, and Madera, if necessary to satisfy the mitigation requirement.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-53 of the DEIR/DEIS has been revised to state that mitigation would be provided through purchase of mitigation credits, if available.

FSAG-91

The comment states that all project alternatives would include residential/commercial development of lands adjacent to open spaces, and impacts would be virtually identical and would occur in all project alternatives.

The DEIR/DEIS acknowledges that direct and indirect impacts on Swainson's hawk and other raptors under each of the action alternatives would be similar and significant.

FSAG-92 through
FSAG-93

The comments reference the third paragraph on page 3A.3-63 of the DEIR/DEIS that specifies elderberry relocation be implemented on a no-net-loss basis, but the mitigation following that sentence describes a requirement to transplant existing shrubs and plant new shrubs based on size and condition of the affected shrubs. The comments request clarification of the term "no-net loss."

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-63 of the DEIR/DEIS has been revised to remove the no-net-loss basis and describe mitigation ratios based on location of the affected shrub, stem size class, and the presence of exit holes. This revision better explains the mitigation requirements, consistent with USFWS guidelines, and does not result in a lower mitigation requirement.

FSAG-94 through
FSAG-95

The comments recommend reconsideration of the conclusion that implementation of the Resource Impact Minimization Alternative, when compared to the Proposed Project Alternative, would result in "lesser" indirect effects to wildlife associated with vernal pools. The comments suggest that the indirect impacts under the Resource Impact Minimization Alternative could be as great as or greater than those under the Proposed Project Alternative because the Resource Impact Minimization Alternative has a substantially increased preserve edge.

See response to comment FSAG-45.

FSAG-96 through
FSAG-100

The comments request reconsideration of the conclusion that the Centralized Development Alternative would result in “lesser” direct and indirect impacts to vernal pool species. These comments are raised because the text states a greater acreage (about 1 acre less than the Proposed Project Alternative) than the exhibit tables (0.188 acres less than the Proposed Project Alternative) when comparing impacts to wildlife species associated with vernal pools. In addition, the Centralized Development Alternative would adversely affect more vernal pool habitat (0.213 acres), which is generally considered to provide greater habitat value for vernal pool invertebrate life history needs than either seasonal wetlands or seasonal wetland swales, than the Proposed Project Alternative. The comments request clarification as to why the Centralized Development Alternative is considered to have lesser impacts to vernal pool species when it would preserve virtually the same overall wetland acreage and impact greater vernal pool acreage.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-65 of the DEIR/DEIS has been revised to correct the acreage errors pointed out in the comments and to conclude that direct and indirect impacts under the Centralized Development Alternative would be similar to those under the Proposed Project Alternative.

With regard to the comment about the relative habitat value of vernal pools and seasonal wetlands, no established set of criteria for distinguishing seasonal wetlands from vernal pools exists either in a regulatory or technical sense. The methods often employed in the field are subjective and non repeatable. Unless an analysis has been conducted using set criteria that correlate to suitability of the aquatic features to function as habitat for branchiopods, the simple distinction as seasonal wetland or vernal pool alone cannot be used to rule out presence or to determine likelihood of presence.

FSAG-101

The comment suggests that Mitigation Measure 3A.3-3 should be revised to specify that, for portions of the SPA already surveyed, no further special-status plant surveys are required.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-70 of the DEIR/DEIS has been revised to reflect that protocol-level, special-status plant surveys have already been completed over much of the SPA and established absence of special-status plants.

FSAG-102 through
FSAG-104

The comments state that the version of Mitigation Measure 3A.3-5 in the Executive Summary of the DEIR/DEIS is not the same as the version presented in Section 3A.3. The comments state a preference for the version described in Section 3A.3 because it is more consistent with consultation with the City’s arborists and staff as well as with existing laws and regulations.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text in the Executive Summary Table in the DEIR/DEIS has been revised to be consistent with the text in Section 3A.3, “Biological Resources.”

FSAG-105

The comment proposes a list of revisions to Mitigation Measure 3A.3-5 to clarify the measures and improve consistency with language in the FPASP and Folsom Municipal Code. The comment further suggests adding “Proposed Project” after “The” in the fifth line of the first paragraph under “PP, RHD” [Proposed Project, Reduced Hillside Density].

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text of Mitigation Measure 3A.3-5 beginning on page 3A.3-76 of the DEIR/DEIS has been revised to address the inconsistencies listed by the commenter.

However, the suggested edit to the fifth line of the first paragraph is not appropriate because the line is describing the acreage of impacts specific to the Reduced Hillside Density Alternative. The impact acreage for the Proposed Project Alternative is provided in the previous line on page 3A.3-87 of the DEIR/DEIS.

FSAG-106 through
FSAG-111

The comments state agreement that impacts on wetlands and blue oak woodland habitat would be significant and unavoidable. The comment further state, however, that the DEIR/DEIS’s claim that “...it is unknown whether the acreage and functions of these habitats can be replaced through preservation and creation since mitigation sites have not been identified and a mitigation plan has not been developed...” is not correct and legally unsupportable. The comments also state that the project applicants have submitted a draft wetland mitigation plan but have not yet received feedback or comments on it; thus it is incorrect to state that no mitigation plan has been developed.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.3-94 of the DEIR/DEIS has been revised to remove the statement quoted in the comment because the project applicants have provided a list of mitigation banks proposed to be used for compensatory mitigation. Therefore, the statement that mitigation sites have not been identified is not accurate, and mitigation banks must demonstrate that they are functioning successfully before they can be approved to sell mitigation credits.

The project applicant’s current draft wetland mitigation and monitoring proposal (MMP) dated January 3, 2011 is provided in this FEIR/FEIS as Appendix Q. As with previous drafts, this wetland MMP proposes to compensate for the unavoidable loss of wetland habitat through purchase of credits from an agency-approved mitigation bank, authorized to service the SPA. The MMP identifies potential availability of approximately 58 acres of seasonal wetland credits and 121 vernal pool credits at banks whose service areas include the SPA. The MMP identifies an additional 300 seasonal wetland credits at a bank whose service area is adjacent to the SPA and might be available to mitigate impacts from the project. As identified in the MMP, 2.92 vernal pool credits and 21.40 seasonal wetland credits would be needed to mitigate project impacts. Thus, it appears that currently enough mitigation credits are available to meet the project’s compensatory mitigation needs; however, footnote 1 of Table 2 in the latest draft MMP points out that availability of these credits is not confirmed and would be subject to change. Numerous projects are planned for the southeast Sacramento area that also might be in need of compensatory mitigation credits and would be relying on the same mitigation banks to mitigate their wetland impacts. Therefore, possibly not enough mitigation credits from agency-approved mitigation banks would be available for all phases of the project as it builds out over the next 20 years. Although the MMP proposes to satisfy compensatory and/or preservation mitigation needs at an off-site location agreeable to USACE and USFWS, if needed, the MMP does not identify a specific site for this purpose.

Moreover, the previous drafts of the MMP did not identify how compensatory mitigation for unavoidable impacts to approximately 15 acres of other wetlands and waters of the U.S. (i.e., seep, marsh, creek, intermittent drainage, ditch, pond, and willow scrub) would be accomplished. In the current draft MMP, the project applicants propose (as a footnote to Table 2 of the MMP) to mitigate for the loss of these features through purchase of seasonal wetland credits at a 1:1 ratio. This draft of the MMP, developed after circulation of the DEIR/DEIS, is the first time that mitigation for the loss of these habitats has been proposed and it is not in-kind mitigation. Therefore, the loss of function of these habitats cannot be expected to be fully offset.

Furthermore, as stated on pages 3A.3-49 and 3A.3-50 of the DEIR/DEIS, compensatory mitigation is not available within the affected subwatersheds and a net loss of wetland function would therefore occur in the Alder Creek, Carson Creek, Buffalo Creek, and Coyote Creek watersheds. See also response to comment FSAG-47. Therefore, a net loss of function would result at the subbasin watershed scale, and no feasible mitigation would be available to offset this loss.

The preserved wetlands would have very little buffer from adjacent urban development, would not have their micro watershed areas preserved, and because wetland complexes would become fragmented, habitat functions and values as well as hydrologic and water quality functions would be expected to be substantially diminished following project implementation. The disruption of watershed-level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity, could result in water quality degradation, increase peak flows and flooding, and destabilize stream channels, which could result in the loss of sensitive species and cause an overall shift in community composition.

Therefore, the City and USACE believe that the significant and unavoidable impact conclusion, and the reasoning for that conclusion as stated in the DEIR/DEIS, are appropriate.

FSAG-112 through
FSAG-114

The comments state that the mitigation would reduce long-term impacts because it would require replacement habitat to be located, preserved, and/or created, and that monitoring and reporting by the project applicants would ensure success in meeting performance criteria. The comments further state that it is unreasonable to suggest or assume that the City, USACE, and/or other responsible agencies would be unwilling or unable to enforce the proposed mitigation.

As stated on page 3A.3-94 of the DEIR/DEIS, temporal losses of aquatic resources and blue oak woodland would occur during implementation of mitigation until performance standards and success criteria were met. Planting seedlings, saplings, and acorns would take many decades to produce oak woodland habitat suitable to replace the functions and values of the oak woodlands that would be lost as a result of implementing the project; this would be more than a short-term loss.

FSAG-115

The comment states that the discussion in Section ES.7.3, "Resource Minimization Alternative," of the DEIR/DEIS incorrectly assumes that the alternative would preserve all of the on-site cultural resources.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the relevant text in Section ES.7.3, page ES-5 of the DEIR/DEIS has been revised to indicate that "many" of the on-site cultural resources would be preserved.

- FSAG-116 *The comment states that it is premature to assume that the alternative would preserve all of the on-site cultural resources because, at this point, all resources are not known, especially with respect to relative distribution.*
- See response to comment FSAG-115.
- FSAG-117 *The comment recommends that the description stated in comment FSAG-115 should be revised to state that “many” of the resources would be likely to be preserved under this alternative.*
- See response to comment FSAG-115.
- FSAG-118 *The comment suggests that the same revision be applied to Section 2.3.4, “Resource Minimization Alternative,” of the DEIR/DEIS as suggested in comment FSAG-117.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS the relevant text from Section 2.3.4, page 2-45 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-119 *The comment suggests that the first sentence of the second full paragraph under “Methodology for Identifying Document Resources,” on page 3A.5-5 of the DEIR/DEIS should be revised.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-5 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-120 *The comment suggests that the paragraph under “Identified Resources” on page 3A.5-5 of the DEIR/DEIS should be revised to state that the remains of historic-era activities also include ranch and farm complexes, stone walls, fences, and roadways.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-5 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-121 *The comment states that Table 3A.5-1 on page 3A.5-6 of the DEIR/DEIS does not include several reports previously provided to USACE. The comment further states that these reports, prepared by ECORP Consulting, are currently on file in the Information Center.*
- The table provided at page DEIR/DEIS 3A.5-6 lists reports that were file at the North Central Information Center (NCIC) at the time that the record search for the project was submitted. The reports referenced in this comment were not on file with the NCIC at the time the record search was performed (during preparation of the DEIR/DEIS), and copies have not been provided to either the City or USACE. New record searches would be required for future project-level review.
- FSAG-122 *The comment references that the first full paragraph under “Summary of Identified Resources” on page 3A.5-9 of the DEIR/DEIS states that the entire SPA is “highly” sensitive for prehistoric resources. The comment suggests that the referenced statement overstates the nature of prehistoric artifacts in the SPA. The comment further states that the existing data set indicates only scattered prehistoric artifacts, most located in drainage areas already affected by historic mining activities.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-9 of the DEIR/DEIS has been revised to address the commenter’s concern.

- FSAG 123 *The comment points out a discrepancy in the first paragraph under the heading “Phased Identification, Evaluation, and Management of Cultural Resources under Section 106” on page 3A.5-10 of the DEIR/DEIS, and another statement on page 3A.5-9 regarding intensive cultural surveys.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-9 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-124 *The comment references bullet number five on page 3A.5-11 of the DEIR/DEIS, stating that the SHPO and USACE will complete and report the results of all required intensive surveys of the undertaking’s Area of Potential Effects (APE) in a manner consistent with applicable Federal standards and guidelines. The comment points out that only USACE is required to complete and report the results of surveys, and that the SHPO is the consulting agency on those reports.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-12 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-125 through
FSAG-126 *The first comment references bullet number 13 on page 3A.5-12 of the DEIR/DEIS, stating that USACE will not issue a Notice to Proceed for a development project that includes a portion of a National Register of Historic Places (NRHP)-eligible district that will be adversely affected until all development projects that include a portion of that district have completed the preparation of the Historic Properties Synthesis. The second comment points out how the bullet is incomplete.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-12 of the DEIR/DEIS has been revised to address the commenter’s concern.
- FSAG-127 *The comment regards bullet number 14 on page 3A.5-12 of the DEIR/DEIS, stating that this bullet references “Stipulation 7.” The comment points out that because the Programmatic Agreement (PA) is currently being negotiated, references to particular stipulations are problematic as stipulation numbers may change, and references should be generically to the PA.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-12 of the DEIR/DEIS has been revised to incorporate the PA by reference.
- FSAG-128 *The comment states that the criteria for designation under the California Register on page 3A.5-13 of the DEIR/DEIS are misstated and shows the correct criteria.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Chapter 3A.5 “Cultural Resources” on page 3A.5-13 of the DEIR/DEIS has been revised to reflect the corrections to the criteria.

- FSAG-129 *The comment references the text of Mitigation Measure 3A-51a on page 3A.5-18 of the DEIR/DEIS has been revised as this comment suggests, incorporating the PA by reference.*
- As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on pages 3A.5-17 and 3A.5-18 of the DEIR/DEIS has been changed.
- FSAG-130 *The comment states the ambiguity of Mitigation Measure 3A.5-1a beginning on Page 3A.5-17 of the DEIR/DEIS and asks why this measure (and the rest of the mitigation measures) do not refer to the description of the PA as mitigation and incorporate it by reference here.*
- See response to comment FSAG-129.
- FSAG-131 *The comment adds to comment FSAG-130, stating that the inventory report and evaluation can be set forth in separate documents without affecting proper procedural requirements under Part 800.*
- See response to comment FSAG-129.
- FSAG-132 *The comment references the second bullet under Mitigation Measure 3A.5-1a on Page 3A.5-18 of the DEIR/DEIS. The comment suggests that because some of the CWA Section 404 applicants would proceed with project permitting at different times, the paragraph should describe the compliance steps more generically.*
- See response to comment FSAG-129. The PA has been incorporated by reference, including the relevant management steps for cultural resources.
- FSAG-133 *The comment states that the PA incorporates requirements for inventory, evaluation, finding of effect, and development of mitigation.*
- See response to comment FSAG-129.
- FSAG-134 *The comment states that documentation of historic resources is not limited to Historic American Buildings Survey/Historic American Engineering Record specifications.*
- See response to comment FSAG-129.
- FSAG-135 *The comment suggests new text for the second bullet under Mitigation Measure 3A.5-1a on Page 3A.5-18 of the DEIR/DEIS.*
- See response to comment FSAG-129. The PA has been incorporated by reference covering the management steps described in this comment.
- FSAG-136 *The comment references the “Timing” paragraph on pages 3A.5-18 and 3A.5-19 of the DEIR/DEIS. The comment states that the PA is specific with respect to the steps required. The comment suggests that this mitigation measure should refer to the discussion of the PA and incorporate the PA as required mitigation.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of the DEIR/DEIS page 3A.5-19 has been revised to refer to the PA generally and indicate that the PA shall be executed prior to any Federal authorization or approval for the project.

- FSAG-137 *The comment states that the language the “Timing” paragraph on pages 3A.5-18 and 3A.5-19 of the DEIR/DEIS does not accurately reflect the steps prior to project groundbreaking.*
- See responses to comments FSAG-129 and FSAG-136.
- FSAG-138 *The comment (continuing from comment FSAG-137) states that under the PA, more would be required than just inventory and evaluation prior to project initiation.*
- See response to comment FSAG-136. The PA has been incorporated by reference and referred to generally in Chapter 5, “Errata” of this FEIR/FEIS per the commenter’s suggestion.
- FSAG-139 *The comment references text immediately below Mitigation Measure 3A.5-2 on page 3A.5-21 of the DEIR/DEIS, through the first bullet. The comment states that individual MOAs would not necessarily require that construction worker training to identify cultural resources occur, that the same would be true for construction monitoring, and this would depend on project-specific findings regarding the nature of the historic features on-site, if any.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the bullet text in the DEIR/DEIS identified in the comment has been revised to reflect that construction worker training would be conducted when deemed appropriate.
- FSAG-140 *The comment (continuing from comment FSAG-139) suggests that this portion of the mitigation measure should be revised to reflect this point, rather than making this a blanket requirement.*
- See response to comment FSAG-139.
- FSAG-141 *The comment references the second bullet below Mitigation Measure 3A.5-2 on page 3A.5-21 of the DEIR/DEIS. The comment suggests that this bullet should be revised to add a sentence at the end indicating that USACE should review and approve recommendations by archaeologists with respect to monitoring.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the bullet text in the DEIR/DEIS identified in the comment has been revised as suggested by the comment.
- FSAG-142 *The comment suggests that the third bullet on page 3A.5-19 of the DEIR/DEIS should also state that avoidance of historic properties would be required in certain circumstances under 36 Part 800 as well as the Public Resources Code.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the bullet text in the DEIR/DEIS identified in the comment has been revised as the commenter suggests.
- FSAG-143 *The comment references the bottom paragraph on page 3A.5-22 of the DEIR/DEIS. The comment suggests that USACE should review and approve any recommendations by archaeologists with respect to monitoring.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the text of Mitigation Measure 3A.5-2 has been revised to indicate that USACE shall approve monitoring recommendations as the comment suggests.

FSAG-144 *The comment states that Section 3B.5, “Cultural Resources – Water” of the DEIR/DEIS should refer to the PA similar to that in Section 3A.5, “Cultural Resources – Land” of the DEIR/DEIS.*

See page 3B.5-4 of the DEIR/DEIS, which cross-references the phased identification, evaluation, and management of cultural resources under Section 106 of the NHPA described in Section 3A.5. Notwithstanding this cross-reference, the summary provided in Section 3B.5.2, “Regulatory Framework” beginning on page 3B.5-4 of the DEIS/DEIR, does not include a specific reference to the PA. As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text has been revised with an addition to Section 3B.5 to better cross-reference to Section 3A.5.

FSAG-145 through
FSAG-146

The comments indicate that under the paragraph on “Results” under “Research Survey Methodology” on page 3B.5-2 of the DEIR/DEIS, the text incorrectly states that SAC-308H is listed in the National Register. The comments further state that the NPS number SAC-308H only pertains to a portion of the property.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text has been revised to address the concerns raised by the commenter.

FSAG-147

The comment encourages USACE and the City to consult with SHPO to confirm the information (discussed in comments FSAG-145 and FSAG-146) and to correct this statement.

See responses to comments FSAG-145 and FSAG-146. USACE and the City note that they have initiated consultation with SHPO for the preferred Off-site Water Facility Alternative.

FSAG-148

The comment suggests that the discussion on page 3B.5-7 of the DEIR/DEIS should be revised to state that significant effects to the Elder Creek Corridor Mining District are being mitigated by the Glenborough and Easton projects.

Because the schedule for the preferred Off-site Water Facility Alternative might be on a faster track than the referenced projects, the City could be responsible for survey, inventory, and mitigation responsibilities along the conveyance alignment and might be unable to rely on mitigation programs being implemented for the Glenborough and Easton developments.

FSAG-149 through
FSAG-180

The comments address the proposed mitigation for electromagnetic fields (EMFs), and state that based on scientific literature and other cited materials, EMFs do not pose a health and safety hazard, and request revisions to the proposed mitigation identified in the DEIR/DEIS.

The mitigation measure identified in the DEIR/DEIS was not intended to require any specific set-back or distance requirements for structures near power lines. Rather, in recognition of the conflicting scientific information (including the information cited by the commenter) as to the danger (or lack thereof) of EMFs, and to allow property owners to make an informed choice when purchasing residential property, the mitigation measure was intended only to provide a disclosure requirement to potential purchasers of residential property near 100-115kV and 220-230kV power lines. As shown in Chapter 5, “Errata” of this FEIR/FEIS, Mitigation Measure 3A.8-6 has been modified to clarify this

point. No further changes to the EIR are necessary. The revised mitigation measure is consistent with the low-cost/no-cost policy to mitigate EMF exposure as identified by the commenter. The City acknowledges that the California Department of Education guidelines are not directly applicable to residential development, but these guidelines were identified in the DEIR/DEIS for reader reference of how EMF exposure has been treated in the public school siting context.

FSAG-181

The commenter provided a copy of the DEIR/DEIS Executive Summary Table, marked with edits in underline/strikethrough format. Please refer to the reproduction of the FSAG letter to view this comment in detail.

The City and USACE have reviewed the underline/strikethrough comments provided to the Executive Summary table. In general, the City and USACE concur with the proposed edits, and the DEIR/DEIS has been revised to reflect the proposed edits, as shown in Table ES-1 in Chapter 1, “Introduction,” of this FEIR/FEIS.

However, the City and USACE have declined to make certain specific edits, which are described in more detail below. The following discussion will be arranged by page number:

Page ES-10: The City and USACE decline to make the edits proposed to Mitigation Measure 3A.1-1, which propose to replace “landscaped corridor” with “natural parkway” and propose to include the landscaped corridor in the FPASP’s calculation of open space. The City and USACE consider the landscaped corridor along a limited-access freeway to be distinct from natural parkways along smaller roadways in the SPA. Furthermore, the portion of the landscaped corridor which lies within the existing right-of-way for U.S. 50 was excluded from the SPA by the project applicants, and therefore it would not be appropriate to include open space in this area in the calculation of open space for the FPASP.

Page ES-16: The City and USACE decline to revise Mitigation Measure 3B.1-3a so that construction hours match those in construction noise mitigation measures. The impact being addressed by this mitigation measure (effects of construction lighting) is associated with nighttime construction, and the portion of a 24-hour period when the impact would occur would vary depending on the season.

Pages ES-19, ES-21: The City and USACE decline to revise Mitigation Measures 3A.2-1b and 3A.2-1g to explicitly state that fees would be calculated after consideration of all further reduction in emissions resulting from mitigation of other impacts. The City and USACE consider this fact to be implicit in these mitigation measures.

Pages ES-25, ES-28: The City and USACE decline to remove text from Mitigation Measures 3A.2-4b and 3A.2-6 requiring that multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area.

Page ES-37: The City and USACE have made revisions to the text of Mitigation Measure 3A.3-1a to indicate that Appendix R of this FEIR/FEIS contains an exhibit showing that the detention basin has been moved off stream, and therefore the bullet point requiring its redesign has been deleted.

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September 10, 2010

HAND-DELIVERED

Ms. Lisa Gibson
U.S. Army Corps of Engineers
1325 J Street, Room 1480
Sacramento, California 95814-2922

Re: Draft EIR/EIS for Folsom South of U.S. 50 Specific Plan Project (SCH # 2008092051)

Dear Ms. Gibson:

Taylor & Wiley represents Teichert, Inc. ("Teichert") with respect to its Teichert Quarry project, which is located approximately one mile south of the proposed Folsom South of U.S. 50 Specific Plan Project ("Project"). The purpose of this letter is to provide comments on the U.S. Army Corps of Engineers ("Corps") Draft EIS (DEIS) for the Project.

General Comments

Adequacy of Impact Analysis. Under the National Environmental Policy Act¹ (NEPA), an EIS must set forth sufficient information for the public to make an informed evaluation and for the decision-maker to fully consider the environmental factors involved and make a reasonable decision.² Where information necessary to evaluate reasonably foreseeable significant adverse impacts is incomplete or unavailable, NEPA requires that the missing information be obtained and included in the EIS if costs are not exorbitant.³ Moreover, NEPA requires that agencies identify methodologies used in the EIS and ensure the scientific accuracy of such analyses.⁴ As discussed below, the DEIS for the Project fails to comply with these requirements. In some instances, the DEIS fails to adequately analyze the environmental impacts of the Project to the extent "reasonable" as NEPA requires by deferring that analysis to future studies that should be included in the DEIS. In other cases, such as the modeling of noise and air quality impacts, the DEIS uses improper methodology, which results in an inaccurate characterization of potential impacts. These deficiencies result in an EIS that fails to adequately inform the public

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¹ 42 U.S.C.S. §§ 4321-4370f.
² *Sierra Club v. Corps of Engineers*, 701 F.2d 1011 (CA2 1983).
³ 40 C.F.R. 1502.22.
⁴ 40 C.F.R. 1502.24.

and decision makers of the environmental consequences of the Project as required by NEPA.

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Adequacy of Mitigation. The DEIS only provides mitigation measures for significant or potentially significant environmental effects, not for those identified as less-than-significant impacts. This approach does not comply with NEPA. NEPA requires that all relevant, reasonable mitigation measures that could improve the project be identified in the EIS.⁵ NEPA requires that an EIS provide mitigation for all project impacts regardless of significance.⁶ As the Council on Environmental Quality (CEQ) regulations provide:

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The range of mitigation measures discussed in an EIS must cover the range of impacts of the proposal. . . . Mitigation measures must be considered even for impacts that by themselves would not be considered ‘significant.’ Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not ‘significant’) must be considered, and mitigation measures must be developed where it is feasible to do so.⁷

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Therefore, the DEIS should include mitigation measures for all adverse environmental impacts, regardless of significance, to the extent they are not already “fully covered” by or included in the proposed action or alternatives.⁸

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Executive Summary

Page ES-107, Impact 3A.9-5. The Executive Summary table incorrectly lists Impact 3A.9-5 as “potential effects on groundwater recharge.” Impact 3A.9-5 is discussed on page 3A.9-45 of the DEIS as “potential exposure to 200-year (0.005 AEP) flood prior to implementation of SB 5.”

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Chapter 2. Alternatives

General Comment. Alternatives are the “heart” of an EIS.⁹ Agencies are required to rigorously explore and objectively evaluate all reasonable alternatives.¹⁰ An EIS should consider a reasonable range of alternatives that would avoid or minimize adverse impacts and describe mitigation measures for such alternatives.¹¹ The DEIS identifies significant air quality and noise impacts associated with locating sensitive land uses in

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⁵ See CEQ’s 40 Questions, 46 Fed. Reg. 18026 (March 23, 1981), as amended, 51 Fed.Reg. 15618 (April 25, 1986), 19b.

⁶ See CEQ’s 40 Questions, 46 Fed. Reg. 18026 (March 23, 1981), as amended, 51 Fed.Reg. 15618 (April 25, 1986), 19a.

⁷ *Id.*

⁸ 40 C.F.R. 1502.16(h); 40 C.F.R. 1502.14(f).

⁹ 40 C.F.R. 1502.14

¹⁰ *Id.*

¹¹ 40 C.F.R. 1502.1 and 1502.14.

proximity of high-volume roadways. The most obvious means of mitigating these impacts is to provide sufficient buffers so that sensitive land uses are not located adjacent to such roadways. Thus, the DEIS should analyze an alternative land use plan that avoids locating sensitive land uses within proximity of high-volume roadways, as suggested in our attached NOP comment letter dated November 7, 2008. The DEIS should be revised to include such an alternative.

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Section 3.1. Approach to the Environmental Analysis

Page 3-2, Section 3.1.2. The DEIS splits its analysis of Project impacts into separate impacts for “Land” and “Water” components of the Project. This approach divides the Project into two parts that may individually have less than significant impacts but, when considered together, have significant or potentially significant impacts that are not disclosed in the DEIS. The DEIS should be revised to consider the entire Project and not its individual components when evaluating the significance of environmental effects of the Project.

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Section 3A.1. Aesthetics -- Land

General Comment. The DEIS concludes that the Project’s impacts on scenic vistas (Impact 3A.1-1), scenic resources within a designated scenic corridor (Impact 3A.1-2), and the existing visual character or quality of the site and its surroundings (Impact 3A.1-3) are significant and unavoidable in a conclusory fashion without any analysis to assist decision makers in comprehending the magnitude of the impact. The DEIS should include, at a minimum, visual simulations of the Project site based upon the 25 viewpoints used to document the existing visual setting in Exhibit 3A.1-1, pages 3A.1-3 to 16 of the DEIS.

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Section 3B.1. Aesthetics -- Water

Page 3B.1-17, Impact 3B.1-1. As discussed in our prior comments, the division of the analysis of project impacts into separate Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the project. The DEIS concludes that Impact 3B.1-1, substantial adverse effect on a scenic vista, is less than significant for the proposed Water components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components to scenic vistas. The DEIS should be revised to analyze the significance of the combined impact of Land and Water components of the Project on scenic vistas.

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Section 3A.2. Air Quality -- Land

Pages 3A.2-25 to 26, Analysis Methodology. Please see the attached comments from Rimpo and Associates, Inc. regarding the methodology used in the analysis of toxic air contaminant (TAC) impacts. As noted in those comments, the DEIS’s use of the

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Sacramento Metropolitan Air Quality Management District (SMAQMD) screening criteria of 296 in a million cancer risk as a significance threshold is inconsistent with the SMAQMD's protocol for analysis of TAC exposure, which recommends a site-specific health risk assessment (HRA). Therefore, the DEIS should be revised with a TAC analysis that conforms to the SMAQMD's protocol. 23 24

Page 3A.2-27 to 30, Impact 3A.2-1. What source of construction aggregate was assumed for assessing the project's construction air quality impacts? The EIS's analysis of construction air quality impacts should address the additional environmental impacts of not having a local source of aggregate to meet anticipated construction aggregate needs. Alternatively, the DEIS could address air quality benefits and the reduction in regional vehicle miles traveled (VMT) associated with having a local source of aggregate. For instance, if the Teichert Quarry is not approved and future aggregate needs were met by other Teichert aggregate mining facilities located in Yolo, Yuba, and Placer counties, there would be a four-fold increase in VMT associated with aggregate transport. The DEIS should address the additional air quality impacts of increased aggregate transport VMT, as well as the impacts of aggregate transport on the individual communities that are affected by such truck traffic. 25 26 27 28 29

Page 3A.2-43, Mitigation Measure 3A.2-2. The DEIS relies upon the project's Air Quality Mitigation Plan (AQMP), as provided in Appendix C2 of the DEIS, as mitigation for the operational emissions from the Land components of the project. However, some of the measures in the proposed AQMP are dependent on adjacent development to succeed. For example, the proposed Transit Corridor requires that the adjacent Easton Place development occur in order to provide the necessary connectivity to existing bus and light rail lines. The DEIS should disclose the reduced degree to which the AQMP would mitigate air quality impacts (and the associated increase in impact significance with mitigation) should the required adjacent development not occur. 30 31 32

Pages 3A.2-50, Impact 3A.2-4. Please see the attached comments from Rimpo and Associates, Inc. regarding the DEIS's analysis of impacts for exposure of sensitive receptors to operational emissions of TACs. As detailed in those comments, the DEIS relies upon inappropriate thresholds of significance, uses methodology that is inconsistent with the SMAQMD's recommended protocol, and inappropriately employs 2010 emission factors that grossly overstate potential impacts. Thus, as discussed previously, the DEIS improperly defers the analysis of TAC impacts and fails to provide decision makers with accurate information regarding the Project's environmental consequences. Also, critical information necessary to analyze the adequacy of the DEIS's conclusions has been omitted from the DEIS and its appendices. Furthermore, as requested in our attached NOP comment letter, the DEIS should consider a revised land use plan that provides sufficient buffers from major roadways and sources of TAC emissions to ensure that no significant exposure occurs. Accordingly, the analysis of this impact should be revised to address these concerns. 33 34 35 36 37 38

Pages 3A.2-57 and 58, Impact 3A.2-5. Regarding the potential for exposure of sensitive receptors to construction-generated emissions of naturally occurring asbestos (NOA), the DEIS concedes that more than half of the Project site is located in “areas moderately likely to contain NOA” but does not include any analysis regarding the actual presence or absence of NOA. Rather, the required site analysis is being deferred until after Project approval.¹² The DEIS’s absence of information regarding the presence or absence of NOA on the site leaves decision makers without critical information regarding the environmental consequences of the Project.¹³ Therefore, the DEIS should be revised to include, at a minimum, some site analysis of areas deemed likely to contain NOA.

Section 3B.2. Air Quality – Water

Pages 3B.2-6 and 7, Impact 3B.2-1. Please see our previous comments regarding Impact 3A.2-1.

Pages 3B.2-11 and 12, Impact 3B.2-2. As discussed in our prior comments, the division of the analysis of project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the Project. The DEIS concludes that Impact 3B.2-2, long-term operational emissions of ROG and NOx, is less than significant for the proposed Water components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components relative to regional operational emissions of ROG and NOx. Therefore, the DEIS analysis should be revised to address the combined impacts of Land and Water components of the Project.

Page 3B.2-12 and 13, Impact 3B.2-3. The DEIS concludes that Impact 3B.2-3, exposure of sensitive receptors to short- and long-term emissions of TACs, is less than significant for the proposed Water components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components relative to TAC exposure. The DEIS should be revised to analyze the significance of the combined TAC impact of Land and Water components of the Project.

Section 3A.3. Biological Resources – Land

Pages 3A.3-51 and 52, Mitigation Measure 3A.3-2a. This mitigation measure, which pertains to Swainson’s hawk impacts, differs from what is presented as Mitigation Measure 3A.3-2a in the Executive Summary table, pages ES-39 and 40 of the DEIS, which pertains to vernal pools. The measure is listed in the Executive Summary table as “Mitigation Measure 3A.3-2b.”

Pages 3A.3-52 to 54, Mitigation Measure 3A.3-2b. This mitigation measure is labeled “Mitigation Measure 3A.3-2c” in the Executive Summary table, pages ES-41 to 43 of the DEIS.

¹² Mitigation Measure 3A.2-5, DEIS, pp. 3A.2-58 and 59.

¹³ 40 C.F.R. 1502.16.

Pages 3A.3-75 and 76, Impact 3A.3-5. The DEIS estimates the acres of blue oak woodland habitat that would potentially be affected by the Project, but does not include any information regarding the number and sizes of individual oak trees that would be affected by the Project. Instead, the preparation of a tree survey is being deferred until after Project approval.¹⁴ The DEIS's absence of information regarding the actual magnitude of the Project's impacts on individual oak trees deprives decision makers of critical information regarding the environmental consequences of the Project.¹⁵ Therefore, the DEIS should be revised to include a tree survey that identifies how many trees would be removed due to the Project and the sizes of those trees.

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Pages 3A.3-88 and 93, Impact 3A.3-6. As discussed in our prior comments, the division of the analysis of project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the project. The DEIS concludes that Impact 3A.3-6, potential interference with wildlife movement, is less than significant for the proposed Land components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components relative to this impact. Thus, the DEIS should be revised with an analysis of the significance of the combined impact of Land and Water components of the Project on wildlife movement.

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Section 3A.4. Climate Change – Land

Pages 3A.4-13 to 23, Impact 3A.4-1. What source of construction aggregate was assumed for assessing the project's construction-related climate change impacts? The EIS's analysis of construction-related climate change impacts should address the additional environmental impacts of not having a local source of aggregate to meet anticipated construction aggregate needs. Alternatively, the DEIS could address the reduction in regional VMT and associated climate change impacts of having a local source of aggregate. As discussed previously, if the Teichert Quarry is not approved and future aggregate needs were met by other Teichert aggregate mining facilities located in Yolo, Yuba, and Placer counties, there would be a four-fold increase in VMT associated with aggregate transport. The DEIS should address the additional climate change impacts of increased aggregate transport VMT, as well as the impacts of aggregate transport on the individual communities that are affected by such truck traffic.

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Section 3B.4. Climate Change – Water

Pages 3B.4-3 to 5, Impact 3B.4-1. Please see our previous comments concerning Impact 3A.4-1.

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Section 3A.6. Environmental Justice – Land

¹⁴ Mitigation Measure 3A.3-5, DEIS, pp. 3A.3-76, 83 to 87.
¹⁵ 40 C.F.R. 1502.16.

Pages 3A.6-6 and 7, Impact 3A.6-1. As discussed in our prior comments, the division of the analysis of project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the project. The DEIS concludes that Impact 3A.6-1, potential effects on minority populations, is less than significant for the proposed Land components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components to minority populations.

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Pages 3A.6-7 and 8, Impact 3A.6-2. The DEIS concludes that Impact 3A.6-2, potential effects on low-income populations, is less than significant for the proposed Land components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components to low-income populations. Therefore, the DEIS should be revised to address the combined impact of the Land and Water components of the Project on low-income populations.

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Section 3B.6. Environmental Justice -- Water

Page 3B.6-3, Impact 3B.6-1. As discussed in our prior comments, the division of the analysis of project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the project. The DEIS concludes that Impact 3B.6-1, potential effects on minority populations, is less than significant for the proposed Water components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components to minority populations.

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Pages 3B.6-3 and 4, Impact 3B.6-2. The DEIS concludes that Impact 3B.6-2, potential effects on low-income populations, is less than significant for the proposed Water components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components to low-income populations.

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Section 3A.7. Geology, Soils, Minerals, and Paleontological Resources – Land

Page 3A.7-13, Fifth Paragraph. The DEIS states that land south of the SPA is designated MRZ-3 under the Surface Mining and Reclamation Act (SMARA). However, the DEIS should also note that the State Mining and Geology Board (SMGB) has accepted a petition to designate the Teichert Quarry site as MRZ-2, i.e., a known source of significant mineral resources, and is in the process of finalizing that designation. Please refer to the attached information from the SMGB concerning the pending MRZ-2 designation for Teichert Quarry. The DEIS should be revised to reflect this information. Also, the DEIS should analyze the Project’s impacts on significant mineral resources in the vicinity of the Project site.

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Page 3A.7-26, Impact 3A.7-1. The DEIS concludes that structures on the Project site could be subject to seismic ground shaking, a potentially significant impact.

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However, the DEIS notes that geotechnical reports have not been prepared for the entire Project site, and 3 of the 5 available geotechnical reports do not conform to the current California Building Code (CBC). The preparation of geotechnical reports has been deferred until after Project approval, as presented in Mitigation Measure 3A.7-1.¹⁶ In the absence of geotechnical reports for the entire Project site, the DEIS's blanket "potentially significant" conclusion regarding potential seismic ground shaking hazards does little to inform decision makers regarding the actual environmental consequences of the Project with respect to this impact.¹⁷ The DEIS should be revised to incorporate the results of current geotechnical reports for the entire Project site.

Section 3A.8. Hazards and Hazardous Materials – Land

Pages 3A.8-20 and 21, Impact 3A.8-2. The DEIS concludes that the Project could result in a potentially significant impact relative to "potential human health hazards from possible exposure of existing on-site hazardous materials." The DEIS bases its conclusion on the fact that Phase I environmental site assessments have been done for most, but not all, of the Project site. The preparation of Phase I and, if necessary, Phase II site assessments has been deferred until after Project approval.¹⁸ In the absence of geotechnical reports for the entire Project site, the DEIS's blanket "potentially significant" conclusion regarding potential hazardous materials does little to inform decision makers regarding the actual environmental consequences of the Project.¹⁹ Therefore, the DEIS should be revised to incorporate the results of Phase I site assessments for the entire Project site.

Section 3A.9. Hydrology and Water Quality -- Land

Page 3A.9-45 and 46, Impact 3A.9-6. As discussed in our prior comments, the division of the analysis of Project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the Project. The DEIS concludes that Impact 3A.9-6, potential effects on groundwater recharge, is less than significant for the proposed Land components of the project, but does not render a significance conclusion with respect to the combined impacts of the Land and Water components on groundwater recharge. Therefore, the DEIS should be revised to include an analysis of the significance of the combined impact of Land and Water components of the Project on groundwater recharge.

Section 3B.9. Hydrology and Water Quality -- Water

Pages 3B.9-28 to 30, Impact 3B.9-4. The DEIS concludes that the Water components of the Project would have a less-than-significant impact to flow within the Sacramento River. The DEIS notes that the Project would "divert water currently

¹⁶ DEIS, p. 3A.7-27.

¹⁷ 40 C.F.R. 1502.16.

¹⁸ Mitigation Measure 3A.8-2, DEIS, pp. 3A.8-21 and 22.

¹⁹ 40 C.F.R. 1502.16.

assigned and diverted from an existing upstream user and would not change the amount of water diverted, only the location of the point of diversion and timing.”²⁰ This conclusion appears to be based on the assumption that the Natomas Central Mutual Water Company (NCMWC) is actually diverting the maximum amount that it can divert under its existing appropriative water rights. However, as noted on page 2-82 of the DEIS, NCMWC has not been diverting its maximum contract amounts under its appropriative water rights and, thus, has surplus surface water supplies that can transferred to the City of Folsom to supply the Project. The DEIS used the incorrect baseline of what NCMWC is permitted to divert from the Sacramento River instead of what NCMWC is actually diverting from the river. When the correct environmental setting is used, the Project would result in additional diversions from the Sacramento River that should be analyzed in the DEIS. These additional diversions may constitute a new significant impact that requires recirculation of the DEIS.

Section 3A.10. Land Use and Agricultural Resources -- Land

Pages 3A.10-41 and 42, Impact 3A.10-3. The DEIS discusses cancelation as an option for complying with the Williamson Act. However, given the difficulty in making the required cancelation findings under the Williamson Act²¹ and the high likelihood of a successful legal challenge to such findings, the DEIS should also consider the alternative of delaying project development until after the nonrenewal period has run. As noted in the DEIS, notices of nonrenewal have already been filed for the Williamson Act contracts on the Project site and those contracts will expire in 2014 and 2016.

Pages 3A.10-42 and 43, Impact 3A.10-4. The DEIS concludes that the Project may lead to the cancelation of Williamson Act contracts on surrounding properties. This conclusion is unlikely given the difficulty in making the required cancelation findings under the Williamson Act.²² A more realistic scenario would be that property owners of surrounding properties would file notices of nonrenewal and wait an additional nine years and for the nonrenewal period to run. Also, on page 3A.10-43 of the DEIS, the statement that the Teichert Quarry project would require a Williamson Act cancelation is inaccurate. There are no active Williamson Act contracts on the Teichert Quarry project site, as the prior contract expired in 2008.

Section 3B.10. Land Use and Agricultural Resources -- Water

Pages 3B.10-17 to 19, Impact 3B.10-3. As discussed in our prior comments, the division of the analysis of project impacts into Land and Water components could potentially result in the failure to disclose significant impacts of the combined Land and Water components of the Project. The DEIS concludes that Impact 3B.10-3, conversion of important farmland to nonagricultural uses, is less than significant for the proposed Land components of the project, but does not render a significance conclusion with

²⁰ DEIS, p. 3B.9-30.
²¹ Government Code § 51282.
²² See Government Code §51282.

respect to the combined impacts of the Land and Water components on all types of agricultural land. Therefore, the DEIS should be revised to address the significance of the combined impact of Land and Water components of the Project on agricultural land. | 100 cont.
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Pages 3B.10-19 and 20, Impact 3B.10-4. The DEIS discusses cancelation as an option for complying with the Williamson Act, but does not address the other possibility of filing notices of nonrenewal and delaying project development until after the nine-year nonrenewal period has run. | 102

Section 3A.10. Noise -- Land

Page 3A.11-5, Ambient Noise Survey. Please refer to the comments provided in the attached letter from Bollard Acoustical Consultants, Inc. (BAC). As noted in the BAC comments, the DEIS does not provide distances to the centerlines of nearby roadways from the ambient noise measurement locations listed in Table 3A.11-1. The DEIS should be revised to include this information. | 103
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Pages 3A.11-7 to 10, Traffic Noise. Please refer to the comments provided in the attached letter from BAC regarding traffic noise. As indicated in those comments, Table 3A.11-2 should be modified to include an additional column that provides the modeled distance for each segment. Also, please refer to BAC's comments regarding whether the traffic noise measurement results presented in Table 3A.11-1 were used to verify the accuracy of the FHWA model in predicting existing traffic noise levels in the project area. Moreover, as noted in BAC's comments, the use of the FHWA model's "hard" versus "soft" acoustical settings in assessing existing traffic noise results in a gross mischaracterization of cumulative traffic noise exposure that may have resulted in the identification of significant impacts where none would occur. Therefore, the DEIS should be revised to use the correct FHWA model inputs. | 103 cont.
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Pages 3A.11-36 to 43, Impact 3A.11-4. Please refer to the attached comments from BAC regarding this impact. As noted in BAC's comments, the traffic noise levels shown in Table 3A.11-18 should be rerun using the appropriate "soft" setting in the FHWA model. | 110
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Pages 3A.11-50 and 51, Impact 3A.11-7. Please see the attached comments from BAC regarding this impact. As noted in those comments, the DEIS does not provide the distances to the 60 dBA Ldn contours for existing and future conditions with the project. Also, the FHWA model should be rerun with the "soft" acoustical setting, as discussed in further detail in BAC's comments. | 103 cont.
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Section 3A.15. Traffic and Transportation -- Land

General Comment. We will be submitting comments on the traffic section under separate cover. | 114

Chapter 4. Other Statutory Requirements

Pages 4-23 to 26, Land Use Compatibility with High-Volume Arterial Roadways. The DEIS’s analysis of cumulative TAC impacts incorrectly looks at the increment of impact associated with the addition of trucks from three proposed aggregate mining operations to roads on or in the vicinity of the proposed Project site. This approach runs counter to NEPA, which requires the consideration a project’s incremental impact when viewed in conjunction with other past, present, or reasonably foreseeable future projects.²³ In this case, traffic associated with other cumulative development, such as the three aggregate mining operations, should have been included as part of the cumulative baseline used for assessing whether the Project’s contribution is “cumulatively considerable.” In other words, the DEIS should be addressing the Project’s incremental contribution to cumulative impacts, not the incremental contribution of the three aggregate mining operations.

Please also see the attached comments from Rimpo and Associates, Inc. regarding the DEIS’s analysis of TAC exposure. As detailed in those comments, the DEIS relies upon inappropriate thresholds of significance, uses methodology that is inconsistent with the SMAQMD’s recommended protocol, and inappropriately employs 2010 emission factors that grossly overstate potential impacts. Furthermore, critical information necessary to analyze the adequacy of the DEIS’s conclusions has been omitted from the DEIS and Appendix C. For these reasons, the TAC analysis should be rerun using the correct protocol and emission factors.

Pages 4-24 to 26, Cumulative Mitigation Measure AIR-1-Land. Cumulative Mitigation Measure AIR-1-Land requires that the three aggregate mining operators voluntarily implement “mitigation measures” to reduce cumulative TAC exposure on the Project’s affected sensitive receptors. These measures include increasing setback distances, tree planting, and the installation of air filtration and HVAC systems. The DEIS concludes that these voluntary measures would be sufficient to reduce this impact to less than significant. If the quarry project applicants decline to implement the recommended voluntary “mitigation,” the DEIS concludes that Cumulative Mitigation Measure AIR-1-Land would still reduce the significant impact related to exposure of project-generated sensitive receptors to emissions of TACs from quarry truck traffic to a less-than-significant level because the City “may” adopt truck route restrictions. There is no discussion regarding what sort of truck route restrictions would be proposed and how such restrictions would mitigate impacts. Also, the imposition of truck route restrictions would result in the redistribution of truck traffic to other roadways that could result in new significant traffic, noise, air quality, climate change, and other environmental impacts that are not addressed in the DEIS.

Pages 4-47 to 51, Long-Term Exposure of Sensitive Receptors to Increased Traffic Noise Levels. The DEIS’s analysis of cumulative traffic noise impacts incorrectly looks at the increment of impact associated with the addition of trucks from three

²³ 40 C.F.R. 1508.7.

proposed aggregate mining operations to roads on or in the vicinity of the proposed Project site. This approach conflicts with NEPA’s requirement that an EIS consider a project’s incremental impacts in conjunction with other past, present, or reasonably foreseeable future projects producing related or cumulative effects.²⁴ In this case, the three aggregate mining operations are not the “project” under consideration in the DEIS. Therefore, the three aggregate mining operations should have been included as part of the cumulative baseline used for assessing the cumulative impacts of the Project.

Pages 4-48 to 50, Table 4-8. Please refer to the attached comments from BAC regarding the DEIS’s analysis of cumulative traffic noise exposure. As noted in BAC’s comments, the information presented in Table 4-8 was based on the use of the incorrect “hard” acoustical setting rather than the “soft” setting that is more appropriate for the project area. Also, as discussed in further detail in BAC’s comments, the data presented in Table 4-8 do not match the data for the same scenarios presented in Table 3A.11-19 for some of the modeled roadway segments. Therefore, the DEIS’s analysis of cumulative traffic noise impacts should be revised using the correct model inputs.

Page 4-51, Compatibility of Sensitive Land Uses with the Ambient Noise Environment. Please see the attached comments from BAC regarding this analysis. As noted in BAC’s comments, the projected traffic noise contours presented in the DEIS were generated using the FHWA model’s “hard” setting instead of the more appropriate “soft” setting, which results in an overestimation of the location of the 60 dB Ldn noise contour. Accordingly, the traffic noise modeling results should be rerun using the appropriate “soft” setting. Also, as discussed in our prior comments concerning the DEIS’s analysis of cumulative traffic noise impacts, the DEIS incorrectly looks at the increment of impact associated with the addition of trucks associated with three proposed aggregate mining operations to roadways on and in the vicinity of the Project site. This traffic should have been incorporated into the cumulative baseline against which the significance of the Project’s impacts is assessed.

Pages 4-51 to 53, Cumulative Mitigation Measure Noise-1-Land. As discussed in our prior comments concerning the DEIS’s analysis of cumulative traffic noise impacts, the DEIS incorrectly looks at the increment of impact associated with the addition of trucks associated with three proposed aggregate mining operations to roadways on and in the vicinity of the Project site. This traffic should have been incorporated into the cumulative baseline against which the significance of the Project’s impacts is assessed. For this reason, no mitigation would be required for such “impacts” of the aggregate mining operations as part of the Project’s EIS. Rather, the CEQA environmental documentation prepared for each aggregate mining project would be required to assess each project’s individual and cumulative impacts and provide mitigation for any significant impacts of that project.

Alternatively, should the quarry project applicants decline to implement the recommended voluntary mitigation, the DEIS concludes that Cumulative Mitigation

²⁴ 40 C.F.R. 1508.7

Measure Noise-1-Land would reduce the significant impact related to project-generated sensitive receptors to noise from increased traffic levels generated by quarry truck trips to a less-than-significant level because the City “may” adopt truck route restrictions. There is no substantial evidence to support the DEIS’s conclusion that truck route restrictions, if legally feasible, would reduce this impact to a less-than-significant level. There is no discussion regarding what sort of truck route restrictions would be proposed and how such restrictions would mitigate impacts. Furthermore, the imposition of truck route restrictions would result in the redistribution of truck traffic to other roadways that could result in new significant traffic, noise, air quality, climate change, and other environmental impacts that are not addressed in the DEIS. Therefore, the DEIS should be revised to address any additional significant environmental effects that would occur with the City’s proposed implementation of truck route restrictions.

Please also see the attached comments from BAC regarding this mitigation measure.

Page 4-73, Third Paragraph. As discussed in our prior comments, the statement that the Teichert Quarry project would require cancelation of lands under Williamson Act contracts is not true. The previous Williamson Act contract on the Teichert Quarry property expired in 2008.

Appendices

Appendix C. As indicated in the attached comments from Rimpo and Associates, Inc., critical information necessary to analyze the adequacy of the DEIS’s conclusions has been omitted from Appendix C.

Conclusion

As outlined above, the DEIS is flawed in numerous respects. The analysis of Project impacts is impermissibly segmented into Land and Water components. The DEIS fails to address a reasonable range of Project alternatives, including one that relocates sensitive receptors away from high-volume roadways that can generate significant noise or TAC impacts. Moreover, the DEIS fails to adequately analyze Project impacts related to aesthetics, air quality, biological resources, climate change, geology, hazardous materials, hydrology, noise, and cumulative impacts. These deficiencies result in an EIS that will require major revisions warranting recirculation of the document in its entirety.²⁵

²⁵ See 40 C.F.R. 1503.4(c), noting that the Final EIS need not be circulated in its entirety if changes in response to comments are “minor.”

Ms. Lisa Gibson
September 10, 2010
Page 14

Teichert-2

Thank you for the opportunity to provide our comments on the DEIS. Please feel free to call if you have any questions or need further information regarding our comments.

156 cont.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John M. Taylor', with a long horizontal flourish extending to the right.

John M. Taylor

Enclosures

cc: Gail Furness de Pardo, City of Folsom
Ardie Zahedani, Folsom South of 50 Property Owners Group
Michael Smith, Teichert Aggregates

TAYLOR & WILEY

A PROFESSIONAL CORPORATION

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JAMES E. MIZELL, III

OF COUNSEL
KATHLEEN R. MAKEL

November 7, 2008

Via E-mail and U.S. Mail (gdepardo@folsom.ca.us)

Ms. Gail Furness de Pardo
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Re: Notice of Preparation of a Joint Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project.

Dear Ms. Furness de Pardo,

On behalf of our client, Teichert Inc., we are providing comments on the Notice of Preparation ("NOP") of a Joint Draft Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the Folsom South of U.S. Highway 50 Specific Plan Project ("Specific Plan"). As you may be aware, Teichert owns approximately 1,500 acres south of White Rock Road and adjacent to the proposed Specific Plan. Teichert has an active application with the County of Sacramento for a hard rock quarry that will involve mining of approximately 380 acres of the Teichert property approximately one mile south of White Rock Road. A Notice of Preparation was issued for the Teichert Quarry EIR on July 14, 2003 and a revised Notice of Preparation was issued on January 5, 2006. No comments were received from the City of Folsom or property owners associated with the Specific Plan on the Teichert Notices. Furthermore, a Draft Environmental Impact Report for the Teichert Quarry project was issued by the County

Ms. Gail Furness de Pardo
November 7, 2008
Page 2

on August 22, 2008 for public review. The comment period for the Teichert Quarry DEIR ended on November 6, 2008.

In addition, Granite Construction and De Silva Gates each have active applications with the County for hard rock quarries south of the Specific Plan area. Notices of Preparation were issued by the County of Sacramento for the Granite Quarry on December 5, 2007, and for the De Silva Gates Quarry on December 11, 2007 and January 25, 2008. All three applications anticipate access to Highway 50 on existing County roads through the Specific Plan area.

In consideration of these quarry applications, we are providing the following comments on the Specific Plan NOP:

- The EIR/EIS should analyze vehicle trips from existing land uses, approved land uses not yet built, and reasonably foreseeable projects within the unincorporated County of Sacramento, the City of Rancho Cordova and El Dorado County that access Highway 50 via the Specific Plan area. (CEQA Guidelines § 15130; *City of Antioch v. City Council of the City of Pittsburg* (1986) 187 Cal.App.3d 1325.) These include the vehicle trips generated by the three quarry projects whose primary access to Highway 50 is on Scott and Prairie City Roads, which are existing County roads. The EIR/EIS should analyze land use, traffic, noise, air quality, biological and aesthetic impacts associated with vehicle trips accessing Highway 50 from these non-Specific Plan sources.
- The EIR/EIS should analyze an alternative land use plan that does not locate sensitive land uses adjacent to the Highway 50 access roads such as Scott and Prairie City Roads.
- The EIR/EIS should also analyze an alternative circulation plan to mitigate the potential impacts associated with locating new land uses along the Highway 50 access roads. This alternative could include an alternative route within the Specific Plan for truck traffic to access Highway 50. The analysis should examine the impacts associated with relocating truck trips, including land use, traffic, noise, air quality, aesthetic, biological and greenhouse gas impacts.

Ms. Gail Furness de Pardo
November 7, 2008
Page 3

Thank you for your attention to this matter, we look forward to seeing the response to our comments.

Very Truly Yours

A handwritten signature in black ink, appearing to read 'John M. Taylor', with a long horizontal flourish extending to the right.

John M. Taylor

cc: Kerry Smith
David Smith
Steven Wang
Paul Hahn
Robert Sherry
Joyce Horizumi
Mike Penrose
Krista Whitman
Granite Construction
De Silva Gates
Andrea Leisy
Bob Holderness
Michael Smith
Jeff Thatcher
Mike Ray



ATTORNEY CLIENT PRIVILEGED

September 7, 2010

Jesse Yang
Associate
Taylor & Wiley
2870 Gateway Oaks Dr., Suite 200
Sacramento, CA 95833

Dear Jesse:

Enclosed for your review are Rimpo and Associates' revised comments on the Folsom Sphere of Influence (SOI) toxic air contaminants analysis included in the Public Draft EIR/EIS for the Folsom South of U.S. 50 Specific Plan Project (SCH #2008092051).

Please let me know if you have questions about any of the enclosed comments.

Sincerely,

Tim Rimpo
Senior Air Quality Scientist

Enclosure

COMMENTS ON FOLSOM SOI TAC EMISSION ANALYSIS

1) DEIR/DEIS Incorrectly Uses SMAQMD’s Health Risk Assessment Protocol – page 3A-2-26

In the first full paragraph on Page 3A.2-26, the DEIR/DEIS states that “If the level of cancer risk at a receptor is estimated to be greater than 296 in a million, the (SMAQMD’s) *Protocol* recommends the completion of a site-specific health risk assessment”.¹

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Although the DEIR/DEIS correctly identifies SMAQMD’s recommended approach for evaluating diesel exhaust health risks, it uses a different approach. In the second sentence, second paragraph of page 3A.2-26, the DEIR/DEIS states that “SMAQMD’s Protocol clearly states that the evaluation criteria of 296 in a million does not represent an acceptable level of cancer risk”. But in the next sentence, the DEIR/DEIS states that they (City and Corps) have decided to use 296 in a million as the threshold of significance in the DEIR/DEIS and to apply this value using a screening level analysis. The City and USACE then try to justify their decision to use 296 in a million as a significance threshold using a complicated argument about future changes in the mobile-source emissions inventory. This argument makes no sense, does not provide a logical nexus between emissions and health risks, and is inconsistent with the recommended approach of the SMAQMD, Sacramento County’s primary regulatory agency on this issue.

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2) Additional Inconsistencies in the HRA, Page 4-23 and 4-24

The DEIR/DEIS incorrectly uses SMAQMD’s screening criteria to evaluate an acceptable risk level, and compounds this mistake by improperly adjusting the screening criteria (pages 4-23 and 4-24). SMAQMD’s Protocol does not include any language stating that it should be modified in the way it was apparently modified for use in the DEIR/DEIS. There is no evidence presented in the DEIR/DEIS that the adjustments made to SMAQMD’s screening criteria were ever reviewed and/or approved by SMAQMD.

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Also, neither Chapter 4 nor “Appendix C. Air Quality” of the DEIR/DEIS adequately describe the approach used to adjust SMAQMD’s screening protocol. The last paragraph on page 4-23 mentions that an adjustment factor was incorporated to account for traffic

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¹ SMAQMD’s “Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways”, January 2010, Version 2.3, uses a threshold of 281 in a million.

on arterial roadways traveling at lower speeds with different emission rates than traffic flowing a freeway speeds. However, nowhere in Chapter 4 or in Appendix C is the methodology explained that was used to adjust speeds and emissions as part of the screening protocol adjustment. | 165 cont.
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Similarly, at the end of the first full paragraph on page 4-24, the document states that “All detailed calculations and assumptions are provided in Appendix C1”. Appendix C of the DEIR/DEIS includes several tables that list numbers for sources/notes. However, those sources/notes cannot be found in this appendix. These sources/notes may explain the steps used to adjust SMAQMD’s Protocol, but since these notes are not shown, the adjustment procedure cannot be deciphered from the information presented. For example, the Appendix C1 table entitled, “Roadway TAC Analysis, Centralized Development Alternative”, includes several Source/Notes numbers at the bottom of the table. However, those footnotes are not shown. Similar concerns are noted for the following Appendix C tables: “Roadway TAC analysis, Resource Impact Minimization Alternative”, “Roadway TAC analysis, Reduced Hillside Alternative”, and “Roadway TAC analysis, No Federal Action Alternative”. | 167
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3) Health Risk Assessment is Inconsistent with SMAQMD’s 2010 Screening Protocol. (Page 7 of SMAQMD’s Protocol)

The project screening stepwise approach listed on page 7 of SMAQMD’s Health Risk Assessment Protocol indicates that no further roadway analysis is recommended if urban ADT is less than 100,000 for a roadway. For the proposed project, 2010 ADT is less than 100,000 for all roadways in the project area. Given this screening criterion, why was the TAC analysis conducted at all for 2010? Also, 2030 ADT is less than 100,000 for all roadways except Grant Line Road from White Rock Road to Centennial. Why was the analysis conducted in 2030 for any roadway except Grant Line between White Rock Road and Centennial, since the other roads (Oak Ave. Parkway, Scott Road, and Prairie City Road) don’t meet SMAQMD’s screening level traffic volume criteria? SMAQMD’s Protocol does not include any methodology that would merit modifying its Screening Level Analysis. | 171
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4) Screening Analysis Results Imply that Detailed Health Risk Assessment Would Not Result in Significant Health Risks, page 4-24

As described on page 4-24 and in Table 4-4 of the DEIR, the modified screening HRA results show a significant health risk for 2010, but a less than significant health risk for 2030. This implies that a site specific detailed HRA would likely show a less than significant health risk. A site specific HRA evaluates health risks over a 70 year period. The modified screening approach shown in the HRA shows a significant risk for a | 175
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maximum of 20 years (2010 through 2029), and a less than significant risk for 50 years (2030 through 2079) of the 70 year period that would be included in a site specific HRA. 178 cont.
 As warranted by the DEIR’s screening level results, and as recommended by the SMAQMD’s Protocol, a detailed HRA should be included as part of the DEIR to properly evaluate cumulative health risks over a 70 year period. 179

5) HRA Analysis in DEIR Inconsistent with Screening Level Analysis and Uses Overly Conservative Assumptions

A site specific analysis for this site should be consistent with the approach recommended by SMAQMD rather than the modified screening level approach used in the DEIR/DEIS. 180
 The modified screening analysis conducted for the DEIR/DEIS was conducted for two years: 2010 and 2030. However, 2030 truck traffic volumes were used for both the 2010 analysis and 2030 analysis. By combining 2030 traffic volumes with 2010 emission rates, the DEIR/DEIS’ approach drastically overstates health risks, and mistakenly leads to the conclusion that impacts are significant. 181 182

6) Summary of Health Risk Assessment Comments

The DEIR/DEIS’ adjustments to the screening criteria and its decision to use 296 in one million as its significance threshold clearly are inconsistent with SMAQMD’s Protocol. SMAQMD recommends that if the screening criteria are exceeded, then site specific dispersion modeling and a health risk assessment (HRA) should be conducted. The DEIR/DEIS, however, has opted to use SMAQMD’s screening criteria, to adjust those criteria in ways that are not clearly documented, and, when it finds that those criteria have been exceeded, calls the result significant without conducting a site specific HRA as recommended by SMAQMD in its Protocol. 183 184 185

The DEIR/DEIS then recommends mitigation measures based on the screening results. Clearly, mitigation measures should be identified only if a site specific HRA shows significant impacts. 186

The DEIR/DEIS cumulative impacts discussion recommends, as mitigation, that a project-level HRA be conducted at quarry project applicant(s) expense. However, requiring a project-level analysis is not mitigation and should be conducted as part of this DEIR/DEIS, not delayed to a future study. There is no justification in delaying a site specific HRA to the future, since all of the information needed to conduct the study is included in the DEIR/DEIS and supporting documents. 187 188



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

801 K Street • Suite 2015 • Sacramento, California 95814



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CHARLIE WYATT

April 15, 2009

CERTIFIED MAIL: 7006 2150 0000 6804 7499

Mr. Jeff Thatcher
Project Manager
Teichert Aggregates
3500 American River Drive
Sacramento, California 95864-5805

**Re: Acceptance of Receipt of Petition for Classification of Mineral Lands,
White Rock Road Properties – Mangini Property, Sacramento County**

Dear Mr. Thatcher:

At its regular business meeting held on April 9, 2009, the State Mining and Geology Board (SMGB) considered your Petition for Re-classification of Mineral Resource Zone (MRZ) Lands from MRZ3 to MRZ2, for the proposed White Rock Road Properties – Mangini Property, Sacramento County, California. Based on a preliminary review, the State Geologist has recommended acceptance of the petition by the SMGB.

The SMGB has already received a check for \$5,000 to cover the cost of the preliminary evaluation. Actual cost incurred to perform the preliminary assessment was \$1,000, and it is estimated that the cost to complete the classification study for the petition will total \$13,275. Thus, you are requested to submit an additional \$9,275 to cover the cost of performing the full classification study. This work can commence immediately following receipt of the additional funds. After completion of the classification report, any funds not used would be returned to the petitioner.

Should you have any further questions on this process, or have any questions, please do not hesitate to contact the office of the SMGB.

Sincerely,

Stephen M. Testa
Executive Officer

Attachment(s)

cc: Dr. John G. Parrish, Director and State Geologist, California Geological Survey
John Clinkenbeard, Supervising Engineering Geologist, California Geological Survey



STATE MINING AND GEOLOGY BOARD EXECUTIVE OFFICER'S REPORT

Teichert-2



ARNOLD
SCHWARZENEGGER
GOVERNOR

For Meeting Date: April 9, 2009

Agenda Item No. 2: Acceptance of a Petition for Re-Classification of Mineral Resource Zone (MRZ) Lands from MRZ-3 to MRZ-2, White Rock Road Properties - Mangini Property, Sacramento County.

INTRODUCTION: In accordance with the *"Guidelines for Classification and Designation of Mineral Lands"*, the State Geologist reviews mineral land classification petitions. Should certain criteria be met, the State Geologist may recommend acceptance of the petition by the SMGB. Teichert Aggregates has submitted a petition to the State Mining and Geology Board (SMGB) dated December 16, 2008, for mineral land classification of the White Rock Road Properties, Mangini Property, located in Sacramento County. The SMGB is considering accepting the petition for the re-classification of mineral resource land for this property.

REGULATORY ASPECTS: Pursuant to PRC 2761(b), *"the State Geologist shall classify, on the basis solely of geologic factors, and without regard to existing land use and land ownership... any area for which classification has been requested by a petition which has been accepted by the board..."* Pursuant to PRC 2761(c), *"The State Geologist shall require the petitioner to pay the reasonable costs of classifying an area for which classification has been requested by the petitioner."*

Prior to acceptance of a petition by the SMGB, and in accordance with the "Guidelines for Classification and Designation of Mineral Lands" (Section III, Guidelines for Classification of Mineral Lands (1)(A)(1), "Petitions will be preliminarily reviewed by the State Geologist to determine if the deposit meets the threshold value and other criteria required to qualify as MRZ-2a or MRZ-2b as in Section 1.2. If these criteria are met, the State Geologist will recommend acceptance of the petition by the SMGB."

BACKGROUND: A petition to the SMGB for classification of mineral lands, dated December 16, 2008, for the White Rock Road Properties – Mangini Property, located in eastern Sacramento County, was submitted by Teichert Aggregates. The project consists of about 380 acres located approximately 25 miles east of the City of Sacramento. The property is also **situated five miles south of the City of Folsom, and about 2.3 miles from the City's sphere of influence.** Potential urban encroachment of this area constitutes a threat to the intended mining of the mineral resources on the property.

The property is currently classified as MRZ-3 (known mineral occurrence of undetermined resources significance) for Portland Cement Concrete-grade aggregate (PCC) as reported in California Geological Survey (CGS) Open-File Report 99-09. The petitioner has requested that the State Geologist reclassify the property as MRZ-2 (significant resources present).

Executive Officer's Report

The petition application was reviewed by CGS’s Minerals Resource Unit staff using revised criteria for consideration of petitions adopted in 1994 by the SMGB. The following determinations were made:

- Based on test information provided by the petitioner, the material likely will meet the quality specifications for PCC aggregate.
- Preliminary calculations based on information provided by the petitioner indicate that the parcel contains aggregate resources in excess of the threshold value of \$12,550,000 (1998 dollars), or \$17,157,910 (2008 dollars), required for classification as MRZ-2a and MRZ-2b.

Based on this preliminary review, the State Geologist has recommended acceptance of the petition by the SMGB. The petitioner has submitted a check for \$5,000 to cover the cost of the preliminary evaluation. Actual cost incurred to perform the preliminary assessment was \$1,000, and it is estimated that the cost to complete the classification study for the petition will total \$13,275. Should the SMGB accept the petition, the petitioner will be requested to submit an additional \$9,275 to cover the cost of performing the full classification study. This work can commence immediately following receipt of the additional funds. After completion of the classification report, any funds not used would be returned to the petitioner.

EXECUTIVE OFFICER’S RECOMMENDATION: Based on the information presented by the Petitioner, and the results of the preliminary review and recommendation provided by the State Geologist, the Executive Officer recommends that the SMGB accept the petition for mineral land re-classification.

SUGGESTED MOTION LANGUAGE:

To Accept the Petition for Re-Classification:

Mr. Chairman, in light of the information before the State Mining and Geology Board today, I move that the Board accept the petition for re-classification of Mineral Resources Zone Lands for the White Rock Road Properties – Mangini Property area, Sacramento County.

Respectfully submitted:

Stephen M. Testa
Executive Officer



Teichert-2

Appendix A

Petition for Classification-Designation of Mineral Lands

Part I Mineral Information

- 1. The petitioner's name, mailing address and interest (owner, lessee, agent, or other) in the area to be considered for classification.

WHITE ROCK ROAD PROPERTIES, INC.

- 2. Name and legal description of petitioned deposit. Attach map (USGS 7 1/2 minute quadrangle or other appropriate map) showing the boundaries of the area the petitioner wishes to have classified.

Teichert Quarry/Mangini property. Please see attached.

- 3. A description of the significant mineral deposits claimed to occur within the area described, including sufficient geologic and economic data to support the claim that the mineral deposits are significant as defined in the "Guidelines for Classification and Designation of Mineral Lands."

See attached.

- a. Geologic setting (Attach map)

See attached.

Teichert-2

b. Mineral commodities

See attached.

c. Value of deposit ^{-1,-2} +/- \$3 Billion

Tonnage ⁻² +/- 270 million tons Grade ⁻²PCC quality, concrete grade

- ⁻¹ Gross selling price of first marketable product
- ⁻² Estimated values

The mineral information (Part I) of this petition and its supporting documentation are accurate and supportable by the supplied information and the deposit is as stated.

Signature of Petitioner

Date _____

Part II
Land-Use Information

- 4. The name and mailing address of each recorded land owner and each recorded lessee in and adjoining the area described. (Attach separate sheet)
- 5. Action requested. If designation is requested in addition to classification, then the reasons for requesting designation should also be stated.

Per map sheet Aggregate Availability in California, Teichert
requests a Classification of Mineral Lands for the Teichert
Quarry/Mangini Property as it has been demonstrated to be a
significant and local source of construction grade aggregate.

The land-use information (Part II) of this petition and its supporting documentation are accurate and supportable by the supplied information.

Signature of Petitioner

Date _____

This form is to be used as a guide for content and format. Additional information sheets may be attached as necessary.

Teichert Quarry Geology

Regional Setting

The project area lies within the Western Block of the Foothills Metamorphic Belt. As described in Loyd, 1984, the widely accepted interpretation of the overall lithologic and structural framework of this metamorphic belt is in terms of plate tectonic concepts. Fault-bounded terranes throughout the Sierran foothills represent tectonically accreted blocks that were emplaced during a long period of plate convergence which lasted from the Early Paleozoic to the Late Jurassic. A prominent northwest-trending fault system consisting of the Calaveras-Shoo Fly thrust, the Melones fault, and the Bear Mountains fault dominate the length of the foothill region. The western branch of the Bear Mountains fault is located approximately 7 miles east of the site.

Geologic Evaluation

Drilling and Testing

In late summer of 1997, Teichert geology staff began mapping the project area. Field mapping and geologic interpretation continues today. From December 1997 to August 1998, twenty-seven (27) bore holes were completed on site. Seventeen (17) holes were drilled using a core rig, while the remainder were drilled with a conventional air rotary rig and completed as monitoring wells.

Cored rock samples were logged and some of the material was crushed and tested for quality assurance (QA) as construction aggregate. Photographs of typical drill core are contained in Appendix A and QA test results are contained in Appendix B. Thin sections were prepared from a suite of samples obtained from the drill core and a petrographic analysis for twenty thin sections was completed (Plummer, 1999).

In 2003, two additional monitoring wells were installed.

Youngdahl Consulting Group, Inc. completed a geologic evaluation for naturally occurring asbestos (NOA) at the proposed site in October 2005. Thirty-four (34) discrete samples were collected from the available drill core and each sample was analyzed for asbestos, as outlined in a final report. No asbestos was detected in analytical results. In addition, 34 thin sections were prepared from drill core at the locations of the NOA samples. Petrographic analysis of these thin sections was completed by Vancouver GeoTech Labs (Shearer, 2005).

In 2006, six additional core holes were drilled. These were all angle holes intended to crosscut geologic contacts and structures. The holes were all sited on the perimeter of the proposed pit. Five of the holes were logged with an

optical televiewer. The purpose of the project was to obtain data for the slope stability work being conducted in conjunction with the EIR. This work is still in progress. A summary report of drilling completed to date for the project is contained in Appendix C.

Seismic Refraction

Teichert geology staff completed numerous seismic refraction lines throughout the project site. The purpose of these was to determine the seismic wave velocities of the units, and in doing so, gain a greater understanding of the geology throughout the site between known data points such as drill holes.

Interpretive velocity profiles show overburden to range from 0 to 14 feet, and average about 7 feet. Additionally, wave velocities in highly weathered rock and highly fractured rock are slower than velocities of fresh and moderately fractured rock. Velocity profiles show the depth to top of fresh rock to vary from 5 to 57 feet throughout the site.

Site Geology

Geology on site consists of alternating bodies of metamorphosed quartz diorite and the Jurassic Salt Springs Slate Formation which consists of interbedded slate, fine grained volcanic beds, meta-siltstone, pebble conglomerate and greywacke. These units have undergone low grade or greenschist facies metamorphism. Northwest trending quartz veins occur throughout the site, but are most common on the east side of the project site. Prominent foliation within the Salt Springs Slate trends on average north 35 degrees west and dips 65 degrees to the east (occasional west dipping foliation is also present). Along the western edge of the project area younger units, the Tertiary Lone Formation and Quaternary Alluvium, unconformably overlie the Jurassic basement rock. The in progress geologic map is contained in Appendix D.

Salt Springs Slate

Available publications suggest that this formation has been well studied throughout the foothills metamorphic belt, and in particular between the Stanislaus and the Calaveras Rivers. Its name is derived from Salt Springs Valley, located about 6 miles north of Copperopolis. Clark 1964, describes this late Jurassic formation as "epicalstic rocks" that overlie and intertongue the Gopher Ridge volcanics.

On site, the Salt Springs Slate typically forms swales, and is often exposed in creek beds. In a few cases, the formation is exposed along low lying hills. Lithology varies throughout the formation; it is primarily a slate with interbedded volcanoclastic layers, siltstone, graywacke and pebble conglomerate. These variations have been observed throughout the project area. In outcrop, this

formation typically forms resistant “tombstone” shapes roughly 3-5” thick that protrude the topsoil. The less competent metamorphosed siltstones and volcanoclastic members are gray-green to pale yellow in color and weather to produce soft clayey soil which is easily burrowed by rodents. Exposures in Carson Creek reveal the slaty cleavage and fissile textures typical of the black, graphitic Salt Springs Slate.

Petrographic analyses (Plummer, 1999; Shearer, 2005) indicate that the Salt Springs Slate has been pervasively altered under low grade metamorphic and hydrothermal conditions which have largely destroyed the original minerals, except for quartz. Extremely fine grained protoliths have undergone greenschist facies metamorphic conditions. Because of this, mineral descriptions and diagnostic properties reflect some degree of uncertainty.

Thin sections reveal a compositional banding of mineral constituents. In general, sections have light colored layers which contain quartz (0.1-0.3 mm), calcite, sericite, epidote, and plagioclase, and dark layers which contain opaque minerals (pyrite, graphite, iron oxide), chloritic and kaolinitic groundmass, microcrystalline calcite and microcrystalline quartz. Pronounced foliation has developed approximately perpendicular to the layers; foliation is manifested by anastomosing lenses of fine material around larger grains. Sections which contain uniform rounded and sub-rounded quartz grains and calcite in a groundmass matrix of quartz, chlorite, kaolinite, and sericite are interpreted to be laminated to layered meta-siltstone (some arkosic) or greywacke. Sections which contain chloritic groundmass, plagioclase, calcite and quartz are interpreted as meta-volcanic or volcanoclastic.

Drilling results show that the upper 30-35 feet of the Salt Springs Slate is moderately weathered. Below this interval, the formation is typically black and fresh with recurring intervals of light gray banding. Banding (0.5 – 2”) is defined by separate concentrations of dark or mafic minerals and lighter minerals. Other textures such as stretched pebbles (2 cm), although rare, were noted. During drilling operations, a thin graphite film usually coated the drill mud within the circulation tub. Not many details of the metavolcanic or greywacke members were observed while drilling, in part because of the extremely fine grained nature of these rock types. Common remarks include fine grained volcanic rock with phyllitic or schistose texture. Overall, the formation is typically fractured and fractures are typically filled with calcite, quartz or chlorite. Fracture density and weathering decrease greatly with depth.

Quartz Diorite

Typically forming gently sloping ridges, these elongated bodies measure 1000 to 1200 feet wide and extend 2000 to greater than 3000 feet in length. In outcrop, color varies from light to dark gray and commonly weathers in spheroidal fashion

leaving rounded boulders protruding 1 to 4 feet above native grasses. Iron oxide staining is common on the surface as are various colored lichen.

Texturally, grain sizes vary from fine to coarse. Petrographic analyses (Plummer, 1999; Shearer, 2005) indicate that the primary mineral constituents are: altered plagioclase feldspar 35-80%; chlorite 10-40%; and quartz 5-15%. Greenschist facies metamorphism indicators include fine mineral aggregates of epidote, chlorite and calcite. In most cases, plagioclase has been completely altered. The primary plagioclase alteration minerals are; saussurite, sericite, and kaolin. Saussurite is a fine grained aggregate of minerals, primarily zoisite and albite, formed by hydrothermal alteration of plagioclase (probably deuteritic). Ferromagnesian minerals have been altered to chlorite and epidote. Accessory minerals include pyrite, biotite, amphibole, and some pyroxene that survived metamorphism. Measured grain sizes range from 0.2mm to 3mm. In many cases, quartz appears to be the only mineral constituent that has not undergone alteration. Myrmekitic texture occurs along some quartz grain boundaries.

Drill core results indicate that the upper 10 to 50 feet of the quartz diorite is classified as either decomposed or highly weathered and intensely fractured. Common fracture measurements range from 40-60° with respect to the core axis. These surfaces are typically coated with iron oxide and chlorite in the upper 50 feet. Secondary veins of quartz and calcite (occasionally with pyrite) ranging from 0.25 to 1.5" in width are locally present. Fracture density decreases and rock quality improves greatly with depth. Fresh quartz diorite was often recovered in core lengths of 0.5 to greater than 1.0 feet.

Tertiary Lone Formation

In the west portion of the project site, the Lone Formation unconformably overlies the Salt Springs Slate and the quartz Diorite. Exposures are typically found in creek drainages and a small pond located adjacent to Scott Road. The formation is a pale yellow, poorly cemented quartz sandstone to pebble conglomerate. Creek bed exposures range from 2 to 12 feet and the overall thickness of the unit is approximately 30 feet.

Quaternary Older Alluvium

Throughout the project area, much of the surface is covered with a veneer of reddish-brown clay and well rounded quartz and metamorphic gravel. For the most part, this material is often referred to as "overburden". Geology staff have not attempted map the occurrence of this deposit. However, in the central part of the project site, an isolated hill is mapped. Here the Older Alluvium which is about 10 feet thick lies unconformably upon the Salt Springs Slate.

Quaternary Alluvium

Minor surficial alluvial deposits occur throughout the project area in or near creek drainages. Some of the best exposures occur in Coyote Creek and are about 5 feet in thickness. In these locations, the deposit is a reddish brown fining upward sequence. Subrounded quartz and metamorphic clasts grade from 3 inches in size near the base of the exposures, to sand size at the top. Clasts are supported by a soft, silty matrix.

Structural Geology Points

- Jss bedding surfaces are at an angle to foliation. The bedding planes or compositional layering observed in the drill core (and occasionally in surface exposures) generally appear to be at about 90 degrees to the foliation.
- The Jss foliation has a prominent NW strike (on average N35W). The variable dip suggests folding. The dominant dip direction is east and on average the east dipping foliation is at 65 degrees. Only about 15% of foliation measurements obtained to date have a west dip (generally steep).
- Recent mapping has identified some small scale folding at outcrop scale. All of the fold axis measurements to date have shown a southeastern trend and a shallow (8-10 degree) plunge.
- The primary structure observed in the quartz diorite is jointing, however rare foliation has been observed. The foliation in the diorite has a similar attitude to the Jss.
- Quartz veins are more common on the east side of site and trend roughly parallel to foliation, thickness varies from less than 1 to 5' thick.

Geologic History (Interpretation)

- Quartz diorite (qd) was emplaced as sills into a predominantly marine sequence of clastic sedimentary units with some minor interbedded volcanic units (Jss) during the Jurassic.
- Deuteric hydrothermal alteration and low grade metamorphism occur following emplacement of the diorite sills and as terrane accretion begins.
- As the Jurassic accretion of the terrane onto the continent continues, folding and faulting occur. Deformation occurs more prominently in the soft sediments forming the Jss. The quartz diorite behaves as a more competent rigid block with the Jss taking up the movement around it.
- Following terrane accretion localized mineralization and quartz vein emplacement occurs along preexisting zones of weakness (such as the Jss foliation). This hydrothermal event is possibly similar in age to the Mother Lode mineralization, but without the associated high grade metal content.

- Uplift and erosion associated with the rise of the Sierra Nevada exposed the Jss and quartz diorite at the surface by the Eocene when the lone Formation was deposited at the site.
- Erosion and minor deposition of sediments in stream drainages has continued through the Quaternary to the present.

Age and Detailed Lithologic Interpretation

As described by Behrman (1978); the central foothill region can be divided into four distinct belts of lithologically and structurally distinct rock assemblages west of the Melones Fault Zone. The belts are (east to west) the Mother Lode Belt, Central Belt, Bear Mountains Ophiolite Belt, and the Western Belt. The Teichert Quarry site is on the western edge of the Western Belt. The Western Belt is distinct due to the substantial proportion of felsic volcanics it contains. Behrman subdivides the Western Belt strata into two lithologic units; a Volcanic Unit (Gopher Ridge Volcanics and Copper Hill Volcanics) and an Epiclastic Unit (Salt Springs Slate). The Teichert Quarry site is within the Epiclastic Unit.

Fossils from the Epiclastic Unit suggest that part of the strata of the Western Belt is of Late Oxfordian to Early Kimmeridgian Age (159 to 151 ma). Detailed petrology by Behrman suggests that the Western Belt Epiclastic Unit is dominated by submarine fan facies strata assemblages (primarily facies type G: pelagic and hemipelagic, with minor facies type D: sandstone, mudstone, and distal turbidites and facies type E: siltstone, mudstone, overbank and interchannel deposits). This suggests a basin plain or slope depositional environment. (Jss on Teichert geology map)

Two suites of intrusive rocks which cut the strata of the Western Belt as dikes, sills, and laccoliths are described by Behrman. The intrusive rocks include gabbroic to dioritic intrusions and a hornblende porphyry dike swarm. Behrman describes the mesocratic dioritic intrusions (qd on Teichert geology map) as being composed of pyroxene and plagioclase phenocrysts with a quartz, chlorite and albite assemblage characterizing the matrix. No geochronologic data is available for these rocks but the mineralogic and chemical similarities and the spatial relationship with the Western Belt Volcanic Unit suggest that the intrusions may have been part of the feeder system for the Callovian to Kimmeridgian (164 to 161 ma) Volcanic Unit.

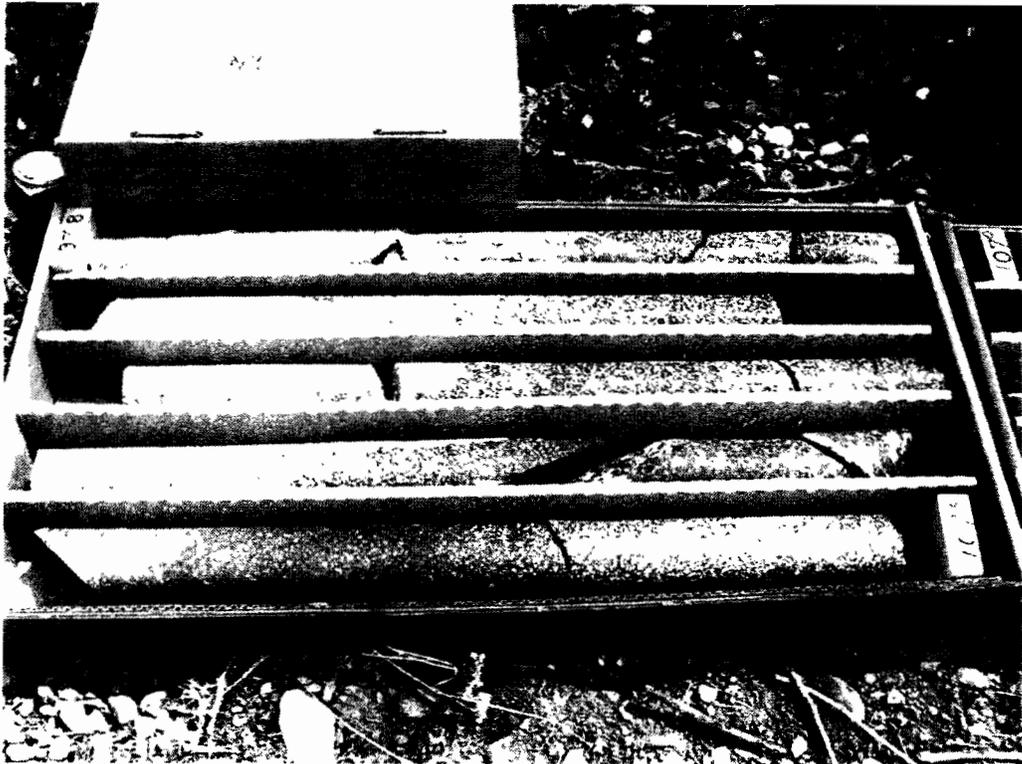
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Appendix A
Photographs of Drill Core



Weathered Diorite from 21 to 33 feet.



Fresh Diorite from 98 to 107 feet.



Fresh Slate from 126 to 135 feet.

Appendix B
Quality Assurance Data

Mangini Pit Test

NaCl₂

Sample Number	Depth	SE	DF	DC	LA Rattler		Coarse Specific Gravity			Fine Specific Gravity			Absorption		Coarse Fine	
					100	500	Bulk Oven	Bulk SSD	Apparent	Absorption	Bulk Oven	Bulk SSD	Apparent	Absorption	CT	ASTM
MNG-1	42-100'	79	68	76	7.0	17.0	2.943	2.956	2.981	0.44	2.705	2.759	2.859	2.00	1.09	1.70
	Hard Rock		66												1.56	4.05
MNG-2	4-50'	61	52	67	4.1	18.2	2.798	2.831	2.892	1.16	2.717	2.770	2.868	1.90		
	Hard Rock		53													
MNG-2	50-100'	65	54	71	5.3	20.3	2.748	2.773	2.818	0.89	2.627	2.691	2.806	2.40		
	Hard Rock		55													
MNG-3	20-60'	56	49	71	3.8	15.9	2.930	2.979	3.081	1.67	2.549	2.684	2.949	4.01		
	Hard Rock		49													
MNG-3	60-100'	61	53	60	6.0	22.6	2.766	2.795	2.849	1.06	2.523	2.636	2.845	4.50		
	Hard Rock w/volcanic		55													
MNG-5	39-100'	78	59	77	4.2	18.5	2.812	2.844	2.906	1.16	2.733	2.799	2.926	2.40	1.98	2.84
	Hard Rock		62												2.50	6.85
MNG-6	43-102'	80	55	71	4.0	15.9	2.903	2.926	2.969	0.76	2.738	2.816	2.969	2.80	4.86	2.35
	Weathered Granite		53													
MNG-7	0-75'	60	45	55	5.5	22.4	2.858	2.897	2.973	1.35	2.708	2.790	2.950	3.00		
	Weathered Granite		46													
MNG-8	0-50'	74	65	78	5.0	14.8	2.854	2.888	2.893	0.47	2.640	2.713	2.850	2.80	1.17	1.59
	Basalt		68												1.69	4.29
MNG-8	50-100'	63	50	56	4.5	19.2	2.699	2.732	2.791	1.23	2.515	2.615	2.796	4.00	2.13	2.81
	Shale		53												3.28	5.93
MNG-8	100-150'	81	66	63	5.2	19.0	2.718	2.743	2.787	0.90	2.567	2.650	2.798	3.20		
	Hard Shale		67													
MNG-9	0-50'	75	48	57	7.7	28.4	2.880	2.925	3.014	1.53	2.761	2.841	3.003	2.90		
	Highly Weathered Granite		49													
MNG-9	50-100'	59	50	56	5.7	19.3	2.839	2.857	2.892	0.65	2.643	2.717	2.852	2.80		
	Hard Rock		48													

Average	SE	DF	DC	LA Rattler		Coarse Specific Gravity			Fine Specific Gravity			Absorption		Sodium Loss	
				100	500	Bulk Oven	Bulk SSD	Apparent	Absorption	Bulk Oven	Bulk SSD	Apparent	Absorption	Sodium Loss	
	69	56	68	5.0	18.5	2.821	2.849	2.904	1.01	2.638	2.720	2.874	3.00	2.67	3.92

Sample Number	Depth	Coarse Specific Gravity			DF	DC	LAR		Sodiums (Average Loss)		Fine Specific Gravity			SE
		Bulk Oven	Bulk SSD	Apparent			Absorption	100	500	Cal Trans	ASTM	Bulk Oven	Bulk SSD	
MNG-10 Dierite	7'-22'	2.700	2.788	2.882	3.6	32								
	22'-32'	2.784	2.855	2.984	2.8	42					2.633	2.738	2.941	4.0%
	32'-42.3'	2.834	2.850	2.953	0.6	78								
	42.3'-52'	2.846	2.855	2.973	0.3	85	3%		Coarse .7%	Coarse .9%				
	52'-62'	2.824	2.835	2.956	0.4	85			Fine 2.0%	Fine 4.3%				
	62'-82'	2.888	2.823	2.862	1.2	42	67							
	83'-103'	2.835	2.858	3.003	0.5	54	74			Coarse .9%	Coarse 1.0%			
	103'-123'	2.828	2.850	2.980	0.7	68	68	3%	11%	Fine 2.7%	Fine 6.3%			
	123'-137'	2.870	2.888	3.012	0.4	82	85							
	0'-20'	2.752	2.797	2.882	1.6	42	52							
	20'-40'	2.763	2.817	2.878	1.2	42	52				2.525	2.646	2.872	4.8%
	40'-60'	2.758	2.804	2.883	1.7	50	67				2.535	2.619	2.768	3.3%
60'-80'	2.714	2.757	2.834	1.6	61	70	4%	18%	Coarse .08%	Coarse .33%				
80'-100'	2.725	2.784	2.836	1.4	59	73			Fine 1.8%	Fine 2.6%	2.630	2.638	2.835	4.3%
100'-120'	2.804	2.813	2.850	0.3	61	87	4%	13%						
120'-147'	2.845	2.855	2.874	0.3	67	80								

MANGINI-98

Sample Number	Depth	Coarse Specific Gravity				DF		LAR		Sodlums (Average loss)		Fine Specific Gravity				SE
		Bulk Oven	Bulk SSD	Apparent	Absorption	DC	DF	100	500	Cal Trans	ASTM	Bulk Oven	Bulk SSD	Apparent	Absorption	
MNG-12	11'-31'	2.604	2.631	2.868	5.1	28	14									34
	31'-51'	2.705	2.772	2.900	2.5	48	70									
	51'-71'	2.707	2.760	2.868	2.0	48	67	4%	18%							
	71'-91'	2.715	2.747	2.804	1.2	46	67				2.607	2.680	2.812	2.8%	60	
	91'-116.5'	2.715	2.733	2.765	0.7	44	61									
	116.5'-136'	2.606	2.822	2.851	0.6	37	70	5%	18%		2.671	2.721	2.812	1.9%	54	
	136'-160.5'	2.766	2.768	2.791	0.5	49	70									
MNG-13	4.5'-24.5'	2.512	2.561	2.700	2.8	24	15									38
Slate	24.5'-45'	2.668	2.637	2.759	2.7	28	26									
	45'-65'	2.885	2.720	2.763	0.9	52	55				2.514	2.603	2.761	3.6%	63	
* Whole core app.	45'-85'	2.729	2.734	2.744	0.2	NA	NA	8%	22%	Coarse .3%						
	65'-85'	2.705	2.729	2.772	0.9	64	59			Fine 1.2%						
	85'-105'	2.709	2.731	2.769	0.8	64	60									
	105'-125'	2.729	2.744	2.770	0.6	72	59									
* Whole core app.	105'-125'	2.739	2.743	2.750	0.2	NA	NA	5%	18%							
	125'-152'	2.704	2.722	2.753	0.7	84	59				2.554	2.634	2.775	3.1%	60	

Sample Number	Depth	Coarse Specific Gravity				DF	DC	LAR		Soklums		Fine Specific Gravity				SE
		Bulk Oven	Bulk SSD	Apparent	Absorption			100	500	Cal Trans	ASTM	Bulk Oven	Bulk SSD	Apparent	Absorption	
MNG-16	8-28'	2.478	2.560	2.698	3.3	15										
	28-48'	2.528	2.598	2.723	2.2	18									56	
	48-68'	2.588	2.665	2.767	2.2	39			Coarse 1.3%	Coarse 3.3%	2.482	2.571	2.725	3.6%	51	
	68-88'	2.641	2.652	2.765	1.8	44	8%	23%	Fine 1.3%	Fine 3.0%	2.482	2.566	2.709	3.4%	71	
	88-108'	2.653	2.662	2.761	1.5	53			Coarse .2%	Coarse .3%					57	
	108-128'	2.679	2.688	2.728	0.7	61	5%	20%	Fine 1.1%	Fine 3.4%						
MNG-17	128-153'	2.678	2.684	2.721	0.8	71			Coarse 1.1%	Coarse 1.3%						
	12-32'	2.800	2.825	2.872	0.9	69	3%	12%	Fine 2.7%	Fine 6.0%						
Dirtier / volcanic	32-52'	2.751	2.758	2.850	1.3	71			Coarse .84%	Coarse .9%						
	52-72'	2.659	2.701	2.778	1.6	43	5%	23%	Fine 2.14%	Fine 4.90%						
	72-92'	2.633	2.679	2.757	1.7	38			Coarse 1%	Coarse .1%						
	92-112'	2.670	2.702	2.758	1.2	76			Fine 2.5%	Fine 4.5%	2.425	2.498	2.616	3.0%	74	
	112-132'	2.770	2.780	2.798	0.4	85	2%	10%								
	132-147'	2.768	2.777	2.781	0.3	85										

Sample Number	Depth	Coarse Specific Gravity			DF	DC	LAR		Sodums		Fine Specific Gravity			SE
		Bulk Oven	Bulk SSD	Apparent			Absorption	100	500	Cal Trans	ASTM	Bulk Oven	Bulk SSD	
MNG-18	0'-20'	2.550	2.624	2.754	28	31								
Volcanic	20'-40'	2.578	2.707	2.759	60	80			Coarse 2%	Coarse .3%	2.435	2.536	2.708	4.1%
	40'-60'	2.734	2.747	2.769	79	73	3%	13%	Fine 1.7%	Fine 3.5%				
	60'-85'	2.739	2.751	2.774	57	53								
	85'-110'	2.745	2.756	2.773	55	57					2.561	2.632	2.758	2.8%
	110'-130'	2.744	2.754	2.771	82	71	3%	13%			2.576	2.647	2.772	2.8%
	130'-147.5'	2.732	2.743	2.762	65	73								

Drill Hole	Depth	Washed Fine Specific Gravity			
		Bulk Oven	Bulk SSD	Apparent	Absorption
MNG-13	125'-152'	2.616	2.686	2.753	1.9%
MNG-17	92'-112'	2.623	2.680	2.762	2.2%

Appendix C
Drilling Summary

Drilling Summary

For the dates 1/1/1997 to 11/1/2006.

Project Teichert Quarry - Mangini

Hole Number	MNG03MW-01S	Elevation 283.41	
From	To	Description	Comments
0	10	Clay	low plastic
10	20	Slate	silty
20	75	Slate	blue grey to 40', grey to 70'
Hole Number	MNG03MW-23	Elevation 311.46	
From	To	Description	Comments
0	10	Slate	
10	20	Slate	
20	30	Slate	silty
30	40	Slate	
40	70	Slate	silty
Hole Number	MNG06DH-01	Elevation 327.72	
From	To	Description	Comments
0	8	Overburden	clay with milky quartz gravel
8	17.4	Slate	green to black Jss
17.4	71.5	Diorite	
71.5	78.9	Pegmatite	fractured quartz vein with sulfides
78.9	198.7	Diorite	occasional quartz veins
Hole Number	MNG06DH-02	Elevation 357.43	
From	To	Description	Comments
0	17.5	Quartz Diorite	
17.5	147.2	Interbedded Slate & Metavolcanics	
147.2	155.8	Graywacke	
155.8	226	Slate	gray to black "banded" slate with some graywacke
Hole Number	MNG06DH-03	Elevation 331.78	
From	To	Description	Comments
0	175.1	Interbedded Slate & Metavolcanics	"banded" Jss
175.1	189.9	Graywacke	banded graywacke with minor quartz veins
Hole Number	MNG06DH-04	Elevation 303.42	
From	To	Description	Comments
0	61.5	Interbedded Slate & Metavolcanics	
61.5	93.5	Graywacke	
93.5	143.9	Slate	
Hole Number	MNG06DH-05	Elevation 293.27	
From	To	Description	Comments
0	41.6	Interbedded Slate & Metavolcanics	
41.6	151.1	Quartz Diorite	occasional quartz veins
Hole Number	MNG06DH-06	Elevation 297.15	
From	To	Description	Comments
0	15	Clayey Gravel	slate and quartz gravel
15	25.6	Decomposed Slate	
25.6	87	Interbedded Slate & Metavolcanics	
87	194.4	Slate	

Drilling Summary For the dates 1/1/1997 to 11/1/2006.

Project Teichert Quarry - Mangini

Hole Number MNG97DH-05			Elevation 354.45
From	To	Description	Comments
0	4	Clay	Red brown to yellow clay with fine sand. All color below 3'. Harder drilling at 4'
4	39	Clayey Sand	Dense sticky clay, very little quartz. 10% fine sand
39	43	Diorite	Med cse grained, angular to sub round up to 4mm. hard, slightly weathered.
43	57	Diorite	At 43', fine grained. moderately hard, slightly fractured, multiple fractures.
57	88	Diorite	Hard at 57', chemically weathered. slightly weathered. At 70' slightly fractured and hard. At 75' moderately fractured, hard to very hard. At 84' moderately weathered.
88	98.5	Diorite	@ 90' unfractured, fresh to slightly weathered. Black to green @ 93'. @ 95' unfractured, still altered, but fresh.
Hole Number MNG97DH-07			Elevation 323.31
From	To	Description	Comments
0	7	Overburden	Clayey soil for first 1-2', then light brown clayey soil.
7	20	Decomposed Diorite	Moderately hard, At 10', decomposed along fractures to moderately soft to moderately hard.
20	75.5	Diorite	Intense weathering for first 1.4', then hard, moderately fractured, slightly weathered. Moderately fractured, hard-very hard, slightly weathered, more weathering towards end of interval (decomposed). At 35', intense fracturing along fractures, slightly weathered as a whole. At 40', only slightly weathered along fractures-fresh. Moderately fractured, increasingly hard-hard (becomes increasingly weathered towards end of interval). At 48', intensely to slightly weathered. At 58.5', becomes intensely fractured, breaks easily with hammer blow. At 62', slightly fractured, hard-fresh to slightly weathered, hammer blow rings. At 66', weathered & moderately to intensely fractured, no apparent orientation of fractures. Moderately hard to
75.5	87	Diorite	Fault zone between 75.5-87'. Moderately soft to moderately hard, dark gray to black to green. At 80', intensely fractured to decomposed-losing material, pockets of intensely weathered to decomposed diorite, alternating with moderately soft, small dark veins suggests movement.
87	99	Diorite	At 90', fresh, very hard rock, rings with hammer blow. At 95', weathered. At 96', very hard,
Hole Number MNG97DH-08			Elevation 346.96
From	To	Description	Comments
0	2	Overburden	Clayey soil with cobble.
2	19.2	Decomposed Diorite	Clayey & decomposed diorite, gray black cobble@ (9ft). Hard, hammor rings. At 10'. D.G. cobbles are dense, competent, (usable?).
19.2	55	Diorite	Minor oxidation along fractures. fine to med grained.
55	149	Slate	very fine grained, hard. Pourous @75'
Hole Number MNG97DH-09			Elevation 362.56
From	To	Description	Comments
0	1	Overburden	soil with diorite cobbles
1	6	Decomposed Diorite	cobbles are hard, med to cse grained. Black coating along fractures.
6	19	Diorite	50% cloudy feldspars with 50% mafics. moderately hard
19	47	Diorite	hard, durable less weathered. All fractures are oxidized.
47	57	Diorite	alternating beds of DG and weathered diorite. Clorite in fractures. Little to no oxidation. Some sickensides. Quality questionable.
57	96.5	Diorite	oxidized fractures, moderately hard
96.5	99	Diorite	very durable below 96.5. medium grained 50/50 mafics /plag.
Hole Number MNG97MW-01S			Elevation 372.61
From	To	Description	Comments
0	10	Overburden	Some rock at 7' (chips).
10	42.5	Decomposed Diorite	No rock chips. Fine mineral fragments coming out of hole. Plag/Mafics suggest diorite. Hard drilling at 22' and 25-30'. In and out of harder rock. Pulling casing to prepare for coring.
42.5	47.8	Diorite	Hit hard rock here. Pull casing-core drill slightly to mod. Weathered. 30% mafics, 40% plag, 30% quartz. Less quartz with depth. Below 44.5', moderately weathered, crumbles when tapped with a hammer. Qtz % now +/- 10%.
47.8	54.5	Diorite	Moderately weathered, and moderately fractured. Still looks usable.
54.5	98.2	Diorite	Rock now rings when hit with the hammer. Still moderately fractured. At 59.4'. moderately fractured , fairly hard and rings with hammer blow. At 79'. Very hard and fresh. At ~90', core broke along some veins.

Drifling Summary

For the dates 1/1/1997 to 11/1/2006.

Project Teichert Quarry - Mangini

Hole Number MNG98DH-03			Elevation 343.47
From	To	Description	Comments
0	13	Overburden	Hard extremely compacted clay, extremely weathered
13	38	Diorite	Cse grained, 60% mafics, greenish gray color, very hard.
38	45	Diorite	green gray color, feldspars up to 4mm., slightly weathered.
45	50	Diorite	At 45', fresh very hard to hard-greenish gray packet caused by weathering.
50	60	Diorite	At 50', slightly fractured, extremely hard, fresh.
60	65	Diorite	At 60', Slightly fractured, moderately hard, moderately weathered.
65	95.5	Diorite	At 65', intensely to moderately weathered. At 70', mostly moderately weathered diorited, 6" quartz vein, moderately fracturing. At 76', moderate weathered, less weathering. At 80', moderate to high weathering this run, moderate fractures.
95.5	100	Diorite	much pyrite, fresh below 99', quartz veins @ 100'.
Hole Number MNG98DH-10			Elevation 312.29
From	To	Description	Comments
0	7	Overburden	Red Clay with cse sand.
7	31	Decomposed Diorite	cse granined, lots of feldspar, soft, lots of clay around fractures. tested poorly
31	62.7	Diorite	fresh, hard, great rock
62.7	95	Diorite	chlorite viens, sticks break easy, soft, highly fractured @ 75'
95	137.5	Diorite	hard, fresh with calcite veins. Cse grained,
Hole Number MNG98DH-11			Elevation 329.85
From	To	Description	Comments
0	5	Overburden	sand with DB gravels and chunks of core,
5	29.5	Decomposed Diorite	highly oxidized with clay along some fractures, feldspars are cloudy white.
29.5	30.5	Diorite	fine grained dark gray
30.5	45	Diorite	getting fresher, cse grained diorite
45	79	Diorite	fresh, hard, Iron along fractures, cse grained.
79	84.5	Diorite	Fault Zone, Chlorite Quartz Veins, soft and clayey
84.5	147	Diorite	pyrite present, fine grained, no fractures
Hole Number MNG98DH-12			Elevation 336.61
From	To	Description	Comments
0	13.8	Overburden	clay with cse sand and gvl. Quartz rich
13.8	35	Decomposed Diorite	extremely weathered, intensely fractured
35	77	Diorite	lots of chlorite, coarser at 68'
77	82	Diorite	Fracture Zone
82	85.5	Diorite	coarse-grained diorite
85.5	117	Slate	metavolcanics and slates interbedded
117	126.5	Slate	laminated, calcite along fracture planes and pyrite veins.
126.5	137	Diorite	moderately fractured, but hard, mod fresh
137	154	Slate	metavolcanic? hard, fine-grained- still fractured, CaCO3 replacement
Hole Number MNG98DH-13			Elevation 349.80
From	To	Description	Comments
0	4.5	Overburden	slate mottled with fine sandstone interbeds
4.5	35	Decomposed Slate	soft, tested poorly, beds of ss and shale to 11.5, pyrite present at 18'
35	45.5	Slate	hard, minor fracturing near top
45.5	48.7	Slate	fine to med grained sandstone appearance.
48.7	138.8	Slate	hard, pyrite ribbons along bed planes, minor CaCo3 vien @66'
138.8	152	Diorite	Contact, transitional between slate and diorite to 152.0
Hole Number MNG98DH-16			Elevation 313.70
From	To	Description	Comments
0	9	Overburden	clay with coarse-fine sand
9	29	Decomposed Slate	weathered, tested poorly, fractured, ss & shale
29	122	Slate	banded slate, hard, slightly fractured, interbedded with fine grained metased.?
122	153	Slate	Metavolcanic Schist, hard, long sections of core, calcite viens

Drilling Summary

For the dates 1/1/1997 to 11/1/2006.

Project Teichert Quarry - Mangini

Hole Number	MNG98DH-17		Elevation	327.22
From	To	Description	Comments	
0	12	Overburden	fine sandy clay	
12	49	Diorite	hard, fracturing by +/- 36'	
49	72	Slate	metavolcanoclastic, moderate-fresh, fracturing common	
72	92	Slate	metasedimentary, weathered, tested poorly	
92	120	Slate	metasedimentary, hard	
120	147.8	Slate	hard, , slightly fractured	
Hole Number	MNG98DH-18		Elevation	358.93
From	To	Description	Comments	
0	8	Overburden	banded diorite/slate not useable.	
8	20	Decomposed Slate	metavolcanic, transitional zone?	
20	147	Slate	metavolcanic, banded, interbedded slate and/or volcaniclastic, hard but fractured with calcite veins	
Hole Number	MNG98MW-01D		Elevation	373.48
From	To	Description	Comments	
0	11	Overburden	70% fine sand or finer.	
11	50	Decomposed Diorite	material is soft, easy drilling, some rounded grains, getting harder@ 40'	
50	80	Diorite	@ 50', Small pieces of crushed diorite., End of MW run At 80'	
80	108	Diorite	At 80', begin coring. At 87' Fresh. At 97', very hard fresh. At 102', moderately fresh, hard.	
Hole Number	MNG98MW-02S		Elevation	354.76
From	To	Description	Comments	
0	4.4	Overburden		
4.4	14.4	Decomposed Diorite	Hitting Harder material at 4.4'.	
14.4	25	Diorite	Durable, little to moderate fracturing, med grained	
25	45.5	Diorite	weathering increasing with depth but still fairly durable.	
45.5	60	Diorite	oxidized and chloritized. Very Friable, Good druable rock.	
60	69	Diorite	no fractures, calcite veins present	
69	100	Diorite	Fine grained below 69', many veins present.	
Hole Number	MNG98MW-06A		Elevation	361.05
From	To	Description	Comments	
0	4	Overburden	Silty soil with angular qtz grains.	
4	40	Clayey Sand	At 24', change in color to Red/Orange, then less sand. At 39', sticky and dense.	
40	43.2	Decomposed Diorite	Decomposed rock, mostly clay.	
43.2	54.7	Diorite	At 43.5, usable as base..At 45', feldspars are cloudy.No calcite present.moderately hard, slight ring in hammer.	
54.7	65	Diorite	Slightly fractured, less altered, minor oxidation along some fracture, good material.	
65	67	Diorite	From 65-67', fractured and moderately weathered.	
67	95	Diorite	At 70', very hard, very little alteration along fractured area., slightly fractured.	
95	102.8	Diorite	At 95', unfractured, very hard and fresh. At 100',abundance of pyrite crystals. Grains are stretched (elongated, fault?).	
Hole Number	MNG98MW-06D		Elevation	362.42
From	To	Description	Comments	
0	2	Clayey Silt	very clayey, silty to 2'	
2	36	Decomposed Diorite	very weathered, soft and clayey	
36	55	Diorite	rock getting harder, clay still present	
55	80	Diorite	Rock is fresh by 55'	
80	111	Diorite	At 80', begin coring. Occasional qtz veining and clorite, very hard, excellent rock	
Hole Number	MNG98MW-06S		Elevation	361.89
From	To	Description	Comments	
0	25	Overburden	topsoil 1st 3', clayey soil below	
25	39	Silty Sand	fine silty sand, clay <5%	
39	69	Diorite	material harder below 39'	

Drilling Summary

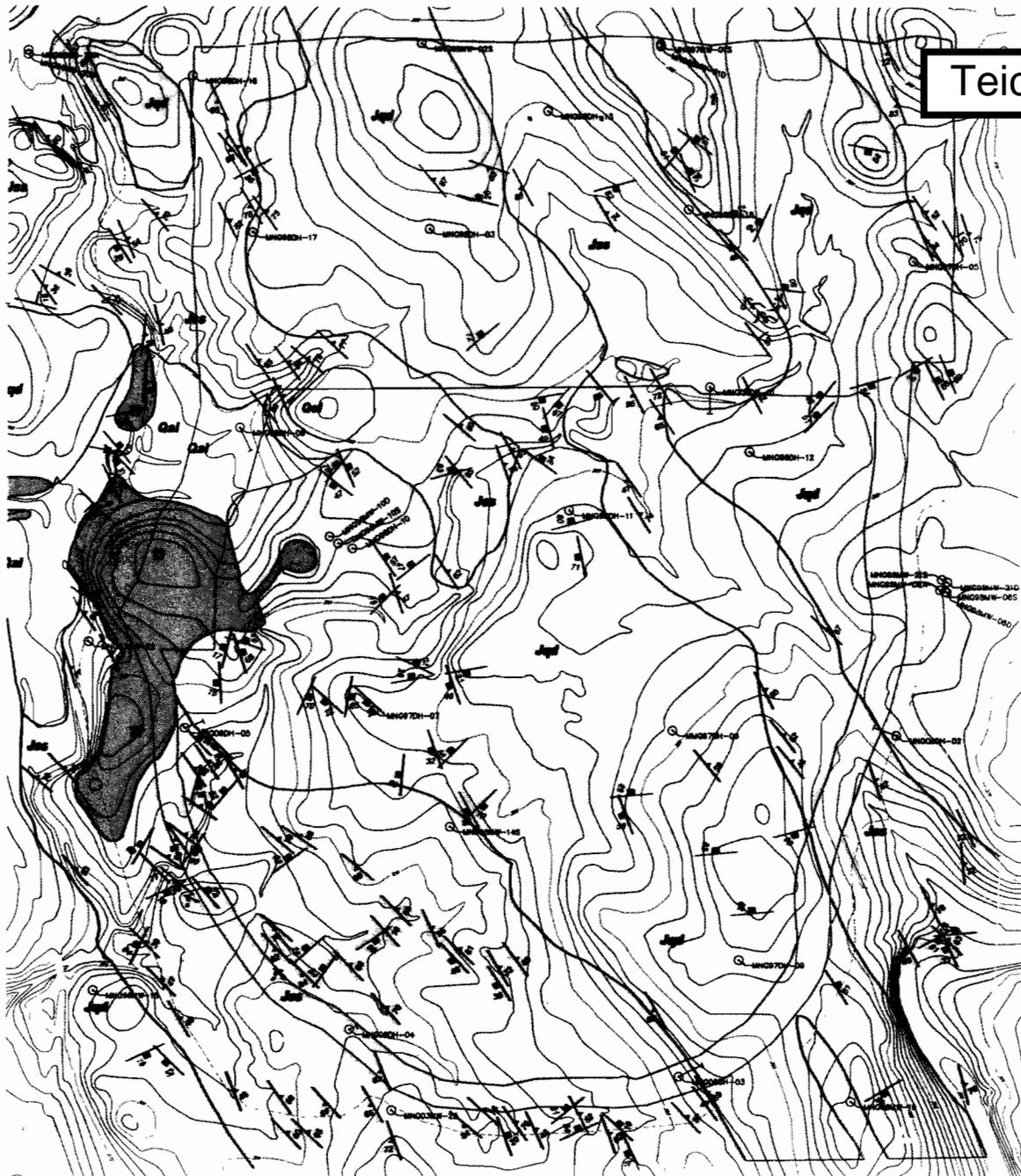
For the dates 1/1/1997 to 11/1/2006.

Project Teichert Quarry - Mangini

Hole Number	MNG98MW-10D		Elevation	316.68
From	To	Description	Comments	
0	12	Overburden	clayey soil	
12	16	Decomposed Diorite	sand sized grained	
16	40	Diorite	weathered to highly weathered diorite	
40	135	Diorite	alternating zones hard diorite with fractured mod. Weathered diorite@87' very soft	
135	150.5	Diorite	Fracture Zone	
Hole Number	MNG98MW-10S		Elevation	314.70
From	To	Description	Comments	
0	10	Overburden	silty soil, 15% clay	
10	17	Decomposed Diorite	some boulders within this interval but mostly DG	
17	37	Diorite	weathered, getting harder @17'	
Hole Number	MNG98MW-14S		Elevation	307.56
From	To	Description	Comments	
0	5	Overburden		
5	90	Slate	metavolcanic, visible sand sized grains, a few iron stained chips	
Hole Number	MNG98MW-15		Elevation	286.82
From	To	Description	Comments	
0	3	Overburden	sandy soil	
3	46	Diorite	diorite boulders in soil, mafics and feldspars, getting harder @15'	
46	52	Decomposed Diorite	sand coated with clay, dirty, breaks down easily	
52	100	Diorite	hard material but comes out dirty and coated with clay.	
100	120	Diorite	very hard diorite	
Hole Number	MNG98MW-19		Elevation	371.31
From	To	Description	Comments	
0	10	Overburden	soil	
10	19	Decomposed Slate	grains coated with clay	
19	58	Slate	weathered, harder drilling @30', 30% of material blowing away as dust	
58	102	Slate	approx bdy to fresh material. Interbedded with metavolcanics	
Hole Number	MNG98MW-20A		Elevation	299.04
From	To	Description	Comments	
0	42	Overburden	fine dark silty soil, cse sand grains up to 5%, silty clay @38'	
Hole Number	MNG98MW-20D		Elevation	299.27
From	To	Description	Comments	
0	13	Overburden	silty lite brown	
13	77	Slate	silty soil, black, material is dense, probably a soil., soft material	
77	83	Slate	@77', harder drilling, weathered shale?	
83	120	Slate	Fine grained, visalbe laminations	
Hole Number	MNG98MW-21D		Elevation	362.02
From	To	Description	Comments	
0	10	Overburden	silty clayey soil	
10	42	Decomposed Diorite	sand sized grains of DG. 50%DG50% silty soil	
42	68	Diorite	@42' harder, qtz veins and calcite present	
68	110	Diorite	harder @68', slightly weathered to fresh alternating to 110'	
Hole Number	MNG98MW-21S		Elevation	361.39
From	To	Description	Comments	
0	21	Overburden	silty soil to fine sand	
21	37	Decomposed Diorite	cse sand DG grains, increase in % DG with depth	
37	67	Diorite	@37', harder drilling	

Appendix D
Geologic Map

Teichert-2



- Qal** Quaternary alluvium
- Qol** Quaternary older alluvium
- T** Tertiary lower formation
- Jsp** Jurassic of the (Laramie C?)
- Jss** Jurassic of the (Springer S) to

ground and water levels

ANCOBEN-15

ANCOBEN-07

monitoring well and core drill hole locations

Scale:

0 100 200

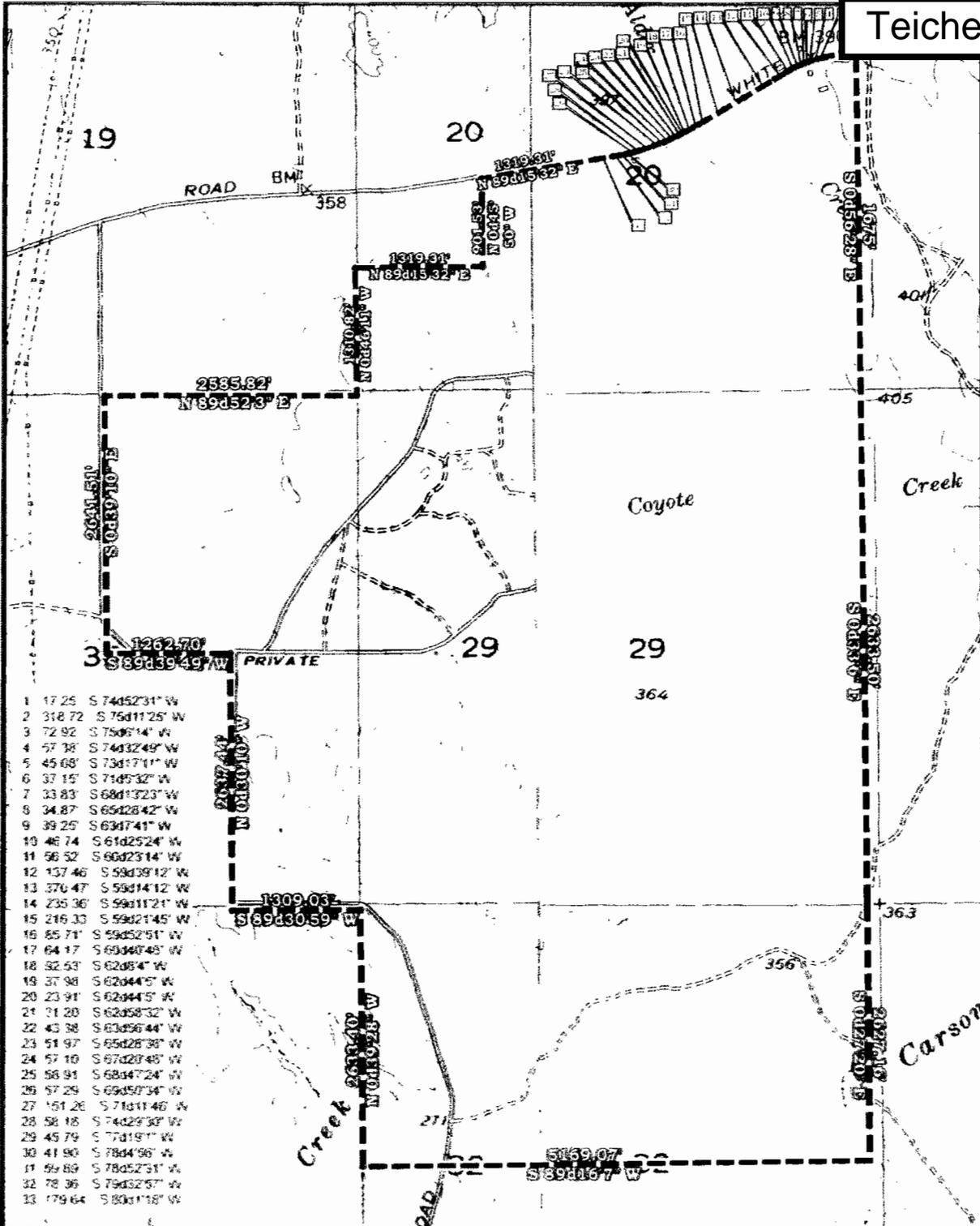
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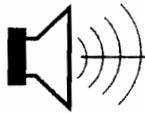
Teichert Quarry

Geology Map

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Teichert-2





August 25, 2010

Mr. Jesse Yang
Taylor and Wiley
Transmitted via email: jyang@taylor-wiley.com

Subject: BAC's noise-related comments on Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS

Dear Jesse:

Pursuant to your request, Bollard Acoustical Consultants, Inc. (BAC) has completed a review of the noise-related components of the above referenced document. This letter contains our comments:

Ambient Noise Survey – Page 3A-11.5

In the paragraph below Table 3A.11-1 it is stated that Highway 50 and White Rock Road were the primary noise sources affecting the measurement locations, depending on the proximity of the measurement location to the roadway. However, the distances from the five (5) ambient noise measurement locations to the centerlines of the nearby roadways are not provided. This data must be included to allow meaningful interpretation of the measurement data.

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Traffic Noise – Page 3A.11-7

It is noted in the second paragraph under this heading that traffic noise levels were modeled at 50 to 100 feet from the centerline of each major roadway, depending on the proposed setback under the proposed project. However, Table 3A.11-2 does not indicate which distance was actually modeled for each roadway segment. An additional column should be added to this table indicating the modeled distance for each segment as it is difficult to verify the modeling results without it.

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There is no mention in this section how the traffic noise measurement results described on Page 3A-11.5 were used to verify the traffic noise modeling results presented in Table 3A.11-2. The FHWA Model input data indicates that, with the exception of Highway 50, there was no variation in existing medium or heavy truck usage on any of the roadways analyzed, and only subtle variations in the day/night percentages. Were the traffic noise measurement results used to verify the accuracy of the FHWA Model in predicting existing traffic noise levels within the project area? It does not appear from the information presented in the DEIR that an attempt was made to verify the accuracy of the model.

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Table 3A.11-2 – Page 3A.11-8

Table 3A.11-2 of the DEIR presents the Ldn at the approximate roadway corridor boundary. Bollard Acoustical Consultants utilized the DEIR Noise Section preparer's input data with the FHWA to verify the existing traffic noise levels presented in Table 3A.11-2. From this process, BAC determined that the DEIR

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preparer utilized an acoustically “hard” site for the modeling of traffic noise levels. Modeling traffic noise levels using an acoustically hard site results in sound levels decreasing at a rate of 3 dB per doubling of distance from the roadway. It has been BAC’s overwhelming experience, however, that traffic noise typically decays at a rate of 4.5 dB per doubling of distance from the roadway, which corresponds to an acoustically “soft” site. Because the project area is acoustically soft, consisting of undeveloped grasslands, the existing condition should appropriately have been modeled accordingly. By modeling the project site as acoustically hard, which usually only applies if the entire site is paved and the traffic noise source is virtually continuous, the distances to the existing traffic noise contours were dramatically overstated in Table 3A.11-2.

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For example, the distance to the 60 dB Ldn contour for the first segment contained in this table (Folsom Boulevard from Glenn Drive to Blue Ravine Drive), is reported to be 1,104 feet from the roadway centerline. If this same roadway segment had been modeled as acoustically soft, rather than hard, the distance from the roadway centerline to the 60 dB Ldn contour is 327 feet, which is a much more realistic estimate of existing noise exposure for this roadway. As a result, unless the traffic noise measurement results identified in Table 3A.11-1 can be shown to support the modeling of the project area roadways using the acoustically “hard” FHWA Model setting, the evaluation of existing traffic noise levels should be reanalyzed using acoustically “soft” characteristics.

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Impact 3A.11-4 – Page 3A.11-36

This impact identified significant impacts along roadway segments where the proposed project, or one of its alternatives, would cause increases in traffic noise levels over existing levels without the project of 3 dB or more. As with BAC’s comment on Table 3A.11-2, it appears that Table 3A.11-18 was generated using the acoustically “hard” variable setting in the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Although the differences in noise levels shown in Table 3A.11-18 are not affected by the hard/soft modeling input, the table should, nonetheless, be regenerated using the appropriate “soft” setting in the FHWA Model.

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Impact 3A.11-7 – Page 3A.11-50

In the 3rd paragraph under the “Roadway Traffic” subheading of this impact discussion, a reference is made to the fact that the 60 dB Ldn noise contours for adjacent roadways (U.S. 50, White Rock Road, and Prairie City Road), and on-site proposed roadways (Oak Avenue, Scott Road, Placerville Road, Empire Ranch Road, etc.), extend onto portions of the SPA, including areas of proposed residential development. However, the distances to the referenced 60 dB Ldn contours for existing and future conditions with the project are not provided in the DEIR Noise Section. Not only should that information be provided so that the magnitude of the impact is properly disclosed, those contours should be developed using the acoustical “soft” variable setting in the FHWA Model (unless the DEIR Noise Section preparers can justify the use of the “hard” setting through noise measurements). As noted in the example provided in the comment above pertaining to Table 3A.11-2 (Page 3A.11-8), the differences in predicted distances to the 60 dB Ldn contours using the acoustically “hard” versus “soft” site can be substantial.

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Table 4-8 – Page 4-48

This table was prepared to indicate the contribution of new quarry trucks to the overall traffic noise environment in the immediate project vicinity. As with the other traffic noise level tables presented in the DEIR, Table 4-8 was generated using the improper “hard” site setting in the FHWA Model inputs, thereby over-predicting traffic noise levels along each segment. The noise levels reported in Table 4-8 should be recalculated using the proper “soft” variable setting in the FHWA Model (unless the DEIR Noise Section preparers can justify the use of the “hard” setting through noise measurements).

In addition to the error in the presented noise levels resulting from the use of the acoustically “hard” variable setting in the FHWA Model, the data presented in Table 4-8 for the “No Project Without Quarry Trucks” scenario (Column 4 in Table 4-8) do not match the data for the exact same scenario presented in Table 3A.11-19 (also Column 4 in Table 3A.11-19), for 21 of the 53 roadway segments. The future no project without quarry truck noise levels do agree exactly on the remaining 32 segments, but every segment should agree exactly because they represent the same scenario. On the segment of White Rock Road between Stonebriar and Windfield, the difference between the two tables is 3.1 dB, which represents a substantial discrepancy. On the three segments of White Rock Road between Grant Line and Oak Avenue Parkway, the difference is 2.8 dB. These discrepancies must be corrected in the DEIR prior to drawing any meaningful conclusions regarding the quarry truck contribution to the future traffic noise environment. Impacts identified relative to unreliable future baseline conditions cannot be substantiated.

Another problem with Table 4-8 is that the levels provided for the proposed project with quarry traffic is inconsistent with other data reported in the DEIR. Specifically, if the PP data in Table 4-8 (column 7) is subtracted logarithmically, as required of decibel addition and subtraction, from the NP data in Table 4-8 (column 5), the result is the project-only traffic noise levels. When that result is added, again logarithmically, to the NP without quarry truck data in Table 4-8 (column 4), the resulting value is the future plus project without quarry truck noise level, which should match exactly with the future plus project without quarry truck noise levels reported in Table 3A.11-19 (column 5). However, on 42 of the 53 segments contained in Table 4-8, these values do not agree. On 4 segments of White Rock Road, the inconsistencies range from 3 to 4.7 dB. Because the stated standard of significance for traffic noise level increases is reported to be 3 dB, the inconsistencies in levels reported in Table 4-8 and 3A.11-19 could result in incorrect findings regarding the significance of quarry truck noise impacts. These discrepancies must be reconciled prior to making such a determination.

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Compatibility of Sensitive Land Uses with the Ambient Noise Environment – Page 4-51

The second paragraph under this heading states that “The 60-dB Ldn noise contours for adjacent roadways with the inclusion of projected quarry truck trips completely encompass the SPA.” As noted previously, however, the incorrect usage of the acoustically “hard” site variable in the FHWA Model will result in a dramatic overestimation of the location of the 60 dB Ldn contour. For example, using the “hard” variable setting, the distance from the Highway 50 centerline to the 60 dB Ldn future (2030) plus SPA project plus quarry truck noise contour is computed to be 13,627 feet. Conversely, when the appropriate “soft” response variable setting is applied, the distance to the same contour for the same roadway segment and scenario is 1,744 feet. This represents the difference between the 60 dB Ldn contour encompassing the entire site versus a considerably smaller portion of the site.

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Immediately following the statement cited in the previous paragraph, the DEIR states, “Even considering that a typical 6-foot sound wall would reduce noise levels from approximately 5-6 dB and for each additional foot of wall another 1 dB, and incorporating the maximum setback distance feasible, noise levels would still exceed applicable standards at those sensitive uses proposed as part of the project.” Once all DEIR traffic noise levels are recomputed using the appropriate “soft” variable input to the FHWA Model, the severity of the identified noise impacts will decrease substantially and considerably less noise mitigation will be required to satisfy the applicable noise level standards at proposed residential uses within the SPA. Until that analysis is revised, however, it is not possible to identify the appropriate noise mitigation measures for this project, including any voluntary measures requested of the aggregate producers.

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Cumulative Mitigation Measure Noise-1-Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Quarry Traffic – Page 4-51

This mitigation measure discusses the possibility of the City of Folsom to prohibit or limit quarry truck use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational noise from quarry truck traffic and/or traffic safety hazards. However, mitigation measures must be tied to specific noise impacts, and the preceding discussions of the improper modeling of existing and future traffic noise levels affecting the project site renders the findings of potential noise impacts associated with quarry truck operation unreliable.

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In addition, as noted in the second paragraph on Page 4-51 of the DEIR, “the project’s incremental contribution to the significant cumulative impact is itself cumulatively considerable.” It appears, therefore, that the project DEIR is attempting to require the aggregate industry to mitigate for impacts which would affect proposed residences within the SPA even though those impacts would result irrespective of quarry truck operations and even though the noise-sensitivity of the SPA site does not exist without the introduction of residential land uses proposed by the project.

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A more logical approach to the development of noise mitigation measures would be to develop specific, reasonable, and appropriate combinations of building setbacks, site design, berm/wall combinations, and residential construction details for each significant roadway segment once future traffic noise levels have been re-evaluated using appropriate model inputs and verified through traffic noise measurements.

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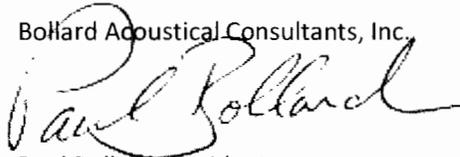
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This concludes Bollard Acoustical Consultant's comments in the Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS. Please let me know if you have any questions regarding this letter, or if I can otherwise be of assistance.

232 cont.

Sincerely,

Bollard Acoustical Consultants, Inc.

A handwritten signature in black ink that reads "Paul Bollard". The signature is written in a cursive style with a large, looped initial "P".

Paul Bollard, President
INCE Board Certified

Teichert-2-1

The comment, made on behalf of client Teichert, Inc., states that Teichert is the project applicant for the Teichert Quarry project, located approximately 1 mile south of the SPA. The comment summarizes NEPA requirements for adequate impact analyses within EIS’.

In general, the commenter correctly summarizes NEPA requirements. However, the commenter states:

Where information necessary to evaluate reasonably foreseeable significant adverse impacts is incomplete or unavailable, NEPA requires that the missing information be obtained and included in the EIS if costs are not exorbitant. 40 CFR Section 1502.22.

Section 1502.22 not only requires that the costs of obtaining the information not be exorbitant, it also requires that the means to obtain the information be known. Furthermore, the incomplete or unavailable information must be essential to a reasoned choice among the alternatives. The USACE believes that the EIS meets the NEPA requirements for adequate impact analyses as explained in detail in responses to comments Teichert-2-2 through Teichert-2-232.

Teichert-2-2

The comment states that the DEIR/DEIS for the project fails to comply with the requirements of NEPA regarding adequate impact analyses.

This is a general statement made by the commenter as an introduction to further detailed comments that follow in the body of the letter. As a general matter, the City and the USACE do not believe that the DEIR/DEIS is deficient with regards to either the CEQA or NEPA requirements related to impact analyses for the reasons set forth in responses to comments Teichert-2-3 through Teichert 2-232.

Teichert-2-3

The comment states that the DEIR/DEIS fails to adequately analyze environmental impacts of the project to the extent “reasonable” as required by NEPA. The comment states that the DEIR/DEIS defers analysis to future studies that should be included in the DEIS.

This is a general statement made by the commenter as an introduction to further detailed comments that follow in the body of the letter. As a general matter, the City and the USACE believe that the DEIR/DEIS includes an analysis of environmental impacts to the extent “reasonable” as required by NEPA, and does not improperly defer analysis to future studies considering the program-level nature of the analysis, for the reasons set forth in responses to comments Teichert-2-4 through Teichert 2-232. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Teichert-2-4

The comment states that the DEIR/DEIS uses improper methodology for analysis of noise and air quality impacts, which results in an inaccurate characterization of potential impacts.

This is a general statement made by the commenter as an introduction to further detailed comments that follow in the body of the letter. As a general matter, the City and the USACE do not believe that the DEIR/DEIS uses improper methodology for analysis of

noise and air quality impacts, and therefore the DEIR/DEIS does not contain an inaccurate characterization of potential impacts. See responses to comments Teichert-2-5 through Teichert-2-232. See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

Teichert-2-5

The comment states that the deficiencies in the DEIR/DEIS result in a document that fails to adequately inform the public and decision makers of the environmental consequences of the project, as required by NEPA.

This is a general statement made by the commenter as an introduction to further detailed comments that follow in the body of the letter. As a general matter, the City and the USACE believe that the DEIR/DEIS adequately informs the public and decision makers of the environmental consequences of the project as required by CEQA and NEPA, for the reasons set forth in responses to comments Teichert-2-6 through Teichert 2-232.

Teichert-2-6 through
Teichert-2-9

The comments state that NEPA requires the DEIR/DEIS to identify relevant and reasonable mitigation for all project impacts, including impacts found to be less than significant, and requires the DEIR/DEIS to include mitigation measures for all such impacts, regardless of significance, to the extent they are not “fully covered” by or included in the proposed action or alternatives.

The comment does not identify a specific impact or mitigation measure of concern. Rather, the comment is general in nature and, therefore, a general response is appropriate.

NEPA regulation 40 CFR Section 1502.2(b) provides that environmental impacts “shall be discussed in proportion to their significance. There shall be only a brief discussion of impacts other than significant impacts. As in a finding of no significant impact, there should be only enough discussion to show why more study is not warranted.” In addition, 40 CFR Sections 1502.14(f) and 1502.16(h) state the Federal’s agency’s obligations for consideration of mitigation measures (i.e., to include “appropriate” mitigation measures not already included in the proposed action or alternatives and include the “means to mitigate adverse environmental impacts [if not fully covered under Section 1502.14(f)]”). The DEIR/DEIS satisfies this requirement by discussing all impacts and imposing appropriate mitigation measures where feasible (see Table ES-1 on pages ES-10 to ES-180 [summarizing project impacts and mitigation measures] of the DEIR/DEIS).

Comment Teichert-2-8 cites the “Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations” (Forty Questions), published by the CEQ (see 46 FR 18026 [1981]; 51 FR 15618 [1986]). The commenter incorrectly refers to this document as part of the CEQ regulations. The Forty Questions document provides agency guidance but “lacks the force of a regulation” (*Environmental Protection Information Center v. United States Forest Service* [9th Cir. 2006] 451 F.3d 1005, 1015 fn. 6; *Friends of the Earth v. Hintz* [9th Cir. 1986] 800 F.2d 822, 838 fn. 15 [the “courts uniformly have held that the CEQ forty questions document is not a regulation, but merely an informal statement and is not controlling authority,” and the document is not entitled to “substantial deference.”]; see 46 FR 18026 [1981] [answers to the Forty Questions “do not impose any additional requirements beyond those of the NEPA regulations.”]). Therefore, the Forty Questions document cannot be used as a basis to impose a legal obligation on agencies under NEPA.

Nonetheless, the DEIR/DEIS comports with answer 19a to the Forty Questions document (referenced in the comment), which suggests that agencies should consider all of the

specific environmental effects of a project, consider mitigation measures for the impacts, and develop mitigation measures where feasible. The DEIR/DEIS does this by identifying and considering the components of the Proposed Project Alternative and the other five alternatives, considering all impacts (including less-than-significant impacts), considering mitigation for impacts, including a discussion of impacts for which mitigation is not necessary, and developing feasible mitigation measures that would minimize the environmental effects of the project, to the extent the impact is not covered by the project or project alternatives. See Table ES-1 on pages ES-10 to ES-180 of the DEIR/DEIS, summarizing project impacts and mitigation measures. Concerning less-than-significant impacts, see, for example: Impact 3A.3-6 (components of the project would preserve open space for native wildlife, thus would result in less-than-significant impacts); Impact 3B.4-2 (identifying the possibility of salt water intrusion into water supply as a result of global climate change, finding the impact would be less than significant and speculative, but identifying methods for ensuring water quality should salt water intrusion impact occur); Impact 3A.7-7 (noting that the soils in the SPA might be unsuitable for a conventional septic system, but explaining that the project would use piped sewer service, not septic systems); Impact 3A.8-1 (explaining that handlers and transporters of hazardous materials would have to comply with applicable law and obtain necessary permits, resulting in a less-than-significant impact of accidental spills); Impact 3B.8-6 (construction equipment could be quickly moved, as necessary, to allow access for emergency vehicles; impacts on emergency response times would be less than significant); Impact 3A.9-5 (development activities would be consistent with the Central Valley Flood Protection Act of 2008 [SB 5]; impacts of exposure to a 200-year flood would be less than significant); Impact 3A.9-6 (project design would minimize to insignificant any potential impacts on groundwater recharge); Impact 3A.12-1 (because the project would provide for sufficient park facilities, parkland availability impacts would not be significant); Impact 3A.14-4 (because the project would include construction of police facilities, police protection impacts would not be significant); Impacts 3A.14-5 to 3A.14-6 (impacts to school demands would not be significant because the project would provide for funding and construction of school facilities as required by Measure W); Impacts 3A.15-1k to 3A.15-1n (roadway improvements underway at Hazel Avenue would reduce traffic impacts to less-than-significant levels); Impacts 3A.15-1t, 3A.15-1bb, 3A.15-1cc (roadway improvements underway on U.S. 50 would reduce traffic impacts to less-than-significant levels); Impact 3A.16-2 (wastewater facilities would be adequate to serve the project, and thus impacts would not be significant); Impacts 3A.16-6 to 3A.16-6 (the disposition of short-term and long-term solid waste is provided, including compliance with Federal, state, and local laws, that would lead to insignificant impacts).

Teichert-2-10

The comment states that Table ES-1, the Executive Summary table on page ES-107 of the DEIR/DEIS, incorrectly lists the title of Impact 3A.9-5.

The Executive Summary table is contained in Chapter 1, "Introduction" of this FEIR/FEIS. Edits to the table are shown in redline/strikeout. The typographical error noted by the commenter in Table ES-1 of the DEIR/DEIS has been revised.

Teichert-2-11

The comment states that alternatives are the “heart” of an EIS and an EIS should contain a reasonable range of alternatives that would avoid or minimize adverse impacts and describe mitigation measures for such alternatives [citing the “Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations” (“Forty Questions”), published by the CEQ (see 46 FR 18026 [1981]; 51 FR 15618 [1986])].

The DEIR/DEIS contains five “Land” alternatives that consider different land use configurations, densities, and amounts of preservation of biological and cultural resources, in addition to the required No Project/No Action Alternative. All six “Land” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS. The DEIR/DEIS also contains 10 Off-site Water Facility alternatives, in addition to the required No Project/No Action Off-site Water Facility Alternative. All 11 “Water” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS. Therefore, the USACE believes that the DEIR/DEIS contains a reasonable range of alternatives that would avoid or minimize some of the project’s adverse impacts as suggested by the CEQ guidance document referenced by the commenter. The City believes that these alternatives constitute a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project, as required by CEQA. (State CEQA Guidelines CCR Section 15126.6[a] and [f].) DEIR/DEIS Section 2.3.7, “Land Alternatives Considered and Eliminated from Further Consideration,” discusses additional alternatives that were considered and rejected during the review process, including off-site alternatives. For a full discussion of these additional alternatives, refer to page 2-65 of the DEIR/DEIS. See also responses to comments USEPA-61 and USEPA-62. The DEIR/DEIS provides a program level of analysis, and additional alternatives are being evaluated by USACE for compliance with the Section 404(b)(1) guidelines.

Teichert-2-12

The comment states that the DEIR/DEIS identifies significant air quality and noise impacts associated with locating sensitive land uses in proximity to high-volume roadways. The comment further states that the most obvious way of mitigating these significant impacts would be to provide sufficient buffers.

While buffers might mitigate air quality and noise impacts potentially resulting from sensitive land uses in proximity to high-volume roadways, the placement of some sensitive land uses (such as residential uses) in proximity to high-volume roadways would help to mitigate other potential environmental impacts. Impacts potentially mitigated by placement of urban land uses in close proximity to high-volume roadways include biological resources, climate change, public services, traffic and transportation, and utilities and service systems.

Teichert-2-13 through
Teichert-2-14

The comments state that the DEIR/DEIS should analyze an alternative that avoids placing sensitive land uses in proximity to high-volume roadways, as suggested in the NOP comment letter dated November 7, 2008.

The NOP comment letter referred to by the commenter is attached to Appendix B of the DEIR/DEIS and was considered during preparation of the DEIR/DEIS. See response to comment Teichert-2-11.

Teichert-2-15 through
Teichert-2-16

The comments state that the DEIR/DEIS inappropriately splits the analysis of project impacts into separate “Land” and “Water” components, which could result in a failure to potentially disclose significant impacts of the combined components. Therefore, the comment suggests that the DEIR/DEIS should be revised to consider the entire project.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City’s choice to provide “Land” and “Water” analyses and discussions to provide the most comprehensive and easily understandable impact analyses. Several important factors led the City to adopt the format of analysis provided in the DEIR/DEIS. As discussed on page 1-1 of the DEIR/DEIS, due to the particular nature and geographic scope of the project, an environmental analysis that focuses on each of the two major project components (i.e., the land use component, and the off-site water supply facilities necessary to support the proposed land use), best ensures full and accurate analyses and disclosure of potential environmental effects of the whole project to the public and to decision makers. Additionally, it is important to note that impacts to particular resources cannot simply be added together due to this project's broad geographic and temporal scope. To do so in the impact analyses would often create an inappropriate "apples to oranges" comparison. For instance, noise impacts due to the construction of water conveyance facilities that may affect residents of a neighborhood in South Sacramento County cannot simply be added to the noise impacts from construction of residential home development that would occur many miles away and years afterwards in Folsom. Similarly, impacts of stormwater runoff into a small local creek cannot be compared to effects in the much larger Sacramento River. Thus, in many resource categories and for many aspects of the project, the individual impacts on specific resources are to some extent site-specific and must be evaluated accordingly to accurately provide the public and decision makers with pertinent and useful information about the potential effects of the proposed actions. To do otherwise could result in too coarse an analysis that aggregates impacts over the entire geographic or temporal scope of the project, leading to determinations that localized impacts are less than significant when, in fact, they do have significant impacts within a localized portion of the project area where they will occur. Further, because the responsible, cooperating, and trustee agencies and the interests of the general public differ among the “Land” and “Water” components, presenting these two major components separately in the DEIR/DEIS avoids confusion or lack of clarity regarding the project, its components and implementation, and the potential impacts of all facets of the project on all possible resource categories and in all geographic locations potentially affected by some portion of the project. (See the third bullet on page 1-3 of the DEIR/DEIS.)

After identifying and assessing the potential impacts of the “Land” and “Water” components through detailed, often site-specific analyses, all potential impacts from both components were evaluated so as to determine whether the project, as a whole, could cause any significant environmental effects. The combined effect of the “Land” and “Water” components in conjunction with other planned projects in eastern Sacramento County are described and analyzed in the cumulative impact analysis provided in Chapter 4, “Other Statutory Requirements” of the DEIR/DEIS. This approach is consistent with the requirements of CEQA and NEPA, and provides the most effective means for capturing the combined effects of the “Land” and “Water” components in addition to other planned projects that could contribute to cumulatively considerable impacts.

Teichert-2-17

The comment states that, for decision makers to fully appreciate the magnitude of the impact, the analysis describing how the project would result in significant unavoidable impacts on scenic vistas, scenic resources within a designated scenic corridor, and the existing visual character or quality of the site and its surroundings is insufficient .

The DEIR/DEIS' analysis of aesthetic resources uses accepted visual impact assessment methodology based on procedures for visual assessment developed by the Federal Highways Administration and U.S. Forest Service. This methodology compares existing visual conditions with anticipated project conditions, assesses the change in visual existing visual character of the SPA and provides photographs that are representative of existing views of the project site and vicinity from various locations on-site and off-site. As described on page 3A.1-18 of the DEIR/DEIS, the site's vividness, intactness, and unity of views from Scott Road are relatively high, and this viewing point "offers a rare opportunity to view undisturbed open space with a clear view of the Sacramento Valley to the south, the undeveloped foothills of the Sierra Nevada mountains to the east, and oak woodlands to the north."

The analyses of in Impacts 3A.1-1, 3A.1-2, and 3A.1-3 (on pages 3A.1-24, 3A.1-26, and 3A.1-27, respectively of the DEIR/DEIS) compare existing conditions, as described in Section 3A.1.1, "Affected Environment," to future conditions under the Proposed Project Alternative and the other four action alternatives. For example, the analysis on pages 3A.1-26 of the DEIR/DEIS under Impact 3A.1-2 compares the existing condition (open grasslands with scattered oak trees) with the future project condition (urban development over thousands of acres consisting of altered topography, housing developments, and landscaped areas). The analysis goes on to state that the site would no longer provide "exemplary views of rural Sacramento County." The analysis concludes that implementation of the Proposed Project Alternative or any of the other four action alternatives would result in a significant and unavoidable impact.

Teichert-2-18

The comment recommends that the DEIR/DEIS include visual simulations of the project for the 25 viewpoints used to document the existing visual setting.

Visual simulations are helpful in allowing the reader to understand potential changes to the visual environment that might result from project implementation, but they are not a required component of a visual resource analysis. Visual simulations are particularly helpful if structures already exist and it is not readily apparent how visible or noticeable visual changes might be, and therefore it is difficult to determine whether such changes would be significant or not. In this case, however, visual simulations are not necessary because the conversion to urbanized land uses of a scenic, open space area (with no structures) that is thousands of acres in size and visible from a number of public travel ways obviously would result in substantial and noticeable (i.e., significant) changes to the visual environment.

Teichert-2-19

The comment states that for Impact 3B.1-1 on page 3B.1-17 of the DEIR/DEIS, the analysis concludes that the project would have a less than significant impact for the "Water" component, but the discussion does not render a significance conclusion with respect to the combined impacts of the "Land" and "Water" components to scenic vistas.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City's choice to provide "Land" and "Water" analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City's response to Teichert comment 2-15, the City's choice to provide detailed analyses of all aspects of the project using the

“Land” and “Water” analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.1-1 *accurately* describes the level of impact to scenic vistas for each of the Off-site Water Facility Alternatives. As provided under Section 4.1.7, “Analysis of Cumulative Impacts” beginning on page 4-20 of the DEIR/DEIS, the cumulative effects of the “Land” component when considered with other nearby projects including the “Water” component, were determined to be cumulatively considerable. Therefore, the combined effects of the “Land” and “Water” components to scenic vistas are appropriately considered in the DEIR/DEIS.

Teichert-2-20

The comment suggests that the DEIR/DEIS should be revised to analyze the significance of the combined impact of the “Land” and “Water” components of the project on scenic vistas.

See responses to comments Teichert-2-15, Teichert-2-16, and Teichert-2-19.

Teichert-2-21 through
Teichert-2-24

The comments reference attached comments from Rimpo and Associates, Inc. and state that the use of SMAQMD screening criteria of 296 in a million cancer risk as a significance threshold is inconsistent with SMAQMD protocol for TAC exposures analysis, which recommends a site-specific HRA. Therefore, the DEIR/DEIS should be revised with a TAC analysis that conforms to SMAQMD’s protocol.

The comments from Rimpo and Associates have been reviewed. SMAQMD only recommends a site-specific HRA when project risk is greater than the current evaluation criterion. The discussion in Cumulative Mitigation Measure AIR-1-Land on pages 4-24 and 4-25 of the DEIR/DEIS appropriately calls for an HRA. See also response to comment Teichert-2-34.

Teichert-2-25

The comment asks what source of construction aggregate was used in assessing the project’s construction-related air quality impacts.

The assumptions used for all construction emissions modeling in terms of material hauling distances were URBEMIS defaults. URBEMIS is recommended by SMAQMD for estimation of construction and operational emissions. URBEMIS was, in large part, developed by Rimpo and Associates, Inc., who prepared TAC comments for Teichert (URBEMIS2007 for Windows Users’ Guide Appendix A – Construction Emissions, Version 9.2 November 2007, page A-12): “Trip length is based on the urban trip length found for commercial-based customer trips in the Operational Trip Characteristics screen. URBEMIS2007 uses the construction year in which the trips would occur and the trip speed for home to work trips to identify the appropriate EMFAC [Emission FACTors] emission rates to use. Vendor trips are assumed to consist of 100% heavy heavy-duty trucks.”

Project-level energy lifecycle analyses (including criteria pollutant and GHG emissions estimates for primary production and long-range transport of building materials) are not required for CEQA purposes. See Master Response 4 – GHG Lifecycle Analysis.

Teichert-2-26

The comment suggests that the DEIR/DEIS' analysis of construction air quality impacts should address the additional environmental impacts of not having a local aggregate source to meet anticipated construction aggregate needs.

See response to comment Teichert-2-25. At what point in time such local aggregate sources would become available for building construction within the SPA is unknown, especially given that a Quarry Truck Management Plan with an associated CEQA evaluation is required, and therefore it would be speculative to assume any details regarding the use the aggregate from those quarries as the source for SPA aggregate.

Teichert-2-27

The comment suggests that, alternatively, the DEIR/DEIS could address air quality benefits and reduction in regional vehicle miles traveled (VMT), associated with having a local aggregate source.

See response to comment Teichert-2-26.

Teichert-2-28 through
Teichert-2-29

The comments state that if the future aggregate source was not the Teichert Quarry, and future aggregate needs were met by other Teichert aggregate mining facilities in neighboring counties, a four-fold increase in vehicle miles traveled (VMT) associated with aggregate transport would occur. The comments therefore recommend that the DEIR/DEIS address additional air quality impacts of increased distance of aggregate transport VMT, including impacts on individual communities affected by such truck traffic.

The comment regarding a potential four-fold increase in VMTs is a statement of opinion, which is not supported by any facts or calculations, and it presumes that Teichert would be the only source of aggregate. See also responses to comments Teichert-2-25 and Teichert-2-26.

Teichert-2-30 through
Teichert-2-32

The comments state that the DEIR/DEIS relies on the AQMP to mitigate operational emissions, but some AQMP measures would be dependent on neighboring development to succeed. The comments further state that, for example, the proposed transit corridor requires that Easton Place development occurs to provide necessary connectivity to existing bus and light rail lines. The comments also suggest that the DEIR/DEIS should disclose the reduced effectiveness of the AQMP mitigation, if the required adjacent development did not occur.

The City's Community Development Director has met with the Sacramento County Planning Director to encourage the Easton at Glenborough and Easton Place development projects to continue the proposed transit corridor and provide two transit lanes through these two projects, and the County staff has included this transit corridor on Easton Valley Parkway through these two projects as evidenced in the specific plans for both projects. Although it is the preferable route, the FPASP transit corridor (AQMP Measure 99B) does not depend solely on a connection through the Easton at Glenborough and Easton Place developments. As depicted in FPASP Figure 7.28 and the Transit Master Plan, an alternative route exists along Prairie City Road to Iron Point Road, then west along Iron Point Road to the Iron Point Light Rail station or to U.S. 50 at the Folsom Boulevard on and off ramps. However, the City believes that the Easton at Glenborough and Easton Place projects have provided adequate right-of-way to ensure connectivity of the transit corridor from the SPA to the Hazel Avenue light rail station.

Teichert-2-33

The comment refers to comments attached from Rimpo and Associates, Inc., about TAC impact methodology.

The comments from Rimpo and Associates, Inc. were reviewed.

Teichert-2-34

The comment states that the DEIR/DEIS relies on inappropriate significance thresholds, uses methodology that is inconsistent with SMAQMD's recommended protocol, and inappropriately uses 2010 emission factors in its impact analysis for TACs that grossly overstate potential impacts.

See Master Response 6 – Quarry Trucks and TAC Exposure. The DEIR/DEIS adopted a threshold of significance equal to the evaluation criterion used in SMAQMD's protocol because, in the absence of a recommended threshold of significance from ARB or SMAQMD, the City and the USACE believe that this screening criterion as a program-level threshold of significance is appropriate, in part because of expected future changes in the inventory of mobile-source TAC emissions in the Sacramento Valley Air Basin (see page 3A.2-26 of the DEIR/DEIS). Furthermore, the DEIR/DEIS states that if a threshold should be adopted in the future by ARB or SMAQMD, such future threshold should be used to determine significance of impacts for each increment of development (see pages 3A.2-26, 4-24, and 4-25 of the DEIR/DEIS).

SMAQMD Protocol states that the evaluation criterion does not represent a "safe" risk level or a regulatory threshold; it is simply the point at which a site-specific HRA is recommended (Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, March 2009, Version 2.2, page 8). The DEIR/DEIS recommends HRAs as mitigation in cases where quarry truck traffic could cause diesel PM exposures in excess of the evaluation criterion/significance threshold (see Cumulative Mitigation Measure AIR-1-Land, on pages 4-24 and 4-25 of the DEIR/DEIS).

The DEIR/DEIS appropriately compares numbers of heavy-duty diesel trucks (with and without the additional quarry truck traffic, adjusted for speed) above the numbers utilized in the SMAQMD screening level that could cause incidences of cancer in excess of 296 in a million. As stated on page 4-23 of the DEIR/DEIS, "According to SMAQMD staff, the proportion of diesel trucks on the roadways is important because the volume of diesel trucks is the key variable used to develop the screening levels in SMAQMD's Protocol (DuBose, pers. comm., 2009)." The City notes that it consulted with SMAQMD during the preparation of the DEIR/DEIS regarding the use of this protocol for this purpose.

Examination of emissions in both 2010 and 2030 is appropriate because, as stated on page 4-24 of the DEIR/DEIS, "It is important to consider the emission factors of both the existing and future vehicle fleets in order to understand what the risk levels would be during intermediate years because there is the potential that the daily traffic volumes on roadways would increase considerably before full build out while the emission rates of the vehicle fleet during a particular intermediate year are still relatively high." The DEIR/DEIS, by examining buildout traffic with the inclusion of quarry trucks, utilizing emissions factors representing both earlier and later years of development, provides a thorough and health-protective analysis of potential impacts of TACs (diesel PM) on sensitive members of the population.

- Teichert-2-35 *The comment states that the DEIR/DEIS improperly defers analysis of TAC impacts and fails to provide decision makers with accurate information regarding the project’s environmental consequences.*
- The City and the USACE believe that the DEIR/DEIS adequately analyzes potential TAC effects in Impact 3A.2-4 on page 3A.2-50 of the DEIR/DEIS. The DEIR/DEIS addresses air quality impacts on a programmatic level (see pages 1-9 and 1-10 of the DEIR/DEIS and Master Response 10 – Programmatic Nature of EIR/EIS Analysis), and specific impacts of future truck activity within the SPA cannot be known at this time because of a lack of detail; thus, the City believes the TAC impact analysis in the DEIR/DEIS to be sufficient. See Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.
- Teichert-2-36 *The comment states that critical information necessary to analyze the adequacy of conclusions has been omitted from the DEIR/DEIS and its appendices.*
- Air Quality Appendix C1, “Air Quality Modeling Assumptions,” which was circulated with the DEIR/DEIS, contains 84 files comprising nearly 100 pages of detailed air quality modeling spreadsheets. No information that would normally be provided to the public has been omitted from the DEIR/DEIS. The Rimpo and Associates comments (referred to in this comment) first make reference to “missing” speed adjustment factors which, in fact, are contained in DEIR/DEIS Air Quality Appendix C1, “Air Quality Modeling Assumptions” (see responses to comments Teichert-2-164 through Teichert-2-166). The Rimpo and Associates comments (see Teichert-2-167 through Teichert-2-170) next make reference to secondary notes placed by the AECOM modeler in the spreadsheets; these are internal AECOM notes that do not constitute “critical information” nor are they essential to an understanding of how the analysis was performed or to reaching CEQA/NEPA significance conclusions. Therefore, the City and the USACE believe all information necessary to understanding the analysis and significance conclusions presented in the DEIR/DEIS are contained either in Section 3A.2 “Air Quality” or in DEIR/DEIS Appendix C.
- Teichert-2-37 *The comment refers to a request in an attached comment letter that was submitted by Teichert on the NOP that suggests the DEIR/DEIS should consider a revised land use plan with sufficient buffers from major roadways and TAC emissions sources to ensure that no significant exposure would occur.*
- The NOP comment letter referred to by the commenter was considered during preparation of the DEIR/DEIS and is attached to DEIR/DEIS Appendix B. Buffers are recommended in Cumulative Mitigation Measure AIR-1, on page 4-25 of the DEIR/DEIS; therefore, a revised land use plan is not required. See also response to comment Teichert-2-11 and Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.
- Teichert-2-38 *The comment suggests that analysis of Impact 3A.2-4 on page 3A.2-50 of the DEIR/DEIS should be revised to address the concerns expressed in comments Teichert-33 through Teichert-37.*
- See responses to comments Teichert-2-33 through Teichert-2-37.
- Teichert-2-39 through
Teichert-2-42 *The comments state that regarding the potential for exposure of sensitive receptors to construction-generated emissions of naturally occurring asbestos, the DEIR/DEIS*

concedes that more than half of the project site is in areas likely to contain naturally occurring asbestos but does not analyze the actual presence or absence of naturally occurring asbestos, and that this constitutes deferral of analysis. The comments further state that the absence of this information leaves decision makers without critical environmental information, and states the DEIR/DEIS should be revised to include site-specific analysis of some areas deemed likely to contain naturally occurring asbestos.

A specific plan to mitigate naturally occurring asbestos exposure would have to be performed at the project level rather than at the programmatic level, as specified in Mitigation Measure 3A.2-5 on page 3A.2-58 of the DEIR/DEI, because detailed construction phasing information was not available during preparation of the DEIR/DEIS that would allow a site-specific estimate of naturally occurring asbestos emissions from construction. Mitigation Measure 3A.2-5 consists of BMPs and guidelines from SMAQMD that have been specifically designed to reduce the risk of naturally occurring asbestos exposure to sensitive receptors. The project applicant(s) would perform a site investigation and sampling for naturally occurring asbestos, and if found, SMAQMD would have to review and approve an Asbestos Dust Control Plan before any construction could occur. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of EIR/EIS Analysis.

Teichert-2-43

The comment relates to Impact 3B.2-1 on page 3B.2-6 of the DEIR/DEIS and references previous comments regarding Impact 3A.2-1, and suggests that the analysis of construction-related air quality impacts should consider the additional environmental impacts of not having a local source of aggregate to meet anticipated construction aggregate needs.

See response to comment Teichert-2-26.

Teichert-2-44 through
Teichert-2-45

The comments state that the discussion of Impact 3B.2-2 on page 3B.2-11 of the DEIR/DEIS concludes the impact would be less than significant for the proposed “Water” components of the project but does not render a significance conclusion with respect to the combined impacts of the “Land” and “Water” components relative to regional operational emissions of ROG and NO_x, and therefore the DEIR/DEIS should be revised.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City’s choice to provide “Land” and “Water” analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City’s response to Teichert comment 2-15, the City’s choice to provide detailed analyses of all aspects of the project using the “Land” and “Water” analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.3-2 accurately describes the level of operational impact for ozone precursors for each of the Off-site Water Facility Alternatives. As provided on pages 4-22 through 4-23 of the DEIR/DEIS, the cumulative long-term, operational air quality effects of the “Land” component, when considered with other nearby projects including the “Water” component, were determined to be cumulatively considerable. Therefore, the combined impacts of the “Land” and “Water” components to long-term air quality are appropriately considered in the DEIR/DEIS.

Teichert-2-46 through

Teichert 2-47

The comments state that for Impact 3B.2-3 on page 3B.2-12 of the DEIR/DEIS, the discussion concludes that the impact would be less than significant for the proposed “Water” component of the project but does not render a significance conclusion with respect to the combined impacts from TACs on the “Land” and “Water” components, and therefore the DEIR/DEIS should be revised.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City’s choice to provide “Land” and “Water” analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City’s response to Teichert comment 2-15, the City’s choice to provide detailed analyses of all aspects of the project using the “Land” and “Water” analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.3-3 accurately describes the level of impact from short- and long-term TACs for each of the Off-site Water Facility Alternatives. As provided on pages 4-23 through 4-26 of the DEIR/DEIS, the cumulative effects of TACs from the “Land” component, when considered with other nearby projects including the “Water” component, were determined to be cumulatively considerable. However, with the implementation of the prescribed mitigation, these cumulative impacts could be reduced to a less-than-significant level. Therefore, the combined impacts of the “Land” and “Water” components for TACs are appropriately considered in the DEIR/DEIS.

Teichert-2-48 through
Teichert-2-49

The comments state that Mitigation Measure 3A.3-2a on page 3A.3-51 of the DEIR/DEIS does not match Mitigation Measure 3A.3-2A in the Executive Summary table on pages ES-39 through -40. Mitigation Measure 3A.3-2A is listed in the Executive Summary table as Mitigation Measure 3A.3-2b. The comments also state that Mitigation Measure 3A.3-2b from page 3A.3-52-54 is listed as Mitigation Measure 3A.3-2c in the Executive Summary table.

The Executive Summary table is contained in Chapter 1, “Introduction” of this FEIR/FEIS. Edits to the table are shown in redline/strikeout. The numbering issue in the Executive Summary Table, as noted by the commenter, has been corrected.

Teichert-2-50 through
Teichert-2-55

The comments state that the DEIR/DEIS provides acreage for blue oak but not information related to the number and sizes of individual oak trees that would be affected. The comments state that because tree surveys are not to be completed until project approval, decision makers are denied critical information regarding the environmental consequences of the project. The comments suggest that the document should be revised to include a tree survey identifying the number and corresponding sizes of trees that would be removed as a result of project implementation.

Native oak trees are protected under the Folsom Municipal Code. The City of Folsom, as the CEQA lead agency and the agency responsible for enforcing its own municipal code, has agreed to allow the project applicants to quantify impacts on native oak trees within the on-site oak woodlands by oak tree canopy area rather than by diameter at breast height. Several tree surveys were conducted in the SPA (see list of report sources on pages 3A.3-1 and 3A.3-2 of the DEIR/DEIS), but because the oak woodland area includes a large community of oak trees, the City of Folsom accepts the method of using aerial footage to measure canopies of communities of trees as well as individuals to determine acreage of impact. As shown in Table 3A.3-5 on page 3A.3-76 of the

DEIR/DEIS, implementation of the Proposed Project Alternative would result in the removal or disturbance of 243 acres of blue oak woodland habitat containing 81.6 acres of oak tree canopy, and another 8.4 acres of isolated native oak tree canopy not contiguous with the blue oak woodland habitat (see also Exhibit 3A.3-12 on page 3A.3-89). All tree canopy area was considered to consist of protected tree species. For areas within the SPA containing isolated oak trees (i.e., trees not included within a woodland community), the project applicants would be required to obtain a determinate tree survey, as described in Mitigation Measure 3A.3-5 on page 3A.3-84 of the DEIR/DEIS. See also Master Response 10 – Programmatic Nature of EIR/EIS Analysis.

Teichert-2-56 *The comment asks what source of construction aggregate was used for assessing the project's construction-related climate change impacts.*

See response to comment Teichert-2-25.

Teichert-2-57 *The comment suggests that the DEIR/DEIS analysis of construction-related climate change impacts should address the additional environmental impacts of not having a local source of aggregate to meet anticipated construction needs.*

See response to comment Teichert-2-26; the same reasoning that was applied to this issue as it pertains to air quality also applies to GHGs.

Teichert-2-58 *The comment suggests that, alternatively, the DEIR/DEIS could address GHG benefits and the reduction in regional VMT associated with having a local aggregate source.*

See response to comment Teichert-2-27; the same reasoning that was applied to this issue as it pertains to air quality also applies to GHGs.

Teichert-2-59 through
Teichert-2-61 *The comments state that, if the future aggregate source was not the Teichert Quarry, and future aggregate needs were met by other Teichert aggregate mining facilities in neighboring counties, a four-fold VMT increase associated with aggregate transport would occur. Therefore, the DEIR/DEIS should be revised to address additional climate change impacts of increased aggregate transport VMT, as well as the aggregate transport impacts on individual communities affected by such truck traffic.*

See response to comment Teichert-2-28; the same reasoning that was applied to this issue as it pertains to air quality also applies to GHGs.

Teichert-2-62 *The comment relates to Impact 3B.4-1 on pages 3B.4-3 through 3B.4-5 of the DEIR/DEIS and references previous comments regarding Impact 3A.4-1, and suggests that Impact 3B.4-1 should provide additional detail regarding assumptions used in relation to the source of construction aggregate because different aggregate sources would have different VMTs.*

As discussed on page 3B.4-4 of the DEIR/DEIS, the models used in quantifying construction-related increases in GHGs included URBEMIS2007 and SMAQMD's Roadway Construction Model (2007). These two modeling platforms are considered industry standards for the type of analysis in which they provide and, when combined, represent the most practical method for quantifying construction-related GHGs. See also responses to comments Teichert-2-25 through Teichert-2-28; the same reasoning applied to this issue as it pertains to air quality also applies to GHGs.

Teichert-2-63

The comment references Impact 3A.6-1, beginning on page 3A.6-6 of the DEIR/DEIS, regarding the discussion's conclusion of the potential effects on minority populations being less than significant for the proposed "Land" components of the project. The comment states that the DEIR/DEIS does not render a significance conclusion with respect to the combined impacts of the "Land" and "Water" components of the project on minority populations.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City's choice to provide "Land" and "Water" analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City's response to Teichert comment 2-15, the City's choice to provide detailed analyses of all aspects of the project using the "Land" and "Water" analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

See response to comment Teichert-2-15. The combined effects of the "Land" and "Water" portions of the project are discussed under "Environmental Justice" on pages 4-35 and 4-36 of the DEIR/DEIS.

Teichert-2-64 through
Teichert-2-65

The comments reference Impact 3A.6-2, beginning on page 3A.6-7 of the DEIR/DEIS, regarding the discussion's conclusion of the potential effects on low-income populations being less than significant for the proposed "Land" components of the project. The comments state that the DEIR/DEIS does not render a significance conclusion with respect to the combined impacts of the land and water components of the project on low-income populations, and suggest that the DEIR/DEIS should be revised to address the combined impact of the "Land" and "Water" components.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City's choice to provide "Land" and "Water" analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City's response to Teichert comment 2-15, the City's choice to provide detailed analyses of all aspects of the project using the "Land" and "Water" analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

See response to comment Teichert-2-15. The combined effects of the "Land" and "Water" portions of the project are discussed under "Environmental Justice" on pages 4-35 and 4-36 of the DEIR/DEIS.

Teichert-2-66

The comment states that for Impact 3B.6-1 on page 3B.6-3 of the DEIR/DEIS, the discussion concludes that the impact would be less than significant for the proposed "Water" component of the project but does not render a significance conclusion with respect to the combined impacts of the "Land" and "Water" components to minority populations.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City's choice to provide "Land" and "Water" analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City's response to Teichert comment 2-15, the City's choice to provide detailed analyses of all aspects of the project using the "Land" and "Water" analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.6-1 accurately describes the level of impact in relation to minority populations for each of the Off-site Water Facility Alternatives. On page 3B.6-1 of the DEIR/DEIS, the discussion mentions the relative lack of any minority populations within the SPA or Zone 4 of the “Water” Study Area with the exception of an area south of Mather Airport as identified on page 3B.5-1 of the DEIR/DEIS.

Teichert-2-67

The comment states that for Impact 3B.6-2 on page 3B.6-3 of the DEIR/DEIS, the discussion concludes that the impact would be less than significant for the proposed “Water” component of the project but does not render a significance conclusion with respect to the combined impacts of the “Land” and “Water” components to low-income populations.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City’s choice to provide “Land” and “Water” analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City’s response to Teichert comment 2-15, the City’s choice to provide detailed analyses of all aspects of the project using the “Land” and “Water” analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.6-2 accurately describes the level of impact in relation to low-income populations for each of the Off-site Water Facility Alternatives. On page 3B.6-1 of the DEIR/DEIS, the discussion mentions the lack of any low-income populations within the SPA and that the geographic extent of any low-income census blocks is limited to an area along Excelsior Road within the western portion of Zone 4 of the “Water” Study Area. Therefore, the combined impacts of the “Land” and “Water” components are appropriately considered in the DEIR/DEIS.

Teichert-2-68 through
Teicher-2-71

The comments state that although the discussion in the fifth paragraph on page 3A.7-13 of the DEIR/DEIS says that land south of the SPA is zoned MRZ-3, the State Mining and Geology Board has accepted a petition to designate the Teichert Quarry site as MRZ-2. The comments reference attached materials relevant to the revised MRZ-3 designation and suggest that the DEIR/DEIS should be revised to reflect this information.

See responses to comments Sac Cnty-2-36 through Sac Cnty-2-38.

Teichert-2-72

The comment suggests that the DEIR/DEIS should analyze the project’s impacts on significant mineral resources in the vicinity of the project site.

See response to comment Sac Cnty-2-35.

Teichert-2-73 through
Teichert-2-74

The comments state that the discussion in Impact 3A.7-1, beginning on page 3A.7-26 of the DEIR/DEIS says that structures on the project site could be subject to strong seismic ground shaking, and that this impact would be potentially significant. The comments further state that according to the DEIR/DEIS, geotechnical reports have not been prepared for the entire project site, and three of the five geotechnical reports do not conform to the requirements of the current California Building Standards Code (CBC).

The comments restate text that is contained in Section 3A.7, “Geology, Soils, Minerals, and Paleontological Resources,” of the DEIR/DEIS; the comments are noted.

Teichert-2-75

The comment states that the preparation of geotechnical reports has been deferred until after project approval, as discussed in Mitigation Measure 3A.7-1 on page 3A.7-27 of the DEIR/DEIS.

Mitigation Measure 3A.7-1 requires that geotechnical reports for the entire project site be prepared, consistent with the CBC. This is required by California law, regardless of whether or not it is included in the DEIR/DEIS as a mitigation measure. This requirement does not constitute deferral of mitigation because no requirement is mandated that geotechnical reports be prepared for any CEQA or NEPA analysis.

As stated in the “Analysis Methodology” subsection on page 3A.7-24 of the DEIR/DEIS, the analysis provided in the DEIR/DEIS relies in part on the background information relating to existing geologic conditions discussed in the geotechnical reports (which would not change, regardless of CBC requirements), partly on a review of various scientific publications (such as geologic maps published by the California and U.S. Geological Surveys and soil survey data published by the Natural Resources Conservation Service, the results of which are presented on pages 3A.7-1 through 3A.7-17 of the DEIR/DEIS), partly on a review of the materials and type of construction proposed, and partly on professional judgment. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of Analysis.

Teichert-2-76 through
Teichert-2-77

The comment states that in the absence of geotechnical reports for the entire project site, the conclusion in the DEIR/DEIS is insufficient to inform decision makers regarding the actual environmental consequences of the project regarding the impact of strong seismic ground shaking (see Impact 3A.7-1 on page 3A.7-26 of the DEIR/DEIS), and therefore the DEIR/DEIS should be revised.

See response to comment Teichert-2-75. For the reasons stated therein, the City and the USACE believe that Impact 3A.7-1 provides a thorough and well-reasoned analysis of the impact related to strong seismic ground shaking, based on the analysis methodology described on page 3A.7-24 and the 17 pages of information presented in the “Affected Environment” subsection (pages 3A.7-1 through 3A.7-17 of the DEIR/DEIS). See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of Analysis.

Teichert-2-78 through
Teichert-2-82

The comments reference the DEIR/DEIS conclusion that Impact 3A.8-2 (related to potential human health hazards from exposure to existing on-site hazardous materials) would be significant, and they also reference the DEIR/DEIS discussion that the grounds for this significance finding include the lack of Phase I environmental site assessments covering the entire SPA. The comments state that because environmental site assessments were not available for the entire SPA during preparation of the DEIR/DEIS, this significance conclusion does little to inform policymakers and the public, and that preparation of these Phase I environmental site assessments has been deferred until after project approval. The comments suggest that the DEIR/DEIS should be revised to include the results of Phase I environmental site assessments for the entire SPA.

Mitigation Measure 3A.8-2, on page 3A.8-21 of the DEIR/DEIS, which requires that Phase I (and if necessary, Phase II) environmental site assessments be completed before development of any parcel on the SPA, appropriately include a performance standard (in compliance with recommendations of future Phase I and/or Phase II environmental site assessments) defining what would be required to reduce the impact to a less-than-

significant level and appropriately mitigate the impact. Therefore, the analysis is not deferred. The impact discussion in Impact 3A.8-2 on page 3A.8-20 of the DEIR/DEIS provides an appropriate level of discussion and analysis based on the information available for this program-level DEIR/DEIS. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of Analysis.

Teichert-2-83 through
Teichert-2-84

The comments state that the DEIR/DEIS identifies the “Land” impacts on groundwater recharge as less than significant, but the DEIR/DEIS does not provide a significance conclusion for the combined impact of the project’s “Land” and “Water” components on groundwater recharge; therefore, the DEIR/DEIS should be revised to include this combined analysis.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City’s choice to provide “Land” and “Water” analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City’s response to Teichert comment 2-15, the City’s choice to provide detailed analyses of all aspects of the project using the “Land” and “Water” analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

The commenter does not identify any specific impact that he claims was omitted from the analysis contained in the DEIR/DEIS. Response to comment Teichert 2-15 explains the benefits of providing the “Land” and “Water” impact analyses separately. With regard to groundwater, the DEIR/DEIS analyzed all potential aspects of the project on local groundwater resources and recharge by evaluating the direct and immediate effects in all areas potentially affected by implementation of the project. For Impact 3A.9-6, the DEIR/DEIS concluded that site-specific impacts in the SPA would be less-than-significant because “those areas within the SPA that are most conducive to groundwater recharge ... would generally be maintained in open space and the retention basins, and the LID features described in Mitigation Measure 3A.9-3, would be sited and designed to maximize infiltration [f]urthermore, no new wells would be established for domestic use, and increased seasonal groundwater recharge from landscape irrigation activities would occur.” (DEIR/DEIS at page 3A.9-46.) The DEIR/DEIS similarly concluded that direct site-specific impacts of constructing impermeable surfaces for the WTP and storage tanks would be less than significant because of the small area of impermeable surface created compared to “adjacent areas that would remain open and permeable.” (DEIR/DEIS at page 3B.17-12.) It also states that dewatering activities during trenchless construction could cause “a highly localized lowering of the groundwater table,” but no “net deficit in aquifer volume or a lowering of the groundwater table in the South American Basin.” (*Id.*) Accordingly, certain effects to local groundwater levels that could occur in the SPA from implementation of the “Land” portion of the project were fully analyzed and disclosed in addition to those aspects of implementation of the “Water” portion of the project that could affect local groundwater recharge patterns. The DEIR/DEIS concluded that impacts to the separate North American Groundwater basin would be less than significant because the project would not cause NCMWC to change cropping patterns or replace assigned surface supply with groundwater pumping. (DEIR/DEIS at page 3B.17-13.)

Additionally, the DEIR/DEIS addressed potential operational impacts and indirect effects of completion of the project with regards to the potential for SCWA to increase groundwater pumping in the future as a result of having less available capacity to use

surface water pumping and conveyance facilities from the Freeport Project, concluding that this possible increase in groundwater pumping would have a less-than-significant impact because total projected groundwater pumping would still be below the sustainable yield estimate for the South American Subbasin. (DEIR/DEIS at page 3B.17-13.) Finally, the City considered the combined significance of these effects on groundwater resources, concluding the project as a whole, when considering both the Off-site Water Facility Alternatives and development of the SPA, could indirectly result in an incremental, cumulatively considerable contribution to impacts to the South American Groundwater Subbasin beyond the year 2030. (DEIR/DEIS at pages 4-42 through 4-44 and text clarifications provided in Chapter 5, “Errata” of this FEIR/FEIS.)

In sum, all groundwater impacts from every facet of the project were identified, analyzed, and disclosed. The City considered the potential for significant impacts from each of these local effects and also considered the potential for significant impacts from the aggregate of these effects both directly, indirectly, and cumulatively.

Teichert-2-85

The comment notes the conclusion in the DEIR/DEIS that the “Water” component of the project would result in a less-than-significant impact to flows within the Sacramento River.

Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta, discusses the assumptions that the City applied in its analysis of the impacts of the Off-site Water Facility Alternatives to flows within the Sacramento River.

Teichert-2-86

The comment notes the discussion on page 3B.9-30 of the DEIR/DEIS that states the project would divert water currently assigned and diverted from an existing upstream user and would not change the amount of water diverted, only the location of the point of diversion and the timing.

Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta, discusses the assumptions that the City applied in its analysis of the impacts of the Off-site Water Facility Alternatives to flows within the Sacramento River.

Teichert-2-87

The comment states that the conclusion for Impact 3B.9-4 on pages 3B.9-28 through 3B.9-30 of the DEIR/DEIS appears to be based on the assumption that NCMWC is actually diverting the maximum amount of water that it can divert under its existing appropriate water rights.

Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta, discusses the assumptions that the City applied in its analysis of the impacts of the Off-site Water Facility Alternatives to flows within the Sacramento River. As shown in Chapter 5, “Errata” of this FEIR/FEIS, the assumptions applied by the City and referenced in the comment have been moved to DEIR/DEIS page 3-2 under the heading “3.1.2 Integration of ‘Land’ and ‘Water’ Alternatives for Development” to clarify their application throughout Chapter 3 of the DEIR/DEIS.

Teichert-2-88

The comment notes the discussion on page 2-82 of the DEIR/DEIS that NCMWC has not been diverting its maximum contract amounts under its appropriate water rights and, thus, has surplus surface water supplies that could be transferred to the City to supply the project.

The 2007 Wagner and Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS) indicates that NCMWC did not use its full contract entitlement in 2004 or 2007. However, actual water use does not negate the fact that NCMWC could have used its entire contract supply in either year, subject to its 25% shortage provision. The full use of NCMWC's Base Supply and Project Water supplies was considered appropriate for the DEIS/DEIR analysis for three reasons.

First, Reclamation renewed NCMWC's settlement contract in 2005, which is the source water supply for the assignment water. This supply was covered under an EIS for NEPA compliance, and the ROD was subsequently approved in 2005. This diversion was considered in Reclamation's OCAP (OCAP 2004 and 2008) and was factored into the baseline for CalSim II modeling, in which the impacts of the water assignment were evaluated.

Second, the City cannot speculate as to what other beneficial uses Reclamation could have supplied with NCMWC's unused CVP water. The unused water could have remained in storage in Shasta Reservoir, transferred to another CVP contractor either north or south of the Delta, or used to support Delta outflows. In the absence of speculation by the City and considering Reclamation's recent renewal of NCMWC's settlement contract, the full contract amount, subject to contract shortage provisions, is adequate for the purposes of characterizing existing conditions and analyzing potential effects.

Third, the City would be diverting water only within Freeport Project capacity, which Reclamation already has incorporated into OCAP (2004 and 2008). Accordingly, whatever the status of NCMWC's use of CVP water, Reclamation already has accounted for the water that the City would divert.

See also Master Response 14 – Relationship of the “Water” Project to the Freeport Regional Water Project; Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta; Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company's Service Area; and response to comment USBR-17.

Teichert-2-89

The comment states that the DEIR/DEIS used the incorrect baseline for what NCMWC is permitted to divert from the Sacramento River and what it is actually diverting.

See response to comment Teichert-2-88.

Teichert-2-90

The comment suggests that when the correct environmental setting is used, the project would cause additional diversions from the Sacramento River that should be analyzed in the DEIR/DEIS.

See response to comment Teichert-2-88.

Teichert-2-91

The comment states that additional diversions from the Sacramento River may constitute a new significant impact that would require recirculation of the DEIR/DEIS.

See response to comment Teichert-2-88. The City and the USACE disagree that recirculation of the DEIR/DEIS is necessary, and are confident that the analysis provided is adequate and discloses the reasonably foreseeable impacts of the water assignment on the Sacramento River, CVP, and the Delta. See Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

Teichert-2-92 through
Teichert-2-94

The comments state that the DEIR/DEIS discusses cancellation as an option for complying with the Williamson Act, but suggest that the DEIR/DEIS should also consider the possibility of delaying project implication until the nonrenewal period has expired, in either 2014 or 2016 (depending on the parcel).

The project description states that implementation of the Proposed Project Alternative or the other four action alternatives would occur over an approximately 20-year period, with construction beginning in 2011 or 2012. The City does not consider that waiting until 2014 or 2016 for development on parcels which are currently under Williamson Act contracts would constitute feasible mitigation, because a measureable delay of the project that could have substantial financial repercussions for the project applicant(s) and the City (depending on market demand) would occur. The analysis provided in the DEIR/DEIS is intended to be conservative and describes a worst-case scenario in which the development of parcels under Williamson Act contracts would occur immediately.

Teichert-2-95 through
Teichert-2-97

The comments restate the DEIR/DEIS' conclusion that the project could result in cancellation of Williamson Act contracts on surrounding properties. The comments further state that this is unlikely and a more likely scenario would be filing of non-renewal for these properties.

See responses to comments Teichert-2-92 through Teichert-2-94. For all Williamson Act contracts in the SPA, cancellation of contracts on surrounding properties represents a worst-case, conservative analysis scenario, and impacts related to non-renewal would be less than those described in the DEIR/DEIS.

Teichert-2-98 through
Teichert-2-99

The comments state the DEIR/DEIS is incorrect as regards implementation of the Teichert Quarry project requiring Williamson Act contract cancellation. The comments further state that no current Williamson Act contracts exist on the Teichert Quarry property.

See responses to comments Sac Cnty-2-32 and Sac Cnty-2-33.

Teichert-2-100 through
Teichert-2-101

The comments state that for Impact 3B.10-3 on pages 3B.10-17 through 3B.10-19 of the DEIR/DEIS, the discussion concludes that the impact would be less than significant for the conversion of important farmlands to nonagricultural uses for the proposed "Land" component of the project but does not render a significance conclusion with respect to the combined impacts of "Land" and "Water" components on all types of agricultural land. Therefore, the DEIR/DEIS should be revised.

The commenter does not identify any specific impact from the project that he claims was not addressed or incorrectly analyzed by the City's choice to provide "Land" and "Water" analyses and discussions to provide the most comprehensive and easily understandable impact analyses. As explained in the City's response to Teichert comment 2-15, the City's choice to provide detailed analyses of all aspects of the project using the "Land" and "Water" analyses was appropriate and did not result in any impacts of the overall project being overlooked or unaddressed.

Impact 3B.10-3 accurately describes the level of impact for each of the Off-site Water Facility Alternatives as related to conversion of important farmland. As discussed on

pages 4-44 to 4-45 of the DEIR/DEIS, the cumulative impacts to agricultural lands from the “Land” component when considered with other nearby projects including the “Water” component, were determined not to be cumulatively considerable. Furthermore, this issue is discussed further in Section 4.2.3, “Growth-Inducing Impacts of the Project” on page 4-66 in the DEIR/DEIS, both in terms of the potential for urban encroachment beyond Sacramento County’s USB and the future integration of recycled water supplies, which could stretch the ability of the project’s water supply to accommodate additional development. Therefore, the combined impacts of the “Land” and “Water” components in terms of conversion of agricultural land are appropriately considered in the DEIR/DEIS.

Teichert-2-102

The comment, regarding Impact 3B.10-4, states that the DEIR/DEIS discusses the option of cancellation of the existing Williamson Act Contracts but does not address the other possibility of filing a notice of non-renewal and delaying project development until the conclusion of the 9-year non-renewal period.

As discussed on page 3B.10-7 of the DEIR/DEIS, the White Rock WTP site under Off-site Water Facility Alternatives 1, 1A, 3, and 3A is already under non-renewal status with the notice of non-renewal filed in 2008. Thus, the option suggested in the comment is not possible in light of the current filing status. Furthermore, the City does not consider delaying the construction of the “Water” portion of the project as an optional form of mitigation because the “Water” portion of the project would be a prerequisite for new development within the SPA. Additionally, this type of optional mitigation would conflict with other mitigation in the DEIR/DEIS, including Mitigation Measures 3A.18-2a and 3A.18-2b. Therefore, the impact to affected Williamson Act-contracted lands under the Off-site Water Supply Alternatives is appropriately concluded to be significant and unavoidable, as indicated in the DEIR/DEIS.

Teichert-2-103

The comment references comments that are provided in an attached letter from Bollard Acoustical Consultants BAC.

See responses to comments Teichert-2-189 through Teichert-2-232.

Teichert-2-104 through
Teichert-2-105

The comments state that, as noted in the BAC comments, the DEIR/DEIS does not identify the distances to centerlines of nearby roadways from the ambient noise measurement locations listed in Table 3A.11-1, and the DEIR/DEIS should be revised to include this information.

The purpose of information shown in Table 3A.11-1 of the DEIR/DEIS is to identify the existing ambient noise environment within and in the immediate vicinity of the SPA. The noise measurements were intended to encompass all noise sources in the immediate vicinity of the SPA and were not focused on isolating one noise source (e.g., roadways). The long-term, 24-hour measurement resulted in day/night noise level percentages that were appropriately incorporated into the traffic noise modeling.

Teichert-2-106

The comment states that Table 3A.11-2 should be modified to include the modeled distance for each road segment.

Although Table 3A.11-2 of the DEIR/DEIS does not identify the modeled distance to the centerline, the traffic noise discussion on page 3A.11-7 (before Table 3A.11-2) identifies the distances to centerlines for roadways and highways. As shown in Chapter 5, “Errata”

of this FEIR/FEIS, the text regarding this issue on page 3A.11-7 has been revised to further clarify the distances.

Teichert-2-107

The comment references BAC's question regarding whether the results of traffic noise measurements shown in Table 3A.11-1 were used to verify accuracy of the FHWA model in predicting existing traffic noise levels within and in the vicinity of the SPA.

As stated in response to comment Teichert-2-104, the purpose of information shown in Table 3A.11-1 of the DEIR/DEIS is to identify the existing ambient noise environment within and in the immediate vicinity of the SPA as a result of all noise sources. Therefore, these noise measurements were not intended to verify modeled noise levels because implementing the project would change the SPA's characteristics (e.g., topography, ground cover, and intervening structures).

Teichert-2-108 through
Teichert-2-109

The comments reference BAC's comments stating that the use of the FHWA model's "hard" versus "soft" acoustical settings in assessing existing traffic noise results in a mischaracterization of cumulative traffic noise exposure that may have resulted in identification of significant impacts where none would occur. Therefore, the DEIR/DEIS should be revised.

Table 3A.11-2 assumed "hard" site characteristics when evaluating existing traffic noise levels on the project site. The traffic report included a large number of segments in developed areas in the project vicinity constituting the use of the "hard" site assumption applied in the existing traffic noise modeling. In response to this comment, and for informational purposes only, Appendix U attached to this FEIR/FEIS shows the results of the noise modeling suggested by the commenter using the "soft" site assumption when modeling existing traffic noise levels. The analysis shows that there is no statistically significant difference in the amount of traffic noise level change on road segments analyzed using "hard" vs. "soft" assumptions. The change in traffic noise levels used to determine if the project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project is not affected when assuming "soft" or "hard" intervening ground characteristics. Rather, the change is driven by the increase in daily traffic volumes with implementation of the project compared to the traffic volumes without implementation of the project. Therefore, no changes to the analysis contained in the DEIR/DEIS are required.

When analyzing the cumulative impacts, it was assumed that the project would be fully built out; effectively changing the intervening ground type characteristics from "soft" (e.g., grasses) to "hard" (e.g., concrete and structures). To remain conservative in future traffic noise level calculations and to take into consideration that the project would be completed under cumulative conditions, future traffic noise modeling accounted for changes in ground type characteristics. Therefore, the use of a "hard" assumption in cumulative traffic noise predictions was considered appropriate. See also Master Response 11 – Disagreement Regarding the Conclusions in the DEIR/DEIS.

Teichert-2-110

The comment references comments provided in an attached letter from BAC regarding Impact 3A.11-4.

See responses to comments Teichert-2-189 through Teichert-2-232.

- Teichert-2-111 *The comment references BAC's suggestion that the traffic noise levels shown in Table 3A.11-18 should be rerun using the appropriate "soft" setting in the FHWA model.*
- See response to comment Teichert-2-108.
- Teichert-2-112 *The comment references BAC's comments regarding Impact 3A.11-7 on pages 3A.11-50 and 3A.11-51 of the DEIR/DEIS, which state the document does not identify distances to the 60-dBA L_{dn} contours under existing and future project conditions.*
- As stated in the DEIR/DEIS' discussion of the long-term exposure of sensitive receptors to increased traffic noise levels from project operation, analysis of noise impacts focused on the project's potential to result in an increase in average daily traffic (ADT) volumes on affected roadway segments and, consequently, an increase in traffic source noise (see DEIR/DEIS Tables 3A.11-18 and 3A.11-19). Identifying the distances to the 60-dBA L_{dn} contours under existing and future project conditions would not alter the conclusions made in the analysis of the project's direct significant impact relating to increased traffic noise levels under Impact 3A.11-4 (beginning on page 3A.11-36 of the DEIR/DEIS). Therefore, the City/USACE do not believe that the change requested by the commenter is necessary.
- Teichert-2-113 *The comment suggests that the FHWA model should be rerun with the "soft" acoustical setting, as discussed in BAC's comments.*
- See response to comment Teichert-2-108.
- Teichert-2-114 *The comment states that comments regarding the traffic section will be submitted under a separate cover.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- Teichert-2-115 through
Teichert-2-116 *The comments state that the DEIR/DEIS analysis of the cumulative TAC impacts incorrectly considers the increment of impact associated with the truck traffic related to the three quarry projects. The comments also state that this approach is counter to NEPA, which requires consideration of a project's incremental impact when considered in light of other past, present, or reasonable foreseeable projects*
- The DEIR/DEIS states that project-related exposure to mobile sources of TAC emissions would be significant and unavoidable, with or without truck trips generated by the three quarry projects (page 4-23 of the DEIR/DEIS). See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.
- Teichert-2-117 *The comment states that traffic associated with other projects, including trucks anticipated for the quarry projects, should have been included as part of the cumulative baseline used to determine whether the project's contribution is cumulatively considerable.*
- See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

- Teichert-2-118 *The comment states that the DEIR/DEIS should address the project’s incremental contribution to cumulative impacts instead of the incremental contributions of the quarry projects.*
- See responses to comments Teichert-2-115 through Teichert 2-117.
- Teichert-2-119 *The comment refers to attached comments from Rimpo and Associates, Inc., about the DEIR/DEIS’ cumulative analysis of TAC exposure.*
- The comments from Rimpo and Associates, Inc. were reviewed.
- Teichert-2-120 *The comment states that the DEIR/DEIS relies on inappropriate significance thresholds, uses methodology inconsistent with SMAQMD ’s recommended protocol, and inappropriately employs 2010 emission factors that grossly overstate potential impacts.*
- See response to comment Teichert-2-34 and Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-121 *The comment states that critical information necessary to analyze the adequacy of conclusions in the DEIR/DEIS was omitted from the document and Appendix C.*
- The City and the USACE do not believe that any critical information was omitted from the analysis contained in Section 3A.2 “Air Quality” of the DEIR/DEIS or from DEIR/DEIS Appendix C. See response to comment Teichert-2-36.
- Teichert-2-122 *The comment suggests that, for the reasons provided in comments Teichert-2-119 through Teichert-2-121, the TAC analysis should be rerun using the correct protocol and emission factors.*
- See response to comment Teichert-2-34.
- Teichert-2-123 through
Teichert-1-126 *The comments state that Cumulative Mitigation Measure AIR-1-Land on pages 4-24 through 4-26 of the DEIR DEIS would require quarry operators to voluntarily implement measures to reduce TAC exposure to the project, and conclude that these measures would reduce the impact to a less-than-significant level. The comments further state that if the voluntary measures were not imposed, the DEIR/DEIS concludes these voluntary measures still would reduce emissions to a less-than-significant level because the City might implement truck route restrictions. The comments also state that no discussion is provided regarding what truck route restrictions would be proposed and how such restrictions would mitigate impacts. The comments conclude that implementing truck route restrictions would result in other physical environmental effects, which are not addressed in the DEIR/DEIS.*
- See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-127 through
Teichert-2-130

The comments refer to long-term exposure of sensitive receptors to increased traffic noise levels, discussed on pages 4-47 through 4-51 of the DEIR/DEIS. The comments state that the analysis of cumulative traffic noise impacts conflicts with NEPA requirements that an EIS consider a project's incremental impact in conjunction with other past, present, or reasonably foreseeable future projects producing related or cumulative effects. The comments further state that because the three aggregate mining operations are not the "project" under consideration in the DEIR/DEIS, they should have been included as part of the cumulative baseline used in assessing the cumulative impacts of the project.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-131

The comment relates to Table 4-8 and pages 4-48 through 4-50 of the DEIR/DEIS. The comment references the attachment from BAC regarding the DEIR/DEIS analysis of cumulative traffic noise exposure.

See responses to comments Teichert-2-189 through Teichert-2-232.

Teichert-2-132

The comment notes BAC's statements, that information shown in Table 4-8 was based on the use of the incorrect "hard" acoustical setting rather than the "soft" setting that is more appropriate for the SPA.

See response to comment Teichert-2-108.

Teichert-2-133 through
Teichert 2-134

The comments state that, as discussed in detail in the BAC comments, the data presented in Table 4-8 do not match the data for the same scenarios presented in Table 3A.11-19 for some of the modeled roadway segments. Therefore, the DEIR/DEIS' analysis of cumulative traffic noise impacts should be revised using the correct model inputs.

A review of the data shown in Tables 3A.11-19 and 4-8 of the DEIR/DEIS indicates that modeled noise levels shown under the column heading "NP" in Table 3A.11-19 do not all match modeled noise levels shown under the column heading "NP (Without Quarry Trucks)" in Table 4-8. As shown in Chapter 5, "Errata" of this FEIR/FEIS, Tables 3A.11-19 and 4-8 have been revised appropriately. However, these revisions do not constitute significant new information and do not change the significance conclusions in the DEIR/DEIS; therefore, recirculation of the DEIR/DEIS is not required.

Teichert-2-135 through
Teichert-2-136

The comments reference attached BAC comments regarding the DEIR/DEIS analysis of traffic noise contours, generated using the FHWA model's "hard" setting instead of the more appropriate "soft" setting, which resulted in overestimation of the location of the 60-dBA L_{dn} noise contour. Therefore, the traffic noise modeling should be rerun using the appropriate "soft" setting.

See response to comment Teichert-2-108.

Teichert-2-137 through
Teichert-2-138

The comments refer to previous comments concerning the DEIR/DEIS analysis of cumulative traffic noise impacts and state that the traffic from three proposed aggregate mining operations should be incorporated into the cumulative baseline to assess the significance of the project's impacts.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-139 through
Teichert-2-141.

The comments, related to cumulative mitigation measure Noise-1, state that the DEIR/DEIS incorrectly looks at the impacts of quarry trucks, which should have been incorporated into the cumulative baseline. The comments state that if this analysis were performed properly, no mitigation would be required for “impacts” of the three aggregate mining operations as part of the project.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-142

The comment states that CEQA environmental documentation prepared for each aggregate mining project would be required to assess each project’s individual and cumulative impacts and provide mitigation for any significant impacts of that aggregate mining project.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-143 through
Teichert-2-144

The comments state that if the quarry project applicants decline to implement the recommended voluntary mitigation, the DEIR/DEIS concludes that Cumulative Mitigation Measure Noise-1-Land would reduce the significant impact related to project-generated sensitive receptors to noise from increased traffic levels generated by quarry truck trips to a less-than-significant level because the City “may” adopt truck route restrictions. The comments also state that no substantial evidence exists to support the DEIR/DEIS conclusion that truck route restrictions, if legally feasible, would reduce this impact to a less-than-significant level.

If haul route restrictions were imposed, the additional quarry truck traffic presumably would no longer travel along roadways adjacent to sensitive receptors within the SPA and traffic noise levels would not additionally increase. Therefore, the increases of traffic noise attributable to quarry haul trucks would not be present, and the impact would be reduced to a less-than-significant level. See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-145

The comment states that the DEIR/DEIS does not discuss what type of truck route restrictions would be proposed and how such restrictions would mitigate impacts.

As stated on DEIR/DEIS pages 4-51 and 4-52, the City could designate truck routes consistent with California Vehicle Code section 21101(c), including truck routes in the SPA, so as to prohibit or limit quarry trucks’ use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational noise from quarry truck traffic and/or traffic safety hazards. See also response to comment Teichert-2-143, Teichert-2-144, and Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-146 through
Teichert-2-147

The comments state that the imposition of truck route restrictions would result in the redistribution of truck traffic to other roadways, which could result in new significant environmental impacts not discussed in the DEIR/DEIS, and that the DEIR/DEIS should be revised to address these impacts.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

- Teichert-2-148 *The comment notes that comments from BAC regarding the Cumulative Mitigation Measure Noise-1-Land on pages 4-51 through 4-53 of the DEIR/DEIS are attached.*
- See responses to comments Teichert-2-228 through Teichert 2-232.
- Teichert-2-149 through
Teichert-2-150 *The comments state the DEIR/DEIS is incorrect as regards implementation of the Teichert Quarry project requiring Williamson Act contract cancellation. The comments further state that no current Williamson Act contracts exist on the Teichert Quarry property.*
- See responses to comments Sac Cnty-2-32 and Sac Cnty-2-33.
- Teichert-2-151 *The comment refers to attached comments from Rimpo and Associates, Inc. that states critical information necessary to analyze the adequacy of conclusions in the DEIR/DEIS has been omitted from Appendix C.*
- The commenter restates the same concerns already expressed in Teichert-2-36 and Teichert-2-121. For the reasons stated in response to comment Teichert-2-36, the City and the USACE do not believe that any critical information has been omitted from the DEIR/DEIS.
- Teichert-2-152 *The comment states that the DEIR/DEIS is flawed in numerous respects (for the reasons outlined in the previous comments), including the impermissible segmentation into “Land” and “Water” components.*
- The City and the USACE do not believe that the DEIR/DEIS is flawed for the responses stated in responses to comments Teichert-2-1 through Teichert-2-151. Improper segmentation occurs when an agency separates an action into smaller, separate EIRs or EIS’ in an attempt to avoid the application of CEQA or NEPA, or when an agency fails to analyze interrelated or dependent actions in the same CEQA or NEPA document. By including an analysis of both the “Land” and “Water” portions considered together throughout this EIR/EIS, the City and USACE have, in fact, avoided the concerns raised by the commenter. See DEIR/DEIS Executive Summary (page ES-7), Chapter 1 “Introduction” (pages 1-1 through 1-18), Section 3.1 “Approach to the Environmental Analysis” (page 3-2), and Chapter 4, “Other Statutory Requirements” (page 4-1) for explanations regarding consideration of the “Land” and “Water” portions of the project taken together as a whole.
- Teichert-2-153 *The comment states that the DEIR/DEIS fails to address a reasonable range of project alternatives.*
- See response to comment Teichert-2-11.
- Teichert-2-154 *The comment states that the DEIR/DEIS fails to analyze an alternative that relocates sensitive receptors away from high-volume roadways that can generate a significant noise or TAC impacts.*
- See response to comment Teichert-2-12.

- Teichert-2-155 *The comment states that the DEIS fails to adequately analyze project impacts related to aesthetics, air quality, biological resources, climate change, geology, hazardous materials, hydrology, noise, and cumulative impacts.*
- The City and the USACE believe that the DEIR/DEIS adequately analyzes environmental impacts of the project as required by CEQA and NEPA. See responses to comments Teichert-2-1 through Teichert-2-154.
- Teichert-2-156 *The comment states that deficiencies in the DEIR/DEIS result in a document requiring major revisions, warranting recirculation of the document in its entirety.*
- The City and the USACE do not believe that the DEIR/DEIS contains deficiencies that require major revisions, and therefore the revisions to the DEIR/DEIS contained in Chapter 5, “Errata” of this FEIR/FEIS do not meet the requirements for recirculation provided in State CEQA Guidelines CCR Section 15088.5. See Master Response 12 – DEIR/DEIS Recirculation is not Required.
- Teichert-2-157 *The comment states that the DEIR/DEIS incorrectly uses the SMAQMD HRA Protocol in the first full paragraph on page 3A.2-36 of the DEIR/DEIS, where it states that if the level of cancer risk at a receptor is estimated to be greater than 296 in a million, the Protocol recommends the completion of a site-specific HRA.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-158 *The comment states that although the DEIR/DEIS correctly identifies SMAQMD’s recommended approach for evaluating diesel exhaust health risks, it uses a different approach. The comment further states that in the second paragraph of page 3A.2-26 of the DEIR/DEIS, it states that SMAQMD’s Protocol clearly specifies that the evaluation criteria of 296 in a million does not represent an acceptable level of cancer risk, but in the next sentence states that the City and USACE have decided to use 296 in a million as the threshold of significance in the DEIR/DEIS and apply this value using a screening level analysis.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-159 *The comment (continued from comment Teichert-2-158) states that the City and USACE then try to justify their decision to use 296 in a million as a significance threshold using a complicated argument about future changes in the mobile-source emissions inventory.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-160 *The comment (continued from comment Teichert-2-159) states that the argument makes no sense, does not provide a logical connection between emission and health risks, and is inconsistent with SMAQMD’s recommended approach.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-161 *The comment refers to additional inconsistencies in the HRA, on pages 4-23 and 4-24 of the DEIR/DEIS, stating that the discussion incorrectly uses SMAQMD’s screening criteria to evaluate an acceptable risk level and compounds this mistake by improperly adjusting the screening criteria.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.

Teichert-2-162 *The comment states that SMAQMD's Protocol does not contain any language stating that it should be modified in the way it was modified for use in the DEIR/DEIS.*

See Master Response 6 – Quarry Trucks and TAC Exposure.

Teichert-2-163 *The comment states that no evidence is presented in the DEIR/DEIS to indicate that the adjustments made to SMAQMD's screening criteria were ever reviewed and/or approved by SMAQMD.*

SMAQMD was consulted, as stated on page 4-23 of the DEIR/DEIS, and SMAQMD understood and approved the approach used by AECOM.

Teichert-2-164 through
Teichert-166

The comments state that Chapter 4, "Other Statutory Requirements," and Appendix C, "Air Quality" of the DEIR/DEIS do not adequately describe the approach used to adjust SMAQMD's screening protocol. The comments state that the last paragraph on page 4-23 of the DEIR/DEIS mentions that an adjustment factor was incorporated to account for traffic on arterial roadways traveling at lower speeds with different emission rates than traffic flowing at freeway speeds. However, the methodology used to adjust speeds and emissions for use in the screening protocol is not found in Chapter 4, "Other Statutory Requirements," or Appendix C, "Air Quality" of the DEIR/DEIS.

The City and the USACE believe that the analysis contained in the DEIR/DEIS and the 84 files and over 100 pages of air quality modeling spreadsheets provided in DEIR/DEIS Appendix C1 are more than adequate to describe the approach questioned by the commenter. Furthermore, the adjustment factor methodology requested by the commenter is contained in the file entitled "AQ-62_Trucks_PM₁₀.pdf," that was provided in Appendix C1 of the DEIR/DEIS. As shown therein, the factor 1.19 was derived by dividing 0.973 (the heavy-duty diesel PM₁₀ emissions factor for speeds 5–40 miles per hour, representative of local arterial roads with stoplights) by 0.819 (the heavy-duty diesel PM₁₀ emissions factor for all speeds, which also is the factor used in the screening protocol).

Teichert-2-167 through
Teichert-2-168

The comments state that at the end of the first full paragraph on page 4-24 of the DEIR/DEIS, the document references calculations and assumptions provided in Appendix C1, including several tables that list numbers for sources/notes. The comments further state that those sources/notes cannot be found in this appendix. The comments state that the sources/notes referenced on page 4-24 of the DEIR/DEIS may explain the steps used to adjust SMAQMD's protocol, but because they are not provided, the adjustment procedure cannot be deciphered from the information presented.

See response to comment Teichert-2-36.

Teichert-2-169 through
Teichert-2-170

The comments state that source/notes for an Appendix C1 table, "Roadway TAC Analysis, Centralized Development Alternative" are not provided. The comments further state that similar concerns are noted for other Appendix C tables: Roadway TAC Analyses for Resource Impact Minimization Alternative, Reduced Hillside Alternative, and No Federal Action Alternative."

See response to comment Teichert-2-36.

- Teichert-2-171 *The comment states that the HRA is inconsistent with SMAQMD's 2010 Screening Protocol (page 7 of the Protocol), which indicates that no further roadway analysis is recommended if urban ADT is less than 100,000 for a roadway.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-172 *The comment states that, for the project, the 2010 ADT is less than 100,000 for all roadways in project vicinity, and questions why, given this screening criterion, the TAC analysis was conducted at all for 2010.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-173 *The comment states that the 2030 ADT is less than 100,000 for all roadways except Grant Line Road and White Rock Road to Centennial. The comment then questions why the analysis was conducted in 2030 for any roadway except Grant Line Road between White Rock Road and Centennial because the other roads (Oak Avenue Parkway, Scott Road, and Prairie City Road) do not meet SMAQMD's screening level traffic volume criteria.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-174 *The comment states that SMAQMD's Protocol does not include any methodology that would merit modifying its Screening Level Analysis.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-175 *The comment states that the screening analysis results imply that a detailed HRA would not result in significant health risks, as discussed on page 4-24 of the DEIR/DEIS. The comment further states that, as described on page 4-24 and in Table 4-4 of the DEIR/DEIS, the modified screening HRA results show a significant health risk for 2010, but a less-than-significant health risk for 2030.*
- Page 4-24 of the DEIR/DEIS states that a less-than-significant health risk before 2030 would only occur without the addition of quarry trucks; with the addition of quarry trucks, the health risk is identified as potentially significant before 2030.
- Teichert-2-176 *The comment (continuing from comment Teichert-2-175) states that this implies that a site-specific detailed HRA likely would show a less-than-significant health risk.*
- This is a statement of the commenter's opinion that is based on speculation rather than facts. (See CEQA Guidelines Section 15384[b] [argument, speculation, and unsubstantiated opinion are not substantial evidence of an environmental impact].) No response is required.
- Teichert-2-177 *The comment states that a site-specific HRA evaluates health risks over a 70-year period.*
- It is generally true that a site-specific HRA evaluates health risks over a 70-year period; however, the City and the USACE note that the actual time period for the evaluation is determined based on the protocol of the air district with jurisdiction over a specific project. Not all air districts require that a 70-year timeframe be used for an HRA.

- Teichert-2-178 *The comment states that the modified screening approach shown in the HRA shows a significant risk for a maximum of 20 years (2010 through 2029), and a less-than-significant risk for 50 years (2030 through 2079) of the 70-year period that would be included in a site-specific HRA.*
- The comment generally summarizes the information contained in Chapter 4, “Other Statutory Requirements” of the DEIR/DEIS; the comment is noted.
- Teichert-2-179 *The comment suggests that, as warranted by the screening level results in the DEIR/DEIS, and as recommended by SMAQMD’s Protocol, a detailed HRA should be included as part of the FEIR/FEIS to properly evaluate cumulative health risks over a 70-year period.*
- Cumulative Mitigation Measure AIR-1 (on page 4-24 through 4-26 of the DEIR/DEIS) already contains a requirement that an HRA be performed; the time period is determined by the air district, and is inherently contained in the analysis performed for the HRA as a result of consultation with the air district; therefore, there is no need to include the timeframe in the mitigation measure. See also response to comment Teichert-2-177 and Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-180 *The comment states that the HRA analysis in the DEIR/DEIS is inconsistent with the screening level analysis and uses overly conservative assumptions. The comment further states that a site-specific analysis for this site should be consistent with the approach recommended by SMAQMD rather than the modified screening level approach used in the DEIR/DEIS.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-181 *The comment states that the modified screening analysis conducted for the DEIR/DEIS was conducted for 2 years: 2010 and 2030.*
- The comment restates text that is contained in DEIR/DEIS Chapter 4, “Other Statutory Requirements” of the DEIR/DEIS; the comment is noted.
- Teichert-2-182 *The comment (continued from comment Teichert-2-181) states that, however, 2030 truck volumes were used for both the 2010 analysis and 2030 analysis, and by combining 2030 traffic volumes with 2010 emission rates, the DEIR/DEIS approach drastically overstates health risks and mistakenly leads to the conclusion that impacts are significant.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-183 *The comment states that the DEIR/DEIS adjustments to the screening criteria and decision to use 296 in one million as its significance threshold are inconsistent with SMAQMD’s Protocol.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-184 *The comment states that SMAQMD recommends if the screening criteria are exceeded, then site-specific dispersion modeling and an HRA should be conducted*
- See Master Response 6 – Quarry Trucks and TAC Exposure.

- Teichert-2-185 *The comment states the DEIR/DEIS opted to use SMAQMD's screening criteria, to adjust those criteria in ways that are not clearly documented, and when it found that those criteria had been exceeded, called the result significant without conducting a site-specific HRA as recommended by the Protocol.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-186 *The comment states that the DEIR/DEIS recommends mitigation measures based on the screening results. The comment further states that mitigation measures should be identified only if a site-specific HRA shows significant impacts.*
- See Master Response 6 – Quarry Trucks and TAC Exposure and Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.
- Teichert-2-187 *The comment states that the cumulative impacts discussion recommends that a HRA be conducted at the quarry project applicant(s) expense, but suggests that requiring project-level analysis is not mitigation and should be conducted as part of the DEIR/DEIS rather than delayed to a future study.*
- See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach, Master Response 9 – Deferred and/or Hortatory Mitigation, and Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.
- Teichert-2-188 *The comment states that no justification exists in delaying a site-specific HRA to the future because all of the information needed to conduct the study is included in the DEIR/DEIS and supporting documents.*
- See Master Response 6 – Quarry Trucks and TAC Exposure.
- Teichert-2-189 *The comment suggests that distances from five ambient noise measurement locations to centerlines of nearby roadways should be provided to allow meaningful interpretation of the measurement data.*
- See response to comment Teichert-2-104.
- Teichert-2-190 *The comment notes that in the second paragraph on page 3A.11-7 under the traffic noise heading, traffic noise levels were modeled at 50 to 100 feet from the centerline of each major roadway, depending on the proposed setback. The comment suggests that Table 3A.11-2 should identify the distance each roadway segment was modeled.*
- See response to comment Teichert-2-106.
- Teichert-2-191 *The comment states that no mention is made in this section as to how traffic noise measurement results described on page 3A.11-5 were used to verify traffic noise modeling results presented in Table 3A.11-2.*
- See response to comment Teichert-2-104.

- Teichert-2-192 *The comment states that the FHWA input data shows, with the exception of U.S. 50, no variation in existing medium or heavy truck usage on any roadways analyzed, and only subtle variations in the day/night percentages.*
- Assumptions were based on standardized methodology (e.g., 97.5% automobiles, 1.5% medium trucks, 1% heavy trucks, 87% daytime, and 13% nighttime) for roadways that did not have 24-hour measurement data, with additional consideration given to road segments that have 24-hour measurement data (e.g., Site A – White Rock Road, Site C – Prairie City Road). The comment does not identify any inadequacies in the assumptions used for the traffic noise modeling provided in the DEIR/DEIS.
- Teichert-2-193 *The comment asks if the traffic noise measurement results were used to verify the accuracy of the FHWA model in predicting existing noise levels within and in the vicinity of the SPA.*
- See response to comment Teichert-2-107.
- Teichert-2-194 *The comment states that the information presented in the DEIR/DEIS does not show an attempt to verify the accuracy of the FHWA model.*
- See response to comment Teichert-2-107.
- Teichert-2-195 through
Teichert-2-196 *The comments state that Table 3A.11-2 of the DEIR/DEIS presents the L_{dn} at the approximate roadway corridor boundary. The comments further state that BAC used the DEIR/DEIS noise section input data with the FHWA model to verify the existing traffic noise levels presented in the table, and that from this analysis, the commenter determined that the DEIR/DEIS used an acoustically “hard” site for modeling traffic noise levels, which results in sound levels decreasing at a rate of 3 dB per doubling of distance from the roadway instead of modeling an acoustically “soft” site in which sound levels decrease at a rate of 4.5 dB per doubling of distance.*
- See response to comment Teichert-2-108.
- Teichert-2-197 through
Teichert-2-198 *The comments state that in the commenter’s experience, traffic noise typically decays at 4.5 dB per doubling of distance from the roadway, which corresponds to an acoustically “soft” site, and because the project site is acoustically soft, the existing condition should be modeled accordingly*
- See response to comment Teichert-2-108.
- Teichert-2-199 through
Teichert-2-200 *The comments suggest that by modeling the project site as acoustically “hard,” the distances to existing traffic noise contours are overstated in Table 3A.11-2. The comments also provide an example of the projected change in distance to the 60-dB L_{dn} contour between modeling as an acoustically soft versus hard site, based on the commenter’s experience*
- See response to comment Teichert-2-108.

Teichert-2-201 *The comment suggests that the evaluation of existing traffic noise levels should be reanalyzed using acoustically “soft” characteristics unless the results in Table 3A.11-1 can be shown to support the modeling of roadways within and in the vicinity of the SPA using the “hard” FHWA model setting.*

The project was modeled using acoustically “hard” characteristics because applying the “hard” assumption results in the most conservative approach. The purpose of providing the results of the ambient noise measurements is to inform the public of existing noise levels on the SPA from all sources that are present. Applying an acoustically “hard” site assumption results in conservative results for traffic noise because the modeling takes into account that there is less noise attenuation due to reflective surfaces that have been developed along roadway segments studied. The segment discussed by the commenter should be modeled using a “hard” site assumption because the receptors of interest do not have “soft” characteristics between the source (Folsom Boulevard) and the receptor (commercial/office buildings); it would not be appropriate to assume “soft” site conditions when evaluating traffic noise for receptors on a site that is surrounded by asphalt. Therefore, the modeling performed in the DEIR/DEIS is appropriate. See also response to comment Teichert-2-108 and Master Response 11 – Disagreement Regarding the Conclusions in the DEIR/DEIS.

Teichert-2-202 through
Teichert-2-203 *The comments restate the conclusion of Impact 3A.11-4 (beginning on page 3A.11-36) of the DEIR/DEIS that significant impacts would occur where the proposed project would cause an increase in traffic noise levels by 3 dB or more. The comments also state that it appears information presented in Table 3A.11-18 was generated using the acoustically “hard” variable setting in the FHWA model.*

See response to comment Teichert-2-201.

Teichert-2-204 *The comment suggests that although the differences in the noise levels shown in Table 3A.11-18 are not affected by the hard/soft modeling input, the table should be regenerated using the appropriate “soft” setting in the FHWA model.*

See response to comment Teichert-2-201.

Teichert-2-205 through
Teichert-2-206 *The comments note a reference in the DEIR/DEIS related to 60-dB L_{dn} noise contours for adjacent and onsite roadways that extend into portions of the SPA, including areas of proposed residential development, and state that the distances to referenced 60-dB L_{dn} contours for existing and future conditions with the project are not provided in the DEIR/DEIS noise section.*

See response to comment Teichert-2-112.

Teichert-2-207 *The comment states that not only should information be provided so that magnitude of the impact is properly disclosed, but also those contours should be developed using the acoustical “soft” variable setting in the FHWA model.*

See responses to comments Teichert-2-108 and Teichert-2-112.

Teichert-2-208 through
Teichert-2-210

The comments restate a previous example provided by the commenter of his projection of the differences in predicted distances to the 60-dB L_{dn} contours, using the acoustically soft versus hard site, which can be substantial. The comments also state that Table 4-8 identifies the contribution of quarry trucks to the overall traffic noise environment in the immediate project vicinity. The comments further state that the noise levels were generated incorrectly with the “hard” site setting in the FHWA model inputs, thereby over-predicting traffic noise levels along each segment. Therefore, noise levels reported in Table 4-8 should be recalculated using the proper “soft” variable setting in the FHWA model.

See response to comment Teichert-2-108.

Teichert-2-211

The comment states that in addition to the error in the presented noise levels resulting from the use of the acoustically “hard” variable setting in the FHWA model, the data presented for “No Project Without Quarry Trucks” scenario in Table 4-8 (Column 4) do not match the data for the same scenario presented in Table 3A.11-19 (also Column 4 in Table 3A.11-19) for 21 of the 53 roadway segments.

See responses to comments Teichert-2-108 and Teichert-2-133.

Teichert-2-212

The comment states that the future no project without quarry truck noise levels do not agree with remaining 32 roadway segments, but every segment should agree exactly because they represent the same scenario.

See response to comment Teichert-2-133.

Teichert-2-213

The comment states a difference of 3.1 dB between the two tables for the segment of White Rock Road between Stonebriar and Windfield, which represents a substantial discrepancy.

See response to comment Teichert-2-133.

Teichert-2-214

The comment identifies a difference of 2.8 dB for the segment of White Rock Road between Grant Line Road and Oak Avenue Parkway.

See response to comment Teichert-2-133.

Teichert-2-215

The comment suggests that the discrepancies (comments Teichert-2-213 and Teichert-2-214) need to be corrected before drawing conclusions regarding quarry truck contributions to the future traffic noise environment.

See response to comment Teichert-2-133.

Teichert-2-216

The comment states that impacts identified cannot be substantiated based on unreliable future baseline conditions.

See response to comment Teichert-2-133.

Teichert-2-217 through
Teichert-2-218

The comments state that noise levels provided for the proposed project for quarry truck traffic is inconsistent between Tables 4-8 and 3A.11-19; specifically, noise levels shown for the proposed project (i.e., “PP”) in Tables 3A.11-19 and 4-8 are only consistent under the No Project condition, and the Plus Project conditions would not be consistent because these noise levels are attributed to differing conditions (i.e., without quarry trucks, with quarry trucks).

See response to comment Teichert-2-133.

Teichert-2-219 through
Teichert-2-221

The comments state that 42 of the 53 segments contained in Table 4-8 have values that do not agree. The comments further state that on four segments of White Rock Road, the inconsistencies in noise levels reported in Tables 4-8 and 3A.11-19 could result in incorrect conclusions regarding the significance of quarry truck noise impacts. Finally, the comments suggest that the discrepancies in Tables 4-8 and 3A.11-19 should be reconciled before making an impact determination.

See response to comment Teichert-2-133.

Teichert-2-222

The comment refers to the discussion of compatibility of sensitive land uses with the ambient noise environment on page 4-51 of the DEIR/DEIS, and specifically to the second paragraph regarding the 60-dB L_{dn} noise contours for adjacent roadways with the inclusion of projected quarry truck trips encompassing the SPA. The comment suggests that the incorrect usage of the acoustically “hard” site variable in the FHWA model will result in overestimation of the location of the 60-dB L_{dn} contour.

See response to comment Teichert-2-108.

Teichert-2-223 through
Teichert-2-224

The comments provide an example of the commenter’s projected change in distance for the 60-dB L_{dn} noise contour by using the “soft” and “hard” variable settings in the FHWA model, and state that this represents the difference between the 60-dB contour encompassing the entire SPA versus a smaller portion of the SPA.

The project was modeled using acoustically “hard” characteristics because applying the “hard” assumption results in the most conservative approach. The purpose of providing the results of the ambient noise measurements is to inform the public of noise levels on the SPA. Applying an acoustically “hard” site assumption results in conservative results for traffic noise because the modeling takes into account that there is less noise attenuation due to reflective surfaces that have been developed along roadway segments studied. It is anticipated that traffic noise levels would be mitigated at the first row of residences and subsequent rows of residences would then benefit from shielding provided by sound walls, increased setback distances, quiet pavement, and intervening residential structures. Therefore, the application of “soft” site conditions to this analysis would, in effect, be inappropriately downplaying the potential for noise conflicts between future land uses and proposed quarry truck activity and would fail to inform the public of the potential for substantial noise impacts associated with increased quarry truck traffic. See also Master Response 11 – Disagreement Regarding the Conclusions in the DEIR/DEIS.

Teichert-2-225 through
Teichert-2-226

The comments note a statement in the second paragraph on page 4-51 of the DEIR/DEIS regarding Cumulative Mitigation Measure Noise-1-Land that even after construction of a 6-foot sound wall and incorporating the maximum feasible setback distance, noise levels would still exceed applicable standards at sensitive receptors on the project site. The comments also state that the severity of noise impacts will decrease and less mitigation will be required once traffic noise levels are recomputed using the “soft” variable input in the FHWA model.

As stated previously, it would not be appropriate to model future traffic noise levels using the “soft” site input assumption because of the amount of development that is proposed in and around the SPA. Future build-out conditions must be accounted for when conducting future (i.e., cumulative) traffic noise analyses. Considering the related projects that are proposed for construction in the vicinity of the SPA in the future (see the cumulative impact analysis in Chapter 4, “Other Statutory Requirements” on pages 4-1 through 4-20 of the DEIR/DEIS), the intervening ground type between roadways and future receptors would be changed to “hard” conditions due to development of structures and reflective surfaces (e.g., concrete, asphalt). Therefore, assuming “soft” site conditions as suggested by the commenter would, in effect, be inappropriately downplaying the potential for noise conflicts between future land uses and proposed quarry truck activity and would fail to inform the public of the potential for substantial noise impacts associated with increased quarry truck traffic. See also Master Response 11 – Disagreement Regarding the Conclusions in the DEIR/DEIS.

Teichert-2-227

The comment states that it is impossible to identify appropriate noise mitigation measures until the analysis is revised.

Appropriate noise mitigation has been identified in the DEIR/DEIS as shown on page 3A.11-44 in Mitigation Measure 3A.11-4 and on page 4-52 under Cumulative Mitigation Measure NOISE-1-Land (see also edits to Cumulative Mitigation Measure NOISE-1-Land as shown in Chapter 5, “Errata” of this FEIR/FEIS). The use of soundwalls, increased setback distances, quiet pavement, and discussions between City and County staff to develop a quarry truck traffic mitigation plan are considered feasible. See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-228 through
Teichert-2-229

The comments state that Cumulative Mitigation Measure Noise-1-Land on page 4-51 of the DEIR/DEIS discusses the possibility of the City to prohibit or limit quarry truck use on City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational noise from quarry truck traffic and/or traffic safety hazards. However, mitigation must be tied to specific noise impacts, and that improper modeling of existing and future traffic noise levels affecting the SPA renders the findings of potential noise impacts associated with quarry truck operations unreliable.

See response to comment Teichert-2-108 and Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach. Modeling quarry truck traffic using the “hard” site assumption versus the “soft” site assumption results in a 1- to 2-dB difference between modeling conditions. The City of Folsom, the County, the quarry truck operators, and other concerned stakeholders are working together to further analyze and resolve potential quarry truck traffic impacts. This involves determining the reasonable number of daily truck trips and the preferred quarry truck route. The analysis provided in the DEIR/DEIS reflects the most conservative approach available at the time in

evaluating future traffic noise levels at this stage in project development because finalized daily quarry truck trips have not been determined. When preparing analysis of traffic impacts with undetermined variables (i.e., codified number of daily quarry truck trips), the conservative approach (using “hard” site conditions) best assists decision makers to identify substantial environmental impacts associated with a project.

Teichert-2-230 through
Teichert-2-231

The comments restate text in the second paragraph on page 4-51 of the DEIR/DEIS regarding Cumulative Mitigation Measure Noise-1-Land, that the project would result in an incremental contribution to a significant cumulative impact. The comments further state that the DEIR/DEIS attempts to require the aggregate industry to mitigate for impacts that would affect residences in the SPA even though those impacts would occur regardless of quarry truck operations and even though noise-sensitivity of the SPA would not exist without the introduction of new residential land uses.

The commenter incorrectly states the conclusions in the DEIR/DEIS. Mitigation Measure 3A.11-4 on page 3A.11-44 of the DEIR/DEIS identifies feasible mitigation that would reduce future traffic noise levels at proposed residential uses within the SPA to a less-than-significant level without quarry truck trips. It is true that noise-sensitivity on the SPA would not exist if the SPA were not developed; however, the commenter’s point is unclear, because the purpose of the DEIR/DEIS is to analyze and disclose the potential environmental impacts of developing the project. Moreover, the City’s plan to develop the SPA for future urban uses has long been known.

With the addition of future quarry truck traffic, noise levels on the SPA substantially increase when compared to future traffic noise levels without quarry truck trips, ranging from a 3-dB increase to a 13-dB increase with the inclusion of quarry truck trips (see pages 4-48 through 4-50 of the DEIR/DEIS). Therefore, additional noise mitigation measures are necessary. See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Teichert-2-232

The comment suggests that a more logical approach to the development of noise mitigation measures would be to develop specific, reasonable, and appropriate combinations of building setbacks, site design, berm/wall combinations, and residential construction details for each significant roadway segment once future traffic noise levels have been reevaluated using appropriate model inputs and verified through traffic noise measurements.

See Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

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September 10, 2010

VIA FEDERAL EXPRESS

Gail Furness de Prado
City of Folsom Community Development Department
50 Natoma Street
Folsom, California 95630

**Re: Draft EIR/EIS Folsom South of U.S. 50 Specific Plan Project
(SCH #2008092051)**

Dear Ms. Furness de Prado:

On behalf of Angelo G. Tsakopoulos and Katherine Tsakopoulos ("Tsakopoulos"), we hereby submit comments on the EIR/EIS for the City of Folsom's Folsom South of U.S. 50 Specific Plan Project (the "SOI Project"), jointly prepared by the City of Folsom and the Army Corps of Engineers.¹ Tsakopoulos owns the Wilson Ranch property, located directly south of the SOI Project's southern boundary.

1

As the City knows, an application for an aggregate quarry formerly known as the Walltown Quarry located on the Wilson Ranch property is currently pending before the County of Sacramento. The SOI Project, as currently proposed by the South Folsom Property Owners Group ("SFPOG"), threatens direct and indirect impacts on the proposed quarry, and thus is of concern to Tsakopoulos. For this reason, we submit the following comments on the EIR/EIS.

2

I. PROCEDURAL MATTERS -- THE CITY FAILED TO PROVIDE ADEQUATE TIME FOR MEANINGFUL PUBLIC REVIEW (GUIDELINES §§ 15087, 15105)

In a letter dated July 27, 2010, we requested on behalf of Tsakopoulos an extension of the public comment period in order to afford Tsakopoulos and other members of the public a meaningful opportunity and adequate time in which to comment on the EIR/EIS. It is Tsakopoulos' understanding that other members of the public, as well as other agencies, requested similar extensions of time. Unfortunately, the City granted no extension of time in which to comment on the massive EIR/EIS.

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¹ Our comments herein are limited to addressing the EIR prepared by the City of Folsom, though it is likely that many of the deficiencies identified herein in the context of the California Environmental Quality Act ("CEQA") will point to similar deficiencies in the environmental analysis conducted pursuant to the National Environmental Policy Act ("NEPA") by the U.S. Army Corps of Engineers.

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CEQA Guidelines § 15105(a) provides that for EIRs submitted to the State Clearinghouse, a Lead Agency must allow at least 45 days for public review of a Draft EIR, but may provide more than 60 days. It is notable, however, that, these timing provisions were created in the context of the 150-page to 300-page limits generally specified for EIRs.² Here, the City prepared a document over five times longer, and yet provided no meaningful additional time for public review. In fact, the City's own arguments collapse upon themselves. The City claims that the unusual scope and complexity of the proposed project necessitates exceeding the Guidelines' 300-page limit for EIRs,³ while simultaneously asserting that the approximately 1,600-page Draft EIR/EIS -- exclusive of appendices -- somehow does not also constitute the kind of "unusual circumstances" the Guidelines contemplate in allowing for a review period longer than 60 days.⁴ The City provides no justification for the inadequate public review period. Indeed, given the SOI Project's contemplated timeline, an extension of time would not have prejudiced the applicants, and would have provided the public with a more meaningful period in which to review the Draft EIR/EIS.

4 cont.

II. THE DRAFT EIR/EIS CONTEMPLATES UNACCEPTABLE REGIONAL TRAFFIC RESTRICTIONS

Tsakopoulos' primary concern with the Draft EIR/EIS that the City appears intent on pursuing restrictions on quarry trucks through the Specific Plan Area ("SPA"). Such restrictions have no basis, are at odds with on-going regional planning efforts, and would conflict with the classification by the State of the mineral resources at the Wilson Ranch property as MRZ-2a.

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In the Land Use and Agricultural Chapter (Chapter 3A.10), the City acknowledges the fact that the SOI project area (the "SPA") is not subject to City land use authority at this time, and that such authority lies with the County.⁵ The City further acknowledges the existence of a Memorandum of Understanding ("MOU") with the County, effective November 14, 2000, and the requirements of that MOU. Also, in various locations in the Draft EIR/EIS, the City discusses the need for consistency with the requirements of the Local Agency Formation Commission ("LAFCO") resolution 1196, which was passed and adopted on June 6, 2001. Resolution 1196 sets forth a number of conditions upon LAFCO's approval of the City's sphere of influence boundary amendment approved at that time.

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Notable among the resolution's requirements are the need for the City to develop a traffic mitigation plan to address impacts associated with development within the sphere of influence (i.e., SPA) area. (Resolution 1196, paragraphs 4 and 5.) Yet as noted below, the City

² See CEQA Guidelines § 15141.

³ *Id.*

⁴ See CEQA Guidelines § 15105(a).

⁵ See, e.g., p. 3A.10-30.

appears to ignore this requirement, and instead of adequately mitigating traffic impacts associated with development of the SPA, the City seeks to impose traffic limitations on the aggregate truck traffic arising from projects located to the south of the SPA in unincorporated Sacramento County. Yet, amazingly, the City prepared the Draft EIR/EIS and developed the proposed project detailed therein (as well as the alternatives) with seemingly little or no recognition of the fact that many land uses proposed therein conflict with plans currently being pursued and/or implemented by the County.

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While this error is repeated throughout the document, it is perhaps most notable in the context of the traffic impact analysis, where the City sets forth a "Mitigated Transportation Network" in which it attempts to implement a route of roadways in the SPA, and a set of limitations and restrictions on aggregate truck traffic through the SPA. The Draft EIR/EIS does discuss the on-going efforts of Sacramento County, the aggregate companies, and various other stakeholders to develop an aggregate quarry Truck Management Plan,⁶ but the analysis fails to explain the interplay between the City's proposal and the on-going efforts to draft and implement a Truck Management Plan.

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Tsakopoulos is very concerned by the City's apparent intent to restrict or ban aggregate truck traffic through existing or contemplated roads through the SPA that connect to Highway 50, a major roadway for the transportation of aggregates in the region. Such efforts by the City would appear to have little support under the law, and certainly not within the context of larger regional efforts to balance development with the need to supply aggregate materials for such development and to avoid conflict with Federal, State and regional transportation laws and policies.

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III. ENVIRONMENTAL ANALYSIS

A. The EIR/EIS Does not Include a Reasonable Range of Alternatives (Guidelines § 15126.6)

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CEQA requires discussion of a reasonable range of alternatives, but the Alternatives analysis in Chapter 2 fails to meet this mandate. The EIR/EIS identifies multiple significant and unavoidable impacts, yet the EIR/EIS appears to reject a number of feasible alternatives based on cost and other factors. Yet a more expensive alternative is not infeasible simply because it would be more expensive or less profitable to the private applicant.⁷ In fact, the EIR/EIS provides no substantial evidence regarding alternatives rejected on basis of increased cost. "No single factor [such as cost] establishes a fixed limit on the scope of reasonable alternatives."⁸

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⁶ See Draft EIR/EIS, pp. 3A.15-137-138.

⁷ *Citizens of Goleta Valley* (1990) 52 Cal. 3d 553.

⁸ Guidelines § 15126.6(f)(1); *Save Our Residential Environment v. City of West Hollywood*, 9 Cal. App. 4th 1745, 1753, n.1. (1992).

Also, Water "alternatives" are largely minor variations on several actual alternatives (*see* Water Alternatives 1, 1A, 2, 2A, and 2B), and cannot represent the only alternatives that would feasibly attain most of the project objectives while avoiding or substantially lessening any of the significant effects of the project.⁹

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B. The Description of Alternatives is Deficient Under CEQA

1. The Project Description is Vague and Confusing

The Project Description set forth in Chapter 2 should provide a clear and concise overview of the project to serve the information disclosure goals of CEQA. Instead, the Project Description presents a multitude of "Land" and "Water" alternatives that leaves the reader guessing as to the potential project permutations and, in turn, impacts resulting from such permutations. Intelligent evaluation of the potential environmental effects of a project requires an accurate, stable, and finite project description.¹⁰

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2. The Proposed "Land" Project is not the Environmentally Superior "Land" Alternative

The discussion of alternatives in Chapter 2 leaves little doubt that the proposed project is not the environmentally superior alternative.¹¹ Table 2-16 on pages 2-106 to 2-107 makes it abundantly clear that the No Project, No USACE Permit, Resource Impact Minimization, and Centralized Development Alternatives are environmentally superior to the proposed action. While CEQA allows a lead agency to disregard the environmentally superior alternative, and select an alternative with greater environmental impacts, such a decision rejecting a means to lessen significant impacts must be justifiable. The current text of the EIR/EIS, however, provides no substantial evidence or justification as to why the lead agency cannot feasibly adopt any of the environmentally superior alternatives listed above.

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3. Many Mitigation Measures are Improperly Deferred and Unenforceable

As a general rule, CEQA requires that mitigation measures be fully enforceable through permit conditions, agreements, or other legally binding instruments.¹² Implementation of

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⁹ CEQA Guidelines § 15126.6, *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 566 (1990).

¹⁰ *See San Joaquin Raptor Rescue Center v. County of Merced ("Raptor")*, 149 Cal. App. 4th 645, 655 (2007); *County of Inyo v. City of Los Angeles ("Inyo")*, 71 Cal. App. 3d 185, 193 (1977) ("An accurate, stable, and finite project description is the sine qua non of an informative and legally sufficient EIR.").

¹¹ *See* CEQA Guidelines § 15126.6.

¹² Pub. Res. Code. ("PRC") § 21100(b)(3), CEQA Guidelines §§ 15126(e), 15126.4.

mitigation measures must be ensured.¹³ The EIR/EIS identifies a host of mitigation measures that propose little more than deferred analysis.

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While CEQA generally disfavors deferral of mitigation measures, it does allow for such deferral in certain situations where formation of the specifics of a mitigation measure is impracticable.¹⁴ However, in such circumstances, specific performance standards must be identified as part of any such mitigation to provide some benchmark for future development of the specific actions to be taken.

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The deferred mitigation measures in the EIR/EIS, however, fail to identify adequate performance criteria. The following mitigation measures represent just some examples of deferral of analysis and/or actual mitigation, and where insufficient monitoring and/or performance criteria have been identified: Mitigation Measures 3A.1-1, 3B.1-19, 3B.1-20 (require future submittal of landscape plan but provide no performance criteria); Mitigation Measure 3A.1-4 (requires future screen designs but provides inadequate performance criteria); Mitigation Measure 3A.1-31 to 33 (requires outdoor lighting standards to be implemented into Specific Plan's design guidelines, but identifies no performance criteria); Mitigation Measure 3A.3-2a (fails to include criteria for development of monitoring plan for vernal pool invertebrates); Mitigation Measure 3A.3-52 to 54 (fails to provide performance criteria for Swainson's hawk mitigation plan); Mitigation Measure 3A.3-5 (fails to identify an performance criteria for future oak woodland mitigation plan); Mitigation Measure 3A.7-1a (fails to identify performance criteria for site-specific geotechnical reports to mitigate seismic risks). Other examples of improper mitigation deferral are also identified below in the discussions of specific environmental issue areas.

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C. Aesthetics

1. The Analysis Focuses on an Overly Narrow Selection of Views

According to page 3A.1-2, two types of sensitive viewers would experience the SPA: roadway travelers and people within the City of Folsom. However, of the viewpoints selected for illustration in the discussion of existing conditions for the "land" alternatives, only two (Nos. 7 and 13) originate near or within the City of Folsom and only one (No. 13) illustrates the views Folsom residents would experience. Only nine viewpoints arguably illustrate views available from the roadways approaching and surrounding the SPA. Further, these roadway views do not necessarily provide a representative range of the views available. For example, no photographs illustrate views of the SPA to the east from northern or central portions of Prairie City Road, no photographs illustrate any views of the SPA to the north from White Rock Road, and no photographs illustrate views from the northern or central portions of Placerville Road.

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¹³ See *CEQA Federation of Hillside and Canyon Associations v. City of Los Angeles*, 83 Cal. App. 4th 1252, 12623 (2000).

¹⁴ CEQA Guidelines § 15126.4; see also *Sundstrom v. County of Mendocino*, 20 Cal. App. 3d 296, 307 (1988).

Also, only one photograph (No. 7) illustrates views of the so-called "Central Lowlands" portion of the SPA to the south from U.S. 50, and no photographs illustrate views of the oak woodlands or the so-called "Rolling Hills" portions of the SPA from U.S. 50. Further, the single view provided from U.S. 50 (No. 7) is from the *northern* side of the freeway and is obscured by the southern half of the freeway. The glaring failure to provide an adequate range of views available from U.S. 50 is particularly curious, given the Draft EIR/EIS's discussion of the SPA as "the longest stretch of undeveloped land on U.S. 50 within eastern Sacramento County . . . which is viewed every day by thousands of motorists."¹⁵

25 cont.

Also, the Draft EIR/EIS fails to adequately acknowledge an entire subset of sensitive viewers of the SPA, namely the residents of the communities of El Dorado Hills, Four Seasons and the Stonebrier Residential Development.¹⁶ Only one photograph originates in El Dorado Hills and it provides a more effective view of urbanization than it does the SPA. No photographs illustrate views of the SPA from the Four Seasons and Stonebrier developments.

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Additionally, with respect to the "water" alternatives and views in Zone 4, the discussion of baseline conditions includes no photographs illustrating the views along Easton Valley Parkway from the western boundary of the SPA to Folsom Boulevard.

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Establishment of the baseline is critical to a meaningful assessment of the environmental impacts of a project, because the significance of environmental impacts cannot be determined without setting this baseline.¹⁷ The concept of baseline is also closely tied to the required analysis of a "no project" alternative, which describes the impacts of not approving the project in question.¹⁸

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Accordingly, the City must amend the discussion of existing conditions to properly focus on and provide substance to support its analysis of the "sensitive viewers" it states are primary, and the views that this approach implies are important. The City must also provide photographs and analysis of the views available to residential communities neighboring the proposed development. The environmental setting in the area must be discussed to an extent necessary to understand the significant effects of the Proposed Project and alternatives.¹⁹ The inadequate baseline provided for aesthetics would taint the impact analysis and mitigation findings, rendering them inadequate as well.²⁰ Therefore, the City must revise this analysis and

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¹⁵ Draft EIR/EIS, pp. 3A.1-17-18 (emphasis added).

¹⁶ See, e.g., Viewpoints 2 and 6, Draft EIR/EIS pp. 3A.1-5-6.

¹⁷ *Save Our Peninsula Comm. v Monterey County Bd. of Supervisors*, 87 Cal. App. 4th 99, 119 (2001); *County of Amador v El Dorado County Water Agency*, 76 Cal. App. 4th 931, 955 (1999).

¹⁸ See *County of Inyo v City of Los Angeles*, 124 Cal. App. 3d 1, 11 (1981).

¹⁹ CEQA Guidelines §15125; see also *County of Amador v El Dorado County Water Agency*, (1999) 76 Cal. App. 4th 931, 955, 91 CR2d 66 (description of environmental setting includes analysis sufficient to allow informed comparison of pre-project and post-project conditions).

²⁰ See *San Joaquin Raptor/Wildlife Rescue Ctr. v County of Stanislaus* (1994) 27 Cal. App. 4th 713, 32 CR2d 704.

recirculate the Draft EIR/EIS to provide the public and decision makers a meaningful opportunity to review and comment on the Proposed Project's significant environmental effects.

34 cont.

2. The Proposed Mitigation for Impacts from Several Project Alternatives on Aesthetics is Insufficient

Mitigation Measure 3A.1-1 requires the construction of a 25- to 50-foot landscaped corridor adjacent to U.S. 50 for each alternative except NP. Although the provision of some visual buffer is desirable, the analysis fails to include any discussion of how this measure, which only provides for the most narrow strip, would provide any meaningful or effective visual relief to significantly reduce the impacts of these alternatives on scenic resources within the SPA.

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To provide effective visual relief from U.S. 50, a significantly larger buffer of 150 to 300 feet would and should be required. Additionally, rather than merely a thin landscape buffer at the proposed industrial and commercial areas within and adjacent to the oak woodland (e.g, under the NCP alternative), the larger buffer should also include relatively dense planting of (1) mature trees that are removed from the oak woodland and (2) new oak trees of comparable species with a minimum size of 12 inches diameter at breast height ("DBH"). These plantings would provide a visual buffer consonant with the oak woodland and would mimic its continuation. Additionally, to the extent that proposed commercial and industrial development takes the form of office parks or similar developments, the City should require planning of such developments as campuses to accommodate transplanted trees and provide a greater feeling of integration into the landscape. These are just three possibilities for mitigation measures that would clearly reduce the impacts of the proposed alternatives, though still not to a less-than-significant level, which the City must consider.

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Also, the analysis proposes no mitigation for Impacts 3A.1-2-3. An EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR.²¹ This requirement implements CEQA's policy that agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects.²² Mitigation measures must be designed to minimize significant environmental impacts, not necessarily to eliminate them.²³ Therefore, the fact that an impact may be unavoidable does not absolve the City of the responsibility to adopt all feasible measures necessary to reduce and minimize an unavoidable impact.

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Here, even though each alternative other than NP would irreparably harm scenic view, several options may be available to reduce the visual impact to those scenic views. For instance, the Specific Plan could require all or any combination of the following:

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²¹ PRC §§ 21002.1(a), 21100(b)(3); CEQA Guidelines §15126.4.

²² PRC §§ 21002, 21081(a).

²³ PRC § 21100(b)(3); CEQA Guidelines § 15126.4(a)(1).

- Increased landscaped buffers and/or berms to substantially soften the visual effects of the SPA development from major roadways; | 39 cont.
- Stands or windrows of transplanted trees or specimens of a large enough minimum box size (36–48 inches or more, depending on the species) to provide visual buffers major roadways; | 40
- Tighter clustering of proposed residential units, with more communal open space, to minimize the footprint of development associated with structures; | 41
- The provision of at least one new tree with a minimum box size of 36–48 inches (or more, depending on the species), or a transplant that would otherwise have been removed, with each residential unit; | 42
- The use of building materials or finishes that are visually compatible or otherwise harmonize with the surrounding environment; | 43
- Submittal by developers of a viewshed analyses as part of their applications for each development; and | 44
- Consideration of the placement of particular development components with respect to natural landforms to provide a natural visual buffer. | 45

The examples above are merely a few of the feasible options the City should consider in attempting to mitigate the effects of the various alternatives on scenic views and resources. When a feasible alternative or mitigation measure, considerably different from those considered in the EIR, is proposed that would lessen the environmental impacts of a project but the project proponent declines to adopt it, the lead agency must recirculate that EIR.²⁴ | 46

Mitigation Measure 3A.1-4 must be revised to include screening of construction sites, in addition to staging areas, to reduce the significant impacts of construction sites on the visual quality of the vicinity of the site. | 47

Mitigation Measure 3A.1-5 must be revised to include maximum lighting levels, expressed in foot-candles, for different types of developments and areas, or some other definite, verifiable performance standard. In fact, the City should have included precisely these kinds of standards in the Specific Plan, to allow the public and decision makers an adequate opportunity to review and comment on the appropriateness or adequacy of these standards. Also, the use of terms such as "consideration shall be given" with respect to particular key measures, such as motion-detection switches, further undercuts the enforceability of this measure and makes it illusory. Consequently, no substantial evidence supports any claim that the measure will be | 48
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²⁴ See *Laurel Heights Improvement Ass'n v Regents of Univ. of Cal. (Laurel Heights II)*, 6 Cal. 4th 1112, 1130 (1993).

effective in remedying the environmental problem.²⁵ Therefore, the City must revise this—and other—mitigation measures to correct this deficiency and to provide the public and decision makers with adequate opportunity to consider and comment upon the true effects of the proposed alternatives.

49 cont.

3. The Analysis of "Land" Alternatives Fails to Address Daytime Glare.

Impact statement for Impact 3A.1-5 states the project would cause new and increased light and glare.²⁶ However, the analysis that follows describes potential sources of daytime glare, but fails to evaluate or mitigate it.

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Any of the proposed alternatives, but particularly NCP, PP, RIM, CD, and RHD, would include development of structures that could include reflective surfaces or surface treatments. The addition of these reflective surfaces to the SPA would create the potential for increased daytime glare that would affect pedestrians, drivers, and occupants of adjacent structures. This glare can, therefore, represent a safety hazard as well as a nuisance and represents a potentially significant impact. The City must revise the Draft EIR/EIS to include this analysis, as well as feasible measures to avoid or mitigate the effect. Potential mitigation measures include a requirement for the use of textured or non-reflective exterior surfaces and non-reflective glass on all structures in the SPA. The City must revise the analysis to correct this deficiency, and must recirculate the Draft EIR/EIS to provide the public and decision makers with an adequate opportunity to consider and comment upon the true effects of the proposed alternatives, and to evaluate the effectiveness of any revised mitigation proposed.

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4. The Analysis of "Water" Alternatives Fails to Adequately Address Impacts to Scenic Vistas.

Impact 3B.1-1 acknowledges that the "water" alternatives would involve construction of some above-ground, off-site water facilities.²⁷ However, the analysis simply concludes that because new facilities "would be limited . . . by further integrating the City's water supply infrastructure with SCWA,"²⁸ or that they "would be minor and more sparsely spaced than existing structures,"²⁹ the effects of these structures on scenic vistas would be less than significant. However, CEQA requires more than simply an unsupported conclusion. The

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²⁵ See *Gray v County of Madera*, 167 Cal. App. 4th 1099, 1116 (2008) (rejecting mitigation measures proposed to address project's adverse impacts on water levels in private wells used by neighboring landowners because mitigation measures would force them to change way they use water).

²⁶ Draft EIR/EIS, p. 3A.1-31.

²⁷ Draft EIR/EIS, p. 3B.1-17.

²⁸ *Id.*

²⁹ Draft EIR/EIS, p. 3B.1-18.

analysis must disclose the reasoning supporting a determination of insignificance.³⁰ Here, the level of analysis is not merely programmatic, as each of the "water" alternatives involves the construction of specific types of structures to achieve specific purposes. Therefore, at a minimum, the analysis must attempt to describe the proposed facilities in relation to their surroundings, and should provide a visual simulation of those known structures to allow the public and decision makers an opportunity to visualize the effects of the structures on their surroundings. Please revise the analysis to include visual simulations of these known structures, and to include a meaningful discussion that provides substantial evidence for the conclusion the City reaches regarding these impacts.

53 cont.

D. Air Quality

1. The Analysis Understates the Construction-Related Emissions of "Land" Alternatives

As stated on page 3A.2-28, Impact 3A.2-1 assumes a linear construction schedule of 19 years, using emissions rates claimed to be "conservative." However, the analysis then states, "it is more likely, however, that that some period of construction . . . would be more intense."³¹ Given the potential significance of construction-related impacts, the EIR/EIS should explain how the construction scenario analyzed in the Draft EIR/EIS represents a conservative one, given the apparent likelihood that construction activities will be more intense over the life of the selected alternative.

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More intense construction activities are likely to involve more acres being graded on a daily basis, resulting in elevated levels of dust, particulates and diesel exhaust emissions. However, the analysis includes no calculations for PM₁₀ associated with grading, despite its acknowledgement that "extensive cut and fill operations" would occur in hillside areas.³² Even assuming that a significant impact would occur—in fact, especially where a significant impact can reasonably be assumed—an adequate analysis requires more than a bare conclusion.³³ In order to correct this deficiency and allow a meaningful assessment of the impacts of the proposed alternatives, the City must revise the analysis to include calculations of all pollutants, based on reasonable estimates of activity.

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Further, diesel exhaust, PM₁₀ and PM_{2.5} are toxic air contaminants ("TACs"). Therefore, any adequate analysis of construction-related emissions must evaluate the effects of those emissions within the framework of potential health risks to the nearest sensitive receptors.

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³⁰ See *Protect the Historic Amador Waterways v Amador Water Agency*, 116 Cal. App. 4th 1099, 1111 (2004); *San Joaquin Raptor/Wildlife Rescue Ctr. v County of Stanislaus*, 27 Cal. App. 4th 713 (1994); *Citizens to Preserve the Ojai v County of Ventura*, 176 Cal. App. 3d 421, 432 (1985).

³¹ Draft EIR/EIS, p. 3A.2-28.

³² Draft EIR/EIS, p. 3A.2-30.

³³ See *Whitman v Board of Supervisors*, 88 Cal. App. 3d 397, 411 (1979).

It appears likely that, at a minimum, some residents or occupants of structures within the City of Folsom, as well as the communities of El Dorado Hills, Four Seasons and Stonebrier, would be subject to long periods of continuous emissions associated with development activity in the SPA. Also, if as the analysis states, any alternative would occur in phases, emissions associated with development of the SPA would also affect residents and occupants of the prior phases of development. This discussion also applies to CO emissions.³⁴

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Although Impact 3A.2-4 purports to evaluate the effects of construction-related and operational emissions of TACs, it fails to quantify their volume or their effect. Instead, it discusses the possibility of an impact only in the most broad terms, and provides no substantial evidence for its initial conclusions or the effectiveness of its mitigation for any of the proposed alternatives.

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Without even the barest effort to quantify particulate emissions for construction-related activities, the potential impacts of the alternatives on nearby existing and future residents cannot be meaningfully understood. Further, the failure to provide any mechanism to evaluate the significance of those emissions precludes a meaningful analysis of the effect of development on attainment of the objectives of the air quality plan for the air basin, which is classified by the EPA as a non-attainment area.

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2. The Analysis of Operational Emissions Relies on Flawed Traffic Assumptions and Fails to Account for Additional Truck-miles Traveled as a Result of the City's Announced Policy

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The traffic analysis acknowledges that the trip generation and distribution methods used for the quarry trucks are unacceptable to the City.³⁵ Further, as stated in the County of Sacramento's comment letter on the NOP, the City has begun to restrict truck traffic through the City, and proposes to preclude all truck traffic north through the SPA, potentially including Prairie City Road, Oak Avenue Parkway, Scott Road/East Bidwell Street, and Empire Ranch Road. Yet as described further below, while the City clearly intends to alter truck traffic patterns in the region, it provides little or no analysis of the air quality impacts associated with such contemplated re-routing of truck traffic. However, such altered truck routes would directly result in the potential for increased vehicle miles traveled, with the associated emissions generated, all resulting from the City's contemplated actions. The City cannot on the one hand seek to restrict and re-route truck traffic into other jurisdictions and on the other hand simultaneously attempt to avoid any requirement to analyze the impacts from such City efforts.

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³⁴ See *Berkeley Keep Jets Over the Bay Comm. v. Bd. of Port Comm'rs*, 91 Cal. App. 4th 1344, 1371 (2001).

³⁵ Draft EIR/EIS p. 3A.15-135.

3. The Analysis of Operational Emissions Fails to Provide any Meaningful Assessment of the Health Effects Associated with the Proposed Alternatives

Impact 3A.2-2 estimates the emissions of four key pollutants by each of the alternatives, but as with the analysis of construction-related emissions, fails to provide a standard by which emissions other than reactive organic compounds ("ROGs") may be considered significant.

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Further, as described above, PM₁₀ and PM_{2.5} are TACs, and the analysis of operational emissions suffers from the same failure as the analysis of construction emissions to evaluate the health effects of these emissions on sensitive receptors within and adjacent to the SPA. The failure to provide any mechanism to evaluate the significance of those emissions precludes a meaningful analysis of the effect of development on attainment of the objectives of the plan for the air basin.

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4. The Odors Analysis Neglects the Effects of Garbage Disposal Areas of Commercial and Industrial Developments

Impact 3A.2-6 fails to evaluate and disclose the potential odor effects associated with commercial and industrial garbage bins, particularly where commercial and industrial uses occur proximate to residential uses. These bins can include food or other putrescible wastes capable of generating significant odors, particularly in hot weather. These odors can significantly affect neighboring uses, particularly residential uses. Mitigation for such impacts generally includes enclosure of garbage disposal bins and sequestration of those areas from neighboring uses, as well as requiring a minimum garbage collection frequency. The City must revise the analysis to disclose and analyze this impact, and provide mitigation, as appropriate.

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5. The Analysis Proposes Vague and Unenforceable Mitigation Measures and Improperly Defers Mitigation.

Mitigation Measures 3A.2-1a-c propose a variety of mechanisms purporting to reduce construction-related emissions. For instance, Mitigation Measure 3A.2-1a includes a range of "emission control practices," such as wheel washing. However, the analysis fails even to attempt to demonstrate how and to what extent many of these measures would reduce emissions. Further, that mitigation measure includes no performance standard or other method by which the City can gauge its effectiveness.

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This is particularly important in the context of the proposed off-site improvements because reliance on these measures that lack adequate standards, as well as similarly-phrased Mitigation Measures 3A.2-d-h, appears to reduce the air quality impact of those elements to less-

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than-significant levels.³⁶ Yet, in reality, no substantial evidence supports any claim that the measure will be effective in remedying the environmental problem.³⁷

68 cont.

Mitigation Measure 3A.1-2b requires payment of an off-site mitigation fee to offset NOx emissions associated with construction. Does a nexus study for this fee exist, and exactly what percentage or total volume of offset of NOx emissions does the payment of that fee effect?

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Mitigation Measures 3A.2-1c, and 3A.2-1h require future developments to prepare a project-specific air quality analysis, including disclosure of PM₁₀ emissions. But the mere calculation and disclosure of those emissions does nothing to (a) disclose the potential health effects of those emissions on sensitive receptors, or (b) reduce those emissions to avoid or substantially lessen their effects on sensitive receptors. Further, if as the City suggests in this analysis, the absence of an adopted standard by the SMAQMD means that no standard can exist, then no basis exists for reducing these emissions or selecting a level for reduction efforts to accomplish. Consequently, no substantial evidence supports the Draft EIR/EIS' conclusion that these measures will be effective in reducing emissions or their health effects. *See Gray, supra, at* 1116.

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Similarly, Mitigation Measure 3A.2-2, upon which every alternative except NP relies, requires an applicant to comply with the Folsom Area Air Quality Management Plan, which includes certain planning considerations and the use of electric lawnmowers, among other measures. However, as discussed above, the analysis includes no performance standards and quantifies no reduction that would result from implementation of these measures. Consequently, no substantial evidence supports any claim that this measure will be effective in reducing emissions and associated health effects expected to result from operation of any of the alternatives.³⁸

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Mitigation Measure 3A.4-4a purports to reduce construction-related and operational TACs (and presumably their effects, as well) by requiring applicants to "develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activities." However, the measure includes only the most vague potential elements, such as scheduling, and provides no performance standard by which the public or decisions makers may evaluate their effectiveness. CEQA does not permit a measure to defer analysis by ordering a report without either setting standards to measurably reduce the impact or demonstrating how the impact can be mitigated in the manner described in the EIR.³⁹

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³⁶ See Draft EIR/EIS, p. 3A.2-35-41.

³⁷ See *Gray v County of Madera*, 167 Cal. App. 4th 1099, 1116 (2008).

³⁸ See *Gray, supra, at* 1116.

³⁹ CEQA Guidelines § 15126.4(a)(1)(B); *City of Long Beach v Los Angeles Unified Sch. Dist.*, 176 Cal. App. 4th 889, 915 (2009); see also *Endangered Habitats League v County of Orange*, 131 Cal. App. 4th 777, 794 (2005)

Similarly, Mitigation Measure 3A.4-4b requires implementation of a range of measures, some of which appear as attempts to limit the incremental increase in cancer risk and/or Hazard Index value. However, the standard provided for some does not appear to apply to all. Additionally, applicants must "implement" guidelines which the measure describes as "advisory," rather than regulatory. Consequently, the existence of a standard by which TAC emissions would be considered significant remains uncertain, preventing any meaningful evaluation or determination of the effectiveness of the measure.⁴⁰

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Mitigation Measure 3A.2-5 purports to reduce the potential for, and effects associated with, the release of asbestos from rocks or soils in the SPA by requiring applicants to "prepare an Asbestos Dust Control Plan." However, like Mitigation Measure 3A.4-4a above, this measure fails to provide any but the most general requirements, and provides no performance standards by which the public or decision makers may evaluate its effectiveness. As stated above, CEQA does not permit a measure to defer analysis by ordering a report without either setting measurable performance standards or demonstrating how the impact can be mitigated in the manner described in the EIR.⁴¹

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Mitigation Measure 3A.2-6 includes a range of measures but provides no standard for those measures to meet, rendering it defective for the reasons stated above.

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Mitigation Measure 3B.2-3a requires the use of certain equipment "to the extent practicable," but provides no metric as to practicability. The failure to use mandatory and specific language fails to ensure full implementation of this measure. Because the analysis concludes, on the basis of the implementation of this measure, that the residual impact would be less than significant, the defects of the measure render this conclusion unsupported and do not allow the City to find, as it must, that changes to any of the proposed alternatives have been incorporated to avoid or substantially lessen their potential environmental effects. Guidelines § 15091.

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For all of the reasons stated above, the City must revise the above mitigation measures to provide performance standards and other substantial evidence to support the proposition that the measures will actually reduce the significant effects disclosed.

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(rejecting mitigation measure requiring submission of acoustical analysis and approval of mitigation measures recommended by analysis because no mitigation criteria or potential mitigation measures were identified).

⁴⁰ See *City of Long Beach, supra*; *Endangered Species Habitat League, supra*.

⁴¹ CEQA Guidelines § 15126.4(a)(1)(B); *City of Long Beach, supra*; *Endangered Habitats League, supra*.

E. Climate Change/GHGs

1. The Baseline Used for the GHG Analysis is Flawed

The baseline for CEQA analysis must be the "existing physical conditions in the affected area" at the time the NOP is published.⁴² Yet, according to page 3A.4-3 of the Draft EIR/EIS, the emissions inventory for the climate change analysis dates to 2005. However, the City issued the NOP for the Draft EIR/EIS on September 12, 2008. An emissions inventory collected three years prior to issuance of the NOP—and five years prior to release of the Draft EIR/EIS—cannot provide an accurate representation of the conditions that exist in the study area when the NOP was issued.

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2. Thresholds of Significance

The Draft EIR/EIS states on pages 3A.4-11–12 that an appropriate threshold of significance is an "efficiency"-based annual operational emissions standard of 4.36 metric tons CO₂e/SP/year for 2020 and 3.68 metric tons CO₂e/SP/year for 2030. Further, it correctly states on page 3A.4-11 that the Office of Planning and Research ("OPR") Technical Advisory recommends determining whether the emissions associated with a particular project have the potential to result in a significant project or cumulative impact and to mitigate the impacts where feasible mitigation is available. Despite this, however, the analysis states on page 3A.4-13 that the calculation of greenhouse gas ("GHG") volumes is "for informational and comparison purposes" because no regional air quality control agency with jurisdiction including or near the SPA has formally adopted a quantified threshold.

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This approach is inadequate, as the OPR Technical Advisory states that CEQA requires disclosure of GHG emissions and mitigation, even in the absence of clearly defined thresholds.⁴³ While the OPR Technical Advisory recognizes the difficulty that attends determinations of significance, the absence of adopted thresholds by agencies other than the lead agency for a project (in this case, the City of Folsom) does not relieve the lead agency of its responsibility to develop thresholds of its own.

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Additionally, the analysis compares GHG emissions calculations for construction activities associated with the "water" alternatives to Bay Area Air Quality Management District ("BAAQMD") thresholds, rather than the thresholds established for construction and operation of the "land" alternatives described above. The analysis provides no basis for the use or efficacy of BAAQMD criteria, and no substantial evidence to support the implication that BAAQMD criteria are somehow appropriate to the "water" analysis but not the "land" analysis. Please

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⁴² *Environmental Planning and Information Council v. County of El Dorado*, 131 Cal. App. 3d 350, 354 (1982); see also *Communities for a Better Environment v. South Coast Air Quality Mgmt. Dist.*, Los Angeles Co. Super. Ct. No. BS091275; CEQA Guidelines § 15125(a).

⁴³ Office of Planning and Research, *Technical Advisory: CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*. June 19, 2008, at p. 4.

explain the use of the two wholly different sets of thresholds of significance for the same type of impact, and provide whatever substantial evidence the City relied upon to support this distinction.

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3. The GHG Calculations do not Account for all Emissions of the Various Alternatives, Understating the True Impacts of the Alternatives

The GHG calculations for the "land" alternatives in the Draft EIR/EIS do not include all emissions that would result from the various alternatives.⁴⁴ To tell the true story of the Project's role in climate change, the DEIR must inventory, at a minimum, not only the GHG emissions generated by the users who would live, work and recreate in the SPA, and all GHG emissions generated through its energy consumption during both construction and operation of Project facilities, but also the GHG emissions generated throughout the manufacturing and lifecycle of the building materials used to construct the various alternatives. Without accounting for each of these factors, the DEIR's calculation of GHG emissions resulting from each of these sources is unsupported. Yet the calculations do not include the lifecycles of the materials used,⁴⁵ substantially understating the GHG emissions associated with project implementation .

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Further, because the analysis uses URBEMIS 2007, it only accounts for CO₂ emissions from construction⁴⁶ and operation⁴⁷ of the various alternatives, not other GHGs such as CH₄ and N₂O. Although the analysis asserts that emissions of these other GHGs "are expected to be nominal" in comparison to CO₂,⁴⁸ this assertion is unsupported without some attempt to quantify those emissions and provide an actual comparison. Further, this flaw results in the analysis understating the GHG emissions of all of the alternatives.

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Additionally, the analysis fails to account for the loss of CO₂ sequestration capacity in the SPA due to the loss of blue oak woodland and individual trees. Although the biological resources analysis evaluates the loss of these resources, that discussion does not compensate for the lack of analysis within the context of GHGs and climate change. As with the flawed construction and operational emissions analyses that fail to account for product life cycle, this omission results in the analysis understating the net increase in GHG emissions due to implementation of the various alternatives. Further, it prevents a meaningful comparison among some of the different alternatives that would avoid losses of oak woodland and individual trees, such as the RIM and CD alternatives.

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⁴⁴ Draft EIR/EIS, p. 3A.4-17, Table 3A.4-1, n.3-4.

⁴⁵ *Id.* at n.3.

⁴⁶ *Id.* at n.4.

⁴⁷ *Id.* at n.5.

⁴⁸ *Id.*

4. The Draft EIR/EIS Impermissibly Segments the Off-Site Construction Activities, Understating their GHG Emissions

In evaluating the effects of a project, the City must not "piecemeal" or "segment" a project by splitting it into smaller elements for analytical purposes, thereby submerging effects that each have a small effect on the environment, but which "cumulatively may have a disastrous effect on the environment."⁴⁹

Here, although the analysis combines the on-site construction-related activities for the purposes of analysis, it evaluates some proposed off-site improvements separately, finding that detention basin and sewer force main construction associated with the "land" alternatives would have a less-than-significant cumulative impact and would therefore require no mitigation.⁵⁰ This is exactly the type of segmentation prohibited under CEQA and results in the understatement of the GHG emissions associated with construction of the off-site facilities associated with most of the alternatives.

For all of the reasons stated above, the City must revise the GHG analysis and recirculate the Draft EIR/EIS to allow meaningful review by the public and decision makers.

5. The Draft EIR/EIS fails to Include Feasible Mitigation Measures for Construction and Operational GHG Emissions.

Mitigation Measure 3A.4-2a, upon which most of the impacts identified in the GHG analysis rely, is not enforceable. It qualifies the requirement of future development to meet 2020 and 2030 CO₂e/SP/year performance standards by use of the term "if it is feasible to do so," rather than the mandatory (and enforceable) "shall," "must," or "will." Yet the measure fails to provide any metric to objectively demonstrate feasibility (or the lack thereof), and contains only a list of vague "factors" for the City to consider when evaluating potential future mitigation measures, and some measures for the City to consider "as appropriate".⁵¹ Consequently, even though the measure purports to set a minimum performance standard, future development is not, in fact obligated to abide by any particular standard. Consequently, no substantial evidence supports any conclusion that the measure will be effective in remedying the environmental problem.⁵²

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⁴⁹ *Burbank-Glendale-Pasadena Airport Authority v. Hensler*, 233 Cal. App. 3d 577, 592 (1991); *Bozung v. Local Agency Formation Commission*, 13 Cal. 3d 263, 283-84 (1975).

⁵⁰ Draft EIR/EIS, pp. 3A.4-20-23.

⁵¹ Draft EIR/EIS, pp. 3A.4-26-28.

⁵² See *Gray v County of Madera*, 167 Cal. App. 4th 1099, 1116 (2008) (rejecting mitigation measures proposed to address project's adverse impacts on water levels in private wells used by neighboring landowners because mitigation measures would force them to change way they use water).

Further, mitigation measures such as 3A.4-2a impermissibly defer mitigation.⁵³ Ordinarily, CEQA does not permit deferring formulation of a mitigation measure to the future.⁵⁴ "Impermissible deferral of mitigation measures occurs when an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR."⁵⁵ Because, as described above, mitigation measure 3A.4-2a does not actually require future mitigation measures to meet any performance standard, it does not satisfy the requirements for permissible deferment.⁵⁶ Consequently, the City must revise the GHG analysis to include new mitigation measures that actually commit future development to meet a minimum performance standard, and recirculate the Draft EIR/EIS to allow meaningful review by the public and decision makers of the revised mitigation measures.

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6. **The Draft EIR/EIS Fails to Quantify any Reductions in GHG Emissions as a Result of Mitigation Measures.**

The Draft EIR/EIS must include quantified reductions of GHG emissions from mitigation measures, but fails to do so.⁵⁷ The Draft EIR/EIS must attempt to estimate the potential reductions in GHG emissions, which would provide some measure by which the public and decision makers could evaluate the effectiveness of the mitigation measures proposed.

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F. **Biological Resources**

1. **The Project is Inconsistent with the City of Folsom's Open Space and Conservation Element**

As noted in the EIR/EIS, Goal 25 of the Open Space and Conservation Element requires the City to "preserve, acquire, enhance, and maintain" a host of biological resources—including sensitive habitats such as vernal pools, permanent and seasonal wetlands, oak savanna and woodlands, and sensitive wildlife species—wherever feasible.⁵⁸ Yet the proposed project seemingly ignores this Goal, contemplating a large-scale development project that does little to avoid or minimize impacts to these resources. This is particularly notable given that several of the alternatives identified for the Project would reduce impacts to these resources, and yet, appear to be of little interest to the City.

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⁵³ See, e.g., *Sundstrom v. County of Mendocino*, 2020 Cal. App. 3d 296, 307 (1988).
⁵⁴ CEQA Guidelines §15126.4(a)(1)(B).
⁵⁵ *City of Long Beach v Los Angeles Unified Sch. Dist.*, 176 Cal. App. 4th 889, 915 (2009).
⁵⁶ See *Endangered Habitats League v County of Orange*, 131 Cal. App. 4th 777, 794 (2005).
⁵⁷ See *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 723-24 (1990) (absence of quantitative, comparative data rendered analysis incomplete and precluded meaningful consideration).
⁵⁸ Draft EIR/EIS, p. 3A.3-26.

2. The Discussion of Impacts to Waters of the United States Must More Accurately Reflect the Benefits of the No Corps Permit Alternative

In analyzing the potential impacts to waters of the United States, the discussion concludes that the No Corps Permit alternative would still result in indirect significant impacts on jurisdictional waters due to site topography, increased impervious surfaces, urban development, etc.⁵⁹ Yet the analysis fails to provide any detail indicating why such impacts would occur at significant levels, particularly where the analysis demonstrates that implementation of the No Corps Permit alternative would avoid the impacts to approximately 39.50 acres of Federal jurisdictional waters and 1.25 of State jurisdictional waters on site.⁶⁰ Given that impacts to jurisdictional waters are significant and unavoidable,⁶¹ the discussion should present a fair and complete analysis of alternatives to avoid or minimize these impacts. Indeed, it would seem that the No Corps Permit alternative could be developed so that such indirect impacts to jurisdictional waters are avoided or minimized, and in turn, impacts to these waters would be less than significant. Mitigation Measure 3A.3-1a⁶² seems to be a step in this direction, requiring that stormwater drainage and other plans be designed to avoid and minimize runoff to wetlands and other waters. However, CEQA requires more.

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3. The Comparative Analysis of Impacts from the Various Alternatives on Habitat for Special-Status Species and Direct Take of Individuals (Wildlife) is Inadequate

Biological Resources are an important regional consideration given the level of urbanization and growth in this area of the County. The EIR/EIS, however, makes only a lackluster attempt to assess such impacts, admitting that much of the SPA and off-site elements "have not been surveyed for special-status" species.⁶³ The EIR/EIS attempts to explain away this deficiency, noting that "[a]ll biological resources impacts are analyzed at a program level of detail."⁶⁴

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The analysis of impacts on habitat for special-status wildlife and plant species and direct take of wildlife species is inadequate. As noted earlier, no meaningful assessment of biological resources was conducted on the grounds that impacts to biological resources are assessed on a "program" level. Indeed, the impact discussion appears based solely on literature review and a single "site assessment." Given this, how can the EIR/EIS provide any substantive

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⁵⁹ See Draft EIR/EIS, p. 3A.3-28.

⁶⁰ See Draft EIR/EIS, p. 3A.3-34.

⁶¹ See Draft EIR/EIS, p. 3A.3-50.

⁶² Mitigation Measure 3A.3-1a is confused with Mitigation Measure 3A.3-1b in Table ES-1. (Compare Table ES-1, pp. ES-33 to ES-37 with pp. 3A.3-31 and 3A.3-37.)

⁶³ See, e.g., Draft EIR/EIS, p. 3A.3-17.

⁶⁴ Draft EIR/EIS, p. 3A.3-27.)

discussion of potential impacts of the various alternatives on special-status species and their habitats, let alone an assessment of direct take of special status wildlife species? The EIR/EIS identifies a host of species that potential could occur within the SPA,⁶⁵ yet the analysis of impacts to these species and/or habitats is based largely on supposition and conjecture. The City thus cannot conduct any meaningful comparison of the various alternatives. The No Corps Permit, Centralized Development, Resource Impact Minimization, and Reduced Hillside Development Alternatives are stated to reduce impacts to special-status species habitat and reduce levels of take, but absent an understanding of where special status species occur, and in turn, where their actual habitat occurs, it is impossible to provide more than a generalized assessment.

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Indeed, it is notable that the U.S. Environmental Protection Agency's comments on the Notice of Intent, transmitted in a letter dated November 3, 2008,⁶⁶ raised these very same concerns and recommended that the City conduct "robust" analyses, but the City appears to have ignored such comments from an agency with expertise in the field and with jurisdiction over many of the biological resources that may be impacted by the project. Similarly, the U.S. Fish and Wildlife Service submitted a comment letter dated October 28, 2008, in which it recommended that habitat assessment and surveys for multiple species be conducted both within the SPA area as well as off-site lands potentially impacted by the water supply pipeline element of the project.⁶⁷ Yet again, the City appears largely to have ignored such recommendations.

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The City may contend that detailed surveying can be conducted prior to more site-specific activities occurring in subsequent phases of the project. Yet such surveys will come too late to help inform the City, as well as the public, regarding actual potential impacts of the proposed project versus the various alternatives, on special-status species. Also, it is interesting to note in this context that while the EIR/EIS requires that protocol level special-status plant surveys be conducted for "all project phases,"⁶⁸ yet no similar protocol level surveys appear to be required for special-status wildlife species. The City must amend the analysis to require protocol surveys for all special-status species.

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4. The EIR/EIS Provides No Meaningful Analysis of Potential Impacts on Wildlife Movement

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The EIR/EIS concludes that "[t]here are no established migratory routes through the SPA that are vital for the movement of any resident or migratory fish or wildlife species or population."⁶⁹ Yet this statement is nothing more than a conclusion, offered any data or

⁶⁵ Draft EIR/EIS, pp. 3A.3-9-14.

⁶⁶ See Draft EIR/EIS, Appendix B.

⁶⁷ See Appendix B to the Draft EIR/EIS, October 28, 2008 U.S. Fish and Wildlife Service letter, pp. 2-4.

⁶⁸ See Draft EIR/EIS, pp. ES-47, 3A.3-70.

⁶⁹ See Draft EIR/EIS, p. 3A.3-93.

evidence. Insofar as no actual protocol surveys for fish or wildlife were conducted by the SPA, the discussion of potential impacts on wildlife movement suffers from the same lack of surveying that renders the other sections in the Biological Resources Chapter deficient.

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5. The City's Discussion of Potential Impacts on Adopted Habitat Conservation Plans Ignores LAFCO Resolution 1196

In discussing Impact 3A.3-7, the City seems content to assert that the South Sacramento Habitat Conservation Plan ("SSHCP) has not been completed, and will not include the SPA, and thus it essentially is irrelevant to the EIR/EIS. Yet LAFCO Resolution 1196 specifically directed that the City must prepare a habitat conservation plan (HCP) or join in the Sacramento County HCP process to address mitigation of the impacts of development on biological resources. The City acknowledges this requirement elsewhere in the EIR/EIS,⁷⁰ yet the only discussion of HCP planning is set forth in Mitigation Measure 3A.3-2g in the context of the No Federal Action Alternative (No Corps Permit) (*see* ES-45), because absent Federal involvement, an HCP would be required under Section 10 of the Endangered Species Act. The EIR/EIS nonetheless should account for the requirement of LAFCO Resolution 1196 for an HCP to be developed independently by the City, or for the City to involve itself in the South Sacramento County HCP process. Moreover, CEQA requires an EIR to review projects for consistency with regional plans and to determine if a project would interfere with those plans.

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G. Geology, Soils, Minerals, and Paleontological Resources

1. The EIR/EIS is Deficient for Failing to Discuss and Analyze the Classification of the Walltown Quarry by the SMGB as a Significant Mineral Resource Area

A glaring omission in the EIR/EIS of immediate and direct concern to Tsakopoulos is the fact that while the EIR/EIS provides a cursory discussion of the Teichert and Walltown Quarries, it inaccurately states that the "land south of the SPA is zoned MRZ-3." (*See* EIR/EIS, p. 3A.7-13) In truth, a significant portion of the lands at the Walltown Quarry were formally classified by the State Mining and Geology Board ("SMGB") in 2009 as regionally significant "MRZ-2a" for Portland cement concrete (PCC)-grade aggregate. (*See* enclosed Special Report 214 and agenda from the SMGB.) Such classification carries significant implications for regional planning efforts by the City and Sacramento County. For example, the Surface Mining and Reclamation Act ("SMARA") requires that the lead agency must establish mineral resources management policies ("MRMPs") to incorporate into its General Plan, something that Sacramento County is currently doing. Similarly, prior to permitting a use that "would threaten the potential to extract" such minerals, a lead agency must prepare a statement specifying its reasons for permitting the proposed use, which will be forwarded to the State Geologist and SMGB for review. While the Wilson Ranch property is not located within the

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⁷⁰ *See* Draft EIR/EIS, p. 3A.10-13.

City's territory or within its sphere of influence, the SPA Project and the EIR/EIS ignore the MRZ-2 classification of the Wilson Ranch property, and the State policies under SMARA that are designed to protect and promote development of these mineral resources.

107 cont.

The City appears intent on banning or significantly restricting truck traffic through the SPA from the Wilson Ranch property and other mining sites to the south. Yet such a ban directly impacts the development of the classified minerals at these sites, coming into direct conflict with the provisions of SMARA that protect and promote development of such classified minerals. Moreover, the EIR/EIS does not adequately consider the effects of allowing construction of nearby residences within the SPA, which may have conflicts with the quarrying operations located to the south.

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Given that the EIR/EIS fails to identify let alone analyze the SMGB's classification of the Wilson Ranch site's minerals as MRZ-2a, and given the potential adverse impacts of the SPA Project on the pending projects to harvest those mineral resources, we strongly believe that the EIR/EIS must be revised and recirculated to analyze these potential significant environmental effects. As noted in the CEQA Guideline 150888.5, an EIR needs to be recirculated whenever significant new information is learned that changes the environmental setting.

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2. Reliance on the CEQA Guidelines Appendix G Screening Criteria as Significance Criteria for Impacts to Mineral Resources is Unwarranted Here

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Conveniently, the City hides behind the aegis of the CEQA Guidelines Appendix G checklist to avoid any meaningful discussion of the impacts of the SPA and related projects on the Walltown and Teichert Quarries. While the City may certainly employ the Appendix G screening criteria, the criteria are not absolute and often provide no meaningful yardstick for determining the significance of an impact. Here, several important quarries located to the south of the SPA are in the planning process before Sacramento County with active applications. The City contemplates banning truck traffic from those Quarries through the SPA area, resulting in direct and immediate adverse impacts on these quarries (as well as on regional air quality, climate change, transportation and circulation, on the marketplace and on the public in general). Any such truck ban would force trucks to use more circuitous routes to reach Highway 50, thereby increasing vehicles miles traveled, exhaust emissions and greenhouse gases, as well as causing level of service impacts on other nearby roadways in the region. The City thus should develop a significance threshold that adequately considers and addresses these potential impacts.

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H. Hydrology and Water Quality

The existing conditions for the analysis state that one impoundment along a tributary of Alder Creek may be subject to DSOD jurisdiction, but does not specify the name or

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location of that impoundment.⁷¹ Please revise the EIR/EIS to specify the location and name of that impoundment if any, so that the public and decision makers may determine the project's hydrology impacts.

115 cont.

Impact 3A.9-1 relies on implementation of Mitigation Measure 3A.9-1 to reduce short-term water quality impacts associated with construction of the "land" alternatives to a less-than-significant level.⁷² However, the measure includes no performance standards that would ensure its effectiveness or enforceability.

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The analysis for Impact 3A.9-2 appears to suggest up to four potential significance thresholds, but never specifies which was applied in the EIR/EIS to determine the significance of the Project's impacts. On page 3A.9-32, the analysis suggests that, at least with respect to 2- and 5-year storm events, no increase over pre-project flow levels is desirable; page 3A.9-36 suggests that either a ten or twenty percent increase would serve as a threshold for erosive potential; and the same page states that the Alder Creek WMAP may use different criteria, but those criteria are never specified. In order to allow for a meaningful review, the analysis must state a clear threshold of significance and apply it consistently throughout the analysis or provide the reasons why different standards should apply for different portions of the analysis. Without a clear threshold, the impact determination by the EIR/EIS remains unsupported by substantial evidence.

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Further, the analysis of 2- and 5-year storm events acknowledges that project flows at some outfall locations would exceed existing flows (Table 3A.9-3 shows nine such locations), but states that "modified outlet facilities would be provided to reduce the flow to pre-project conditions . . . if . . . downstream facilities would be affected."⁷³ However, this requirement does not actually appear in a mitigation measure, does not appear to be enforceable, and cannot serve as a basis for a mitigation-related finding. The City must revise this analysis to include appropriate mitigation in the EIR/EIS to ensure maintenance of pre-project or lower flows.

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Mitigation Measure 3A.9-3 defers analysis and mitigation by requiring future studies and formulation of mitigation measures, without establishing any measurable performance standards.

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Impact 3A.9-4 states that implementation of project alternatives would not increase the likelihood of failure of a dam or impounding structure.⁷⁴ However, the analysis ignores the fact that different alternatives could reduce the risk to structures and human life in the

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⁷¹ See Draft EIR/EIS, p. 3A.9-20.
⁷² Draft EIR/EIS, p. 3A.9-24.
⁷³ Draft EIR/EIS, p. 3A.9-32.
⁷⁴ Draft EIR/EIS, p. 3A.9-44.

event of such a failure, even if only by reducing the number of structures and occupants proposed within an area subject to inundation. | 120 cont.

Mitigation Measure 3A.9-4 requires an assessment of inundation risk for each development proposal, but does not define what constitutes a "significant risk" of flooding. | 121

Mitigation Measure 3B.9-1a includes no performance standards and is therefore unenforceable. | 122

Impact 3B.9-2 finds that impacts from year-round diversions to serve development in the SPA are less than significant because they comprise a "minor fraction" of Delta outflow. However, the analysis specifies no threshold, and provides no substantial evidence to support this conclusion. | 123

Similarly, the same impact discussion provides no analysis to support its conclusion that the use of diverted water for M&I, and the resulting change in characteristics of return water, would result in a less-than-significant impact. For example, what are the different effects of the different pollutants and their typical concentrations? | 124

Mitigation Measure 3B.9-3a defers analysis and mitigation. Although development within the SPA may not yet be specified, the parameters of the water facilities—particularly a WTP and water supply pipeline with a specific size and capacity—are generally known and should be fully analyzed. | 125

Mitigation Measure 3B.9-3b includes no performance standards and is therefore unenforceable. | 126

Impact 3B.9-4 states that diversions at the Freeport Intake could result in "infrequent, larger increases and reductions . . . in some individual months," but nevertheless concludes the impact is less than significant. What is the substantial evidence for this finding, which appears to result from the proposed year-round diversion schedule? | 127

Impact 3B.9-5 also relies on defective Mitigation Measures 3B.9-3a and b. The impact determination is not, therefore, supported by substantial evidence. | 128

I. Land Use and Agricultural Resources

The discussion of Land Use impacts presents a confusing and seemingly contradictory assessment of the relationship between the City and County, and the consistency of the SPA proposal with existing zoning and land use policies in place. The City at one point acknowledges that it has some land use authority over the SPA area, but that the County also has such jurisdiction.⁷⁵ The City even acknowledges that the project "may be appropriately | 129

⁷⁵ Draft EIR/EIS, p. 3A.10-30.

Gail Furness de Pardo
September 10, 2010
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compared to the Sacramento County General Plan to determine the consistency of the project with existing land use designation because the City does not have the current land use control.⁷⁶ Yet amazingly, the Draft EIR/EIS is largely unconcerned with Sacramento County's zoning and General Plan policies, and for the proposed project, as well as most of the alternatives, the EIR/EIS considers County policies and regulations only in conjunction with off-site impacts. Only for the "No Project" alternative does the Draft EIR/EIS consider applicable County policies and regulations. The practical effect of this is that the document largely evades analysis of the consistency of the SPA with County policies, even though the project currently is subject to those policies. We believe that there is a fundamental error in logic and approach on this issue under CEQA that must be remedied.

129 cont.

The analysis of Land Use impacts also appears flawed in relating the Thresholds of Significance to the discussion of impacts. Specifically, the Draft EIR/EIS identifies thresholds of significance under Appendix G of the CEQA Guidelines,⁷⁷ under which a potentially significant impact is identified if the proposed project or any alternative would "conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect..."⁷⁸ The City then contends, however, "that any inconsistency of the project with Sacramento County or Folsom land use designations and zoning code is an issue related to land use regulation and not a physical environmental consequence of the project, and therefore would not be considered a significant impact under CEQA."⁷⁹ This conclusion, however, was reached without assessing the impacts of the project and its alternatives in comparison to existing Sacramento County land use plans, policies and regulations. This is a clear error under CEQA, and must be revised.⁸⁰

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As for the specific discussion of Land Use impacts, several additional deficiencies exist. For Impact 3A.10-1, the Draft EIR/EIS discusses the project's consistency with LAFCO guidelines, including Resolution 1196. While the City identifies Resolution 1196 and its general requirements, the City fails to discuss how it has complied with paragraphs 4 and 5 of that resolution, namely to identify necessary improvements to the local roadway network of each jurisdiction in order **to mitigate the impacts associated with development within the Sphere of Influence Amendment area** and to "identify the traffic/transportation measures that must be implemented **to mitigate potential impacts on regional transportation infrastructure from proposed development within the SOIA area...**" (LAFCO Resolution 1196, paragraphs 4 and 5, emphasis added.) As is clear from the language quoted in bold, the LAFCO Resolution required the City to mitigate traffic impacts from the SPA project. However, as discussed in this letter in regards to the Traffic impact analysis, the City has attempted to mitigate impacts from

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⁷⁶ *Id.*
⁷⁷ Draft EIR/EIS, p. 3A.10-28.
⁷⁸ *Id.*
⁷⁹ Draft EIR/EIS, p. 3A.10-30.
⁸⁰ *See* CEQA Guidelines § 15125.

the SPA project by restricting truck access through the SPA area. This is not mitigation for the SPA project's traffic as required by Resolution 1196, but rather, an improper attempt to restrict quarry traffic to benefit the SPA project. Thus, the conclusion that Impact 3A.10-1 is less than significant is incorrect; the City has failed to demonstrate that the project is consistent with LAFCO Resolution 1196.

131 cont.

J. Noise

To the extent that the noise analysis relies on truck and other traffic distribution, all of the comments regarding traffic bear on the accuracy of the operational noise analysis. As with the traffic analysis, the failure to include the technical report deprives the public and decision makers of the ability to evaluate the accuracy of the assumptions underlying the noise analysis.

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The construction noise analysis in Impact 3A.11-1 assumes the maximum 7.5 dB reduction per doubling of distance, based on the soft ground in much of the SPA.⁸¹ However, while this might be true for initial development on the SPA, as development becomes more widespread, and as uses are developed at the edges of the SPA, more ground will become hardscape and will more easily transmit construction-related noises to neighboring or nearby uses, yielding a reduction of 6 dB or less, as opposed to only 4.5 dB in developed areas for "water" alternative impacts.⁸² Therefore, the consistent use of the maximum reduction for "land" alternatives results in a significant understatement of construction noise impacts, particularly given the 3 dB threshold.

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Impact 3A.11-1 also asserts that because the City of Folsom exempts construction noise from applicable standards, the increases in noise do not represent a significant impact within the City (or the SPA). Whether or not the City chooses to enforce its noise standards on construction activities, the numbers provided in Table 3A.11-16 and in the impact discussion more generally provide substantial evidence that a significant environmental impact would occur. "Conformity with a general plan does not insulate a project from EIR review where it can be fairly argued that the project will generate significant environmental effects."⁸³ In *Oro Fino Gold Mining*, the project proponent unsuccessfully argued that no significant impact existed because the proposed exploratory mine would not exceed the noise standards of the county general plan. The court dismissed this argument because the county did not enforce those standards. Similarly, when examining a major road and sewer project, the *City of Antioch* court held that "general plan conformity alone does not effectively 'mitigate' significant effects of a project." Here, as in these cases, the City impermissibly argues that standards that apply to every

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⁸¹ Draft EIR/EIS, p. 3A.11-29.

⁸² See Draft EIR, p. 3A.11-29; see also p. 3B.11-10, which assumes only 4.5 dB in developed areas for "water" alternative impacts.

⁸³ *Oro Fino Gold Mining Corp. v. County of El Dorado*, 225 Cal.App.3d 872 (1990), citing *City of Antioch v. City Council*, 187 Cal.App.3d 1325 (1986).

other aspect of development are not enforced with respect to noise, and on that sole basis appears to conclude that no significant impact will occur with respect to sensitive uses within the City. 134 cont.

Further, without acknowledging a significant impact, no basis exists for imposing construction-related noise mitigation measures on the Project Applicant. The City must revise the analysis to acknowledge, disclose, and mitigate the impact that up to 90 dB would create on nearby sensitive uses. 135

The analysis asserts, without any reference to authority, that blasting produces airborne noise that is largely outside the audible spectrum for humans.⁸⁴ 136

Impact 3A.11-2 asserts that "similar projects" generate no more than 500 one-way daily trips during construction and on this basis concludes that no significant impact would occur under any of the development alternatives. However, the analysis provides no substantial evidence to support this bald assertion. It cites no comparable developments or their traffic studies. Further, even as the project asserts that extensive earth-moving is not anticipated for the Proposed Alternatives, it ignores the grading necessary for development in hillside areas and the need for removal of blasted rock. Additionally, as the SPA becomes developed, the potential increases for smaller amounts of truck traffic to create impacts near new neighborhoods. No evidence in the document shows any serious consideration of these factors and no attempt to use a comparable project or study as a basis for analysis. The entire impact discussion is devoid of substantial evidence. 137
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Mitigation Measure 3A.11-3 conditions most of its physical requirements to avoid residences conditional language that renders those requirements unenforceable. Further, it does not demonstrate how monitoring and reporting vibration levels associated with blasts will reduce the impacts of that vibration. Therefore, no substantial evidence can support the required finding under CEQA Guidelines § 15091(a) that a mitigation measure would reduce or avoid this impact. 140

Impact 3A.11-4 segments the traffic noise analysis by omitting quarry truck trips from the traffic calculations, as shown in the title of Table 3A.11-19. The analysis offers no adequate explanation for this omission, and cannot, because although the traffic analysis (Section 3A.15) also segments the quarry truck trip analysis and uses incorrect and ungrounded assumptions regarding quarry trips, that analysis at least includes some attempt to model the effects. The City must revise this impact analysis to include all reasonably foreseeable trip generation within the development horizon of the proposed alternatives. 141
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Mitigation Measure 3B.11-1b fails to specify a performance standard, rendering it unenforceable. 144

Impact 3B.11-2 fails even to attempt to quantify the potential vibration experienced by sensitive receptors as a result of blasting activities, but asserts simply that 145

⁸⁴ Draft EIR/EIS, p. 3A.11-29.

blasting would be "minimal," and on that basis alone finds that no significant impact would occur. This "analysis" is totally unsupported by substantial evidence.

145 cont.

Impact 3B.11-3 fails to quantify the noise anticipated from the proposed water treatment plant and the effect of the required setbacks on that noise with respect to the proposed nearby multi-family residences.

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K. Traffic and Transportation

1. Technical Report

The Draft EIR/EIS fails to include the transportation impact analysis ("TIA") prepared by DKS Associates for the Project as an appendix, which prevents a substantial number of interested parties from obtaining and evaluating it. The CEQA Guidelines provide that "[a]ppendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review."⁸⁵

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As stated on page 3A.15-1, the traffic analysis was not appended to the Draft EIR/EIS. The failure to provide it deprives much of the public and agency decision makers from determining whether substantial evidence supports the assumptions included in the Draft EIR/EIS with respect to traffic and therefore constitutes a prejudicial abuse of discretion. The City must revise and recirculate the Draft EIR/EIS with a complete copy of the traffic study and other information upon which the City relied in writing the document.

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Further, in addition to the failure to provide the traffic technical study to the public, the Draft EIR/EIS includes no information that indicates whether, as required by law, transportation agencies such as Caltrans, and other regional agencies such as LAFCO or the Sacramento Area Council of Governments (SACOG), ever received copies of the traffic technical study.⁸⁶ Please provide evidence, such as transmittals and copies of certified mail return receipts, indicating that Caltrans, LAFCO, and SACOG each actually received copies of the TIA.

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2. Baseline Conditions

According to page 3A.15-7 of the Draft EIR/EIS, traffic counts for the TIA were collected from 2005 to 2007, depending on the jurisdiction. However, the City issued the NOP for the Draft EIR/EIS on September 12, 2008.

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⁸⁵ CEQA Guidelines § 15147.

⁸⁶ See CEQA Guidelines § 15147.

The baseline for CEQA analysis must be the "existing physical conditions in the affected area" at the time the NOP is published.⁸⁷ Traffic counts collected on affected streets as many as three years prior to issuance of the NOP—and five years prior to release of the Draft EIR/EIS—cannot provide an accurate representation of the conditions that exist in the study area when the NOP was issued.

149 cont.

Further, the Draft EIR/EIS does not identify which information came from which outdated source. Freeway count data came from "previous studies," including the Easton Glenborough Specific Plan EIR and the U.S. 50 Auxiliary Lanes PSR. Other studies are not identified. Even these sources, however, predate issuance of the NOP by nearly a year and post-date the other traffic counts for area roadways by up to three years.

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This wide array of data collection times provides a shifting and disjointed baseline for the traffic analysis, rendering any global consistency within the analysis impossible.

3. Thresholds of Significance

Within the City, LOS "C" is the minimum acceptable level. Within the SPA, the Draft EIR/EIS stated that LOS "D" would be acceptable if the improvements necessary to meet LOS "C" exceeded the City's "normally accepted maximum" improvements.⁸⁸ The environmental analysis does not attempt to define those "normally accepted maximum" improvements, and neither provides a rationale for that exception nor discusses why such improvements would not be feasible within the SPA. This omission is curious, given that any of the alternatives except the No Project would implement some version of the SPA road network essentially from scratch and without the typical concerns associated with upgrading existing roadway networks in urbanized areas. The analysis also does not identify which (otherwise feasible) improvements proposed as part of the mitigation strategy exceed those maximum improvements. An EIR must adopt feasible mitigation measures to reduce or avoid significant impacts.⁸⁹ If several measures are available to mitigate a significant adverse impact, the EIR should discuss each measure and identify the reason for selecting a particular measure.⁹⁰ Here, the analysis implies the availability of feasible measures to reduce or avoid significant impacts to roadway segments and intersections, yet refuses to describe or consider them based on an unstated but apparently arbitrary criterion. Please describe which roadway improvements were determined to exceed the "normally accepted maximum" for the City, which traffic impacts each of those roadway improvements would avoid or reduce, and why the analysis did not consider them in light of the virtual tabula rasa offered by the SPA for a roadway system.

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⁸⁷ *Environmental Planning and Information Council v. County of El Dorado*, 131 Cal. App. 3d 350, 354 (1982); CEQA Guidelines § 15125(a).

⁸⁸ Draft EIR/EIS, p. 3A.15-8.

⁸⁹ PRC §§ 21002, 21081(a).

⁹⁰ CEQA Guidelines §15126.4.

4. Scope of the Traffic Analysis

The Draft EIR/EIS does not describe the basis for the geographic scope of the TIA and does not describe its assumptions regarding where future residents would go, how many residents would reasonably be expected to work within the SPA, and where other workers would come from. For example, under the proposed project, the SPA would provide fewer jobs than housing units. The EIR/EIS needs to examine where the Project's working residents would be commuting, and where workers who commute into the Project area would be coming from.

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Also, although the analysis states on page 3A.15-1 that it relies on [studies] for certain trip distribution assumptions, it does not include them in the Draft EIR/EIS or appendices, nor does it incorporate them by reference or otherwise describe them or their assumptions. Please describe what those studies were and where copies of them can be obtained and reviewed.

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Please identify (1) what substantial evidence supports the trip distribution assumptions of the TIA, (2) which studies the TIA relied upon for which analyses, and (3) the process by which the City determined that application of each of the studies relied upon properly related to the Proposed Project.

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5. Traffic Mitigation Measures

Many of the mitigation measures upon which the traffic analysis relies are not enforceable. They make extensive use of the permissive terms "may," "should," and "feasible," rather than the mandatory (and enforceable) "shall," "must," or "will." For example, mitigation measure 3A.15-1c consists of hypothetical future agreements which "should . . . include provisions that allow for periodic update to the traffic modeling on which fair share payment calculations depend."⁹¹ By using "should," the measure fails to ensure that any funding mechanism established for the necessary improvements will accommodate changes in trips generated, the physical improvements required to accommodate the new traffic, and changing costs associated with the improvements. Even if the vague and uncertain funding mechanism envisioned in the measure comes to fruition, no requirement exists that the mechanism actually account for conditions other than those under which it was established. The use of permissive language obligates the City and other agencies to nothing beyond "seek[ing] to negotiate in good faith" to establish such a mechanism. Consequently, even if the appropriate agencies could establish funding mechanisms, future applicants would only need to pay the fair share amount calculated for them based on formulae that may or may not actually suffice for implementation of the required improvements, rendering the actual completion of the proposed improvements even more uncertain. The failure of the Draft EIR/EIS to use mandatory and specific language

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⁹¹ Draft EIR/EIS p. 3A.15-48.

does not allow the City to find, as it must, that changes to any of the proposed alternatives have been incorporated to avoid or substantially lessen their potential environmental effects.⁹²

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Further, mitigation measures such as 3A.15-1c above impermissibly defer mitigation.⁹³ Each of the measures that requires negotiation and formulation of a funding mechanism, including a nexus study, defers formulation of what the Draft EIR/EIS should have included. At a minimum, the Draft EIR/EIS should include a template of a proposed funding agreement to allow adequate examination of how and whether it would work, and whether it would include elements, such as those described above, that would ensure adequately frequent review and revision to ensure full funding of the required improvements, as well as triggers or times for these improvements, to reduce impacts to less than significant levels. As those mitigation measures currently read, they allow for no meaningful review as to their effectiveness or enforceability.

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The mitigation measures also fail to ensure construction of all required intersection and roadway improvements prior to implementation of future development. For example, the mitigation measures generally appear to require an applicant to construct necessary improvements (though only those that are "feasible," a qualifier for which the measure provides no criteria) to reduce the severity of that project's significant impact on traffic. However, the measure specifies no triggering event and no deadline for construction of those improvements. Therefore, as the measure is structured, a component of the Proposed Project could operate prior to implementation of the roadway improvements necessary to serve that component of the Project.

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To actually reduce or prevent the impact associated with a particular development, any improvements must be implemented by the time the development it is intended to serve or accommodate is operational. Fair-share contributions to a mitigation fund are adequate mitigation only if they "are part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing."⁹⁴ Further, under CEQA Guidelines §15130(a)(3), an analysis coupled with supporting facts must exist to support a finding that a fair-share contribution to a mitigation plan that will address a cumulative impact.⁹⁵

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A commitment to pay fees is not adequate mitigation if no evidence demonstrates that mitigation will actually result. As the court explained in *Anderson First Coalition v City of Anderson*, fees must be paid in connection with a reasonable, enforceable plan for mitigation that is sufficiently tied to actual mitigation of the project at issue. A fee requirement is not adequate

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⁹² CEQA Guidelines § 15091.

⁹³ See, e.g., *Sundstrom v. County of Mendocino*, 2020 Cal. App. 3d 296, 307 (1988).

⁹⁴ *Anderson First Coalition v City of Anderson*, 130 Cal. App. 4th 1173, 1187 (2005); see also *Save Our Peninsula Comm. v Monterey County Bd. of Supervisors*, 87 Cal. App. 4th 99, 141 (2001) (traffic impact fees upheld as adequate mitigation on basis that a "reasonable plan" to mitigate traffic impacts was in place).

⁹⁵ See *City of Marina v Board of Trustees of the Cal. State Univ.*, 39 C4th 341, 365 (2006).

mitigation when a program setting fee requirements and committing to specific mitigation measures has not been adopted.⁹⁶ Therefore, rather than simply creating a fund for future improvements that may or may not occur, traffic mitigation measures must be structured in a way that ensures completion of all necessary physical improvements to serve a particular development or mitigate its significant effects. One possible mechanism may involve payment by a developer for the initial improvements, coupled with a mechanism to allow the developer to recoup fair-share costs from other applicants and/or public agencies. Only by requiring construction of the necessary improvements prior to issuance of occupancy permits or another appropriate entitlement that would prevent project operation prior to the completion of roadways and other improvements, could impacts be fully mitigated. Absent such a provision, however, even where physical improvements could otherwise have reduced an impact to a less-than-significant level, a significant short-term impact would occur as a result of the inadequacy of the transportation infrastructure to serve that development until completion of the improvements required to provide adequate levels of service.

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Given the above, the City should in all cases require construction by a developer of all necessary traffic improvements in the City for a particular development. For example, Mitigation Measures 3A.15-1a-c, e-f, and h, Mitigation Measures 3A.15-3, and Mitigation Measures 3A.15-4a-g require preparation of a phasing analysis to determine when a particular improvement must be implemented. They should instead simply require implementation of the required improvements by the developer prior to issuance of an occupancy or other appropriate permit, and establish a fair share mechanism that will allow the initial developer to recoup from other/future developers their fair share of the required improvements. Unless the reconfiguration of the respective intersections and roadway segments is complete at the time cumulative traffic requires them, the EIR/EIS cannot find that a less-than-significant impact would occur, at least in the short term, in any of these cases. Mere payment of fair share fees does not ensure that the required improvements will ever actually be implemented, let alone implemented in time to accommodate traffic from the Proposed Project. Note that an EIR must respond to specific suggestions for mitigating a significant impact.⁹⁷

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6. The Draft EIR/EIS Fails to Discuss the Environmental Effects of Traffic-Related Mitigation Measures.

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The EIR/EIS fails to evaluate the potential environmental effects of traffic-related and other mitigation measures.⁹⁸ This omission is particularly crucial given the structure of the

⁹⁶ *Gray v County of Madera*, 167 Cal. App. 4th 1099, 1122 (2008); see also *San Franciscans for Reasonable Growth v City & County of San Francisco*, 151 Cal. App. 3d 61, 79 (1984) (requirement that project sponsor pay unspecified amount of money at unspecified time and in compliance with unspecified transit funding mechanism was inadequate mitigation measure because it was impossible to evaluate its effectiveness).

⁹⁷ See *Los Angeles Unified Sch. Dist. v City of Los Angeles*, 58 Cal. App. 4th 1019, 1029 (1997).

⁹⁸ CEQA Guidelines § 15126.4(a)(1)(D); see also *Save Our Peninsula Communit, supra*, at 130 (rejecting the argument that an EIR was not required to address the environmental effects of mitigation measures.).

purported traffic mitigation measures that, by allowing mitigation only through fees, would result in incremental improvements to the roadway systems of affected jurisdictions after implementation of project elements. For example, any improvements to the U.S. 50 mainline, as well as to interchanges or on/off-ramps would necessarily create impacts on freeway operations. Also, assuming establishment of the funding mechanisms anticipated in the Draft EIR/EIS, public agencies would construct roadway improvements as they gain funding, which could result in the disruption of traffic on the street subject to improvement, as well as on adjacent streets. The City must revise and recirculate the Draft EIR/EIS to correct this glaring omission and to accurately depict the true extent of project-related traffic impacts.	173 cont. 174 175
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Similarly, construction of new facilities as infill occurs within the SPA could result in encroachments onto or closures of public rights-of-way that would affect traffic flow within the SPA. Yet the Draft EIR/EIS fails even to acknowledge the possibility of such impacts. Again, the City must revise and recirculate the Draft EIR/EIS to correct this omission and accurately depict the true extent of the impacts of the impacts of the project on traffic.	176
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7. The Cumulative Quarry Truck Traffic Analysis is not Supported by Substantial Evidence.

The EIR/EIS' analysis of quarry truck traffic is not based on substantial evidence. The analysis states on page 3A.15-134 that the only traffic study available for any quarry was the Teichert Quarry Draft EIR, which the SOI landowners had heavily criticized as insufficiently detailed and lacking support for its assumptions regarding the volumes of materials produced, the number of truck trips required to convey those volumes, and the ultimate destinations of the trucks. Further, the EIR/EIS' analysis acknowledges that the trip generation and distribution methods used for the quarry trucks were unacceptable to the City. ⁹⁹ This likely stems from the City's recent restriction of heavy truck traffic through the City, as well as its statement that it will also restrict truck traffic through the SPA. As stated in the County of Sacramento's comment letter on the NOP, the City proposes to preclude all truck traffic north through the SPA, potentially including Prairie City Road, Oak Avenue Parkway, Scott Road/East Bidwell Street, and Empire Ranch Road. Yet the EIR/EIS fails to account for this. In fact, Exhibits 3A.15-111-113 show traffic distributed through the SPA along Scott Road and Oak Avenue Parkway, as well as on East Bidwell Street through the City proper, depending on the scenario. Please explain how the trip generation and distribution figures for this analysis can have any validity, given their disapproval by the City, as well as their outright conflict with stated City policy, which logically leads to the conclusion that no quarry project could possibly generate or distribute traffic in the manner described in the analysis. Unrealistic assumptions cannot and do not provide a substantial basis for any analysis. The City must revise the TIA and the traffic analysis, using assumptions with some grounding in reality, and recirculate the Draft EIR/EIS for public review.	177 178 179 180 181
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⁹⁹ Draft EIR/EIS p. 3A.15-135.

Also, according to page 3A.15-30 of the Draft EIR/EIS, the traffic analysis assumes no PM peak hour traffic from quarries, based on an assumption that operations cease or change by 4:00 PM in such a way that no outbound truck trips would occur during that time. Although as stated on the same page, the analysis of quarry operations is based on the Teichert Quarry EIR, operations at Teichert may not be representative of the other quarries in the area. A number of quarries exist in the vicinity of the SPA, both in Sacramento and El Dorado Counties. Even a cursory investigation of their operating practices would shed some light on this assumption and test its validity with respect to the closest quarries other than Teichert. In point of fact, many road and freeway construction projects take place during the night in order to avoid disruption to daytime traffic. Such construction schedules require trucks to leave quarries with construction materials in the late afternoon PM peak hour travel time and in the early evening hours in order to reach their worksite destinations. Please provide in your response to comments (1) the basis for applying the operational assumption of no PM peak hour truck trips to or from quarries other than Teichert, and (2) any specific steps taken to characterize the operations of those other quarries.

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Additionally, the County of Sacramento requested in its comment letter on the NOP that the Draft EIR/EIS analyze the Teichert Grant Line East project, for which Teichert had submitted an application to the County. However, the traffic analysis provides no evidence of consideration of that project, and fails to explain its absence in the analysis. Please explain why the Draft EIR/EIS ignores the County's express and reasonable request regarding the scope of the traffic analysis.

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Again, the absence of the TIA in the Draft EIR/EIS does not permit even a cursory examination of the trip distribution methods used for the quarry trucks, which precludes any meaningful consideration of whether substantial evidence supports the assertions in the Draft EIR/EIS traffic analysis. Again, the City must include the TIA in the appendices and revise and recirculate the Draft EIR/EIS to allow meaningful public review and comment on the traffic impacts of the Proposed Project.

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8. The Traffic Analysis Fails to Include Even a Cursory Discussion of the Effects of Relevant Objectives and Policies.

Starting on page 3A.15-20, the Draft EIR/EIS traffic section lists an number of goals, objectives, and policies from the General Plans and other planning documents of the City of Folsom and surrounding jurisdictions. However, the analysis includes no discussion as to how those goals and policies affected the traffic analysis or development of mitigation measures.

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9. The Analysis of the Effects of Construction Activities for Water Facilities is Inadequate.

The analyses of construction-related traffic impacts associated with the "water" alternatives include only two mitigation measures (3B.15-1a, b), and both require only coordination with local agencies regarding construction-related truck traffic, and a general

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requirement to maintain traffic flow in two directions. The analysis fails to discuss how and to what extent those measures would substantially reduce the impact identified, offering only the bald conclusion that the "water" portion of the project "would not result in any residual significant and unavoidable impacts to traffic."¹⁰⁰ How notification and mere maintenance of two-way traffic "where possible" during construction would reduce these impacts remains unclear. The discussion must be more than a conclusion "devoid of any reasoned analysis."¹⁰¹ Discussion of how the proposed measures would substantially reduce potentially significant impacts related to access and roadway restrictions is particularly important, because the projected delays would still occur. Accordingly the City must revise this analysis and recirculate the Draft EIR/EIS to allow meaningful review by the public and decision makers regarding this issue.

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Additionally, Impact 3B.15-4 acknowledges that emergency vehicles would experience "a few minutes" of delay, but dismisses this impact as less than significant with no further analysis. In fact, emergency response times correlate to survival rates of victims. A 2008 study¹⁰² determined that a one-minute delay in emergency medical response time corresponded to a 13%.¹⁰³ Additionally, these results suggest that increases of less than one minute also affect survival rates.¹⁰⁴ This information provides substantial evidence for the proposition that implementation of "water" alternatives could have a significant impact on emergency response. Accordingly, the City must revise the analysis to evaluate and disclose this impact, and recirculate the Draft EIR/EIS to allow meaningful review by the public and decision makers regarding this issue.

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10. The Traffic Analysis Fails to Include a Discussion of the Potential Effects of the Mather Airport Master Plan Update on Development in the SPA.

According to the County of Sacramento, Mather Airport is currently updating its Master Plan, and the County began preparation of the EIR for the project on July 19, 2007. That project is therefore reasonably foreseeable for the purposes of including it in a cumulative impact analysis, both with respect to vehicular traffic and with respect to any potential changes in air

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¹⁰⁰ Draft EIR/EIS p. 3B.15-12.

¹⁰¹ See *Whitman v Board of Supervisors*, 88 Cal. App. 3d 397, 411 (1979).

¹⁰² Elizabeth Ty Wilde. *Do Response Times Matter? The Impact of EMS Response Times on Health Outcomes*, Princeton Univ. Indust. Relations Section Working Paper # 527, March 2008.

¹⁰³ *Id.*, at p. 18. In the study data, the baseline average mortality rate was 9.8 percent at 365 days after an incident for all emergency medical services calls. An increase of one minute in the response time yielded an increase of 1.26 percent in average mortality at 365 days after an incident, a 13 percent increase from the baseline. Death rates measured further from an incident than 365 days show a greater increase.

¹⁰⁴ *Id.*, at p. 21.

traffic and the safety issues involved.¹⁰⁵ However, the traffic analysis does not appear to account for this in any way. The City must revise the analysis to cure this omission and explain how and to what extent the analysis evaluated the potential effects of the Master Plan Update in the cumulative analysis.¹⁰⁶

189 cont.

11. Water Supply Analysis.

a. The Analysis Uses Confusing and Misleading Terms.

Pages 3A.18-8 and -10 refer to a "No Federal Action" Alternative, with a demand of only 1,224 AFY during normal years and 1,247 during multiple dry years, and with no further explanation of its content or presence. What is the genesis and purpose of this alternative, and how was water demand calculated for it? Why does no discussion of this alternative occur in the Alternatives section (Ch. 2) of the Draft EIR/EIS? Assuming the phrase refers to a different alternative, the unfortunate use of the term "No Federal Action" is confusing and misleading, because a project that requires no permit from the USACE (or the refusal of the USACE to issue a permit) also constitutes "no federal action."

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b. The Analysis Fails to Evaluate the Feasibility or Likelihood of NCMWC "Project Water" Availability Throughout the Year.

Page 3A.18-12 (among others) of the Draft EIR/EIS, and page 35 of the Water Supply Assessment (Appendix M to the Draft EIR/EIS) states that "Project Water" from which the City would serve the SPA is currently available to NCMWC in July and August. However, even though the analysis acknowledges that the City must ensure delivery of this water year-round to adequately serve development in the SPA,¹⁰⁷ the analysis appears to rely at least somewhat on the notion that M&I as an allowed use of Project Water during growing season bears on the availability of the water year-round.

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Table 3A.18-2 shows that no "Project Water" is available at all during any other month, and the discussion of supply fails to provide any information regarding how delivery would occur during the other ten months of the year. No analysis of the engineering feasibility to provide that water year-round exists; rather, the discussion improperly defers the analysis until

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¹⁰⁵ See *San Franciscans for Reasonable Growth v City & County of San Francisco*, 151 Cal. App. 3d 61, 71 (1984) (agency interpreted Guideline on reasonably foreseeable projects for cumulative impacts analysis too narrowly); *Environmental Planning & Info. Council v County of El Dorado*, 131 Cal. App. 3d 350 (1982) (agency failed to analyze impacts of proposed general plan revision on existing environment).

¹⁰⁶ See *Bakersfield Citizens for Local Control v City of Bakersfield*, 124 Cal. App. 4th 1184, 1216 (2004) (no explanation offered about criteria for determining geographic area of cumulative impact analysis, which resulted in ignoring similar large-scale retail projects concurrently being considered).

¹⁰⁷ Draft EIR/EIS, p. 3A.18-12.

some unspecified point in the future.¹⁰⁸ Several points of information must be provided to allow for any consideration of the likelihood of availability of the water year-round.

195 cont.

The discussion must provide some basis for the apparent and fundamental assumption that Project Water supplies are fungible and available year-round. A fundamental question that needs analysis in the EIR/EIS is whether the water supply entities that provide water to the NCMWC during July and August have the ability to provide water to the NCMWC at other times of the year on a year-round basis. They may not have the water or water storage facilities that would allow them to provide sufficient water to the NCMWC on a year-round basis. Does the lack of availability of Project Water from September to June indicate the use of all available water during those months? Does the lack of availability reflect the use of all available infrastructure capacity during those months? Either condition would indicate an inability of NCMWC to deliver the required water to the Project on a year-round basis and the necessity of securing and discussing another source. The apparent contingency of water availability on further studies—particularly engineering studies—suggests a physical limitation on NCMWC's ability to deliver water.¹⁰⁹ There may not be sufficient water flowing in the Sacramento River for the NCMWC to alter the times when it withdraws its water from the River. Given this context, the statement in the analysis regarding the "reasonable certainty" of water supplies from NCMWC can only apply to NCMWC's willingness to sell the water, but not the availability of the water NCMWC is willing to sell to the City.¹¹⁰ The "water" alternatives reflect improvements purportedly necessary to convey NCMWC water to the SPA, but the analysis assumes no need to upgrade NCMWC infrastructure to provide or store that water if it can only be withdrawn from the Sacramento River during July and August, despite a tacit admission that adequate infrastructure may not exist.

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Alternatively, if Project Water simply remains unavailable on a consistent basis year-round, or if, as is apparent, substantial uncertainty remains as to its availability, the discussion must identify some alternative means of storage and delivery of Project Water (currently available only during July and August) throughout the remainder of the year. For instance, how much storage capacity would suffice, and where and how could the City provide that capacity? If such a requirement exists, the Draft EIR/EIS must include that requirement either as a mitigation measure or a separate "water" alternative, and evaluate the environmental effects of providing that storage accordingly.

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An EIR must analyze, "to the extent reasonably possible," the impacts of providing water to the entire project.¹¹¹ The analysis cannot simply defer discussion of this issue. In *Stanislaus Natural Heritage Project, Sierra Club v. County of Stanislaus*,¹¹² the court found

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¹⁰⁸ See Draft EIR/EIS, p. 3A.18-13.

¹⁰⁹ Draft EIR/EIS, p. 3A.18-13.

¹¹⁰ See, e.g., Draft EIR/EIS, pp. 10, 14.

¹¹¹ See *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal. 4th 412 (2007).

¹¹² "Stanislaus Natural Heritage," 48 Cal. App. 4th 182 (1996).

that an EIR for a Specific Plan improperly deferred analysis of significant effects associated with long-term water supply to later tiered EIRs, and in doing so prevented the County leadership from making an informed decision regarding the environmental consequences of the project.

202 cont.

Here, as in *Stanislaus Natural Heritage*, the EIR/EIS proposes to defer study of the physical ability of water to reach the SPA until future tiered documents. Hence, there is no evidence that water can be supplied to the NCMWC on a year-round basis at the level required for the NCMWC to deliver water to the Project. Under both scenarios described above, the analysis fails in its obligation to provide basic information regarding the likely availability of water year-round, the improvements necessary to store and/or convey that water, and the environmental effects of storing or providing that water. As stated by the Supreme Court, an EIR must include substantial evidence demonstrating a reasonable likelihood that identified water supplies will be available to serve the project. The EIR must also disclose all uncertainties associated with such supplies and evaluate the impacts of delivering all identified supplies to the project.¹¹³ Therefore, the Project's EIR/EIS must, at a minimum, include discussions of (1) the physical limitations of NCMWC infrastructure, (2) the effect of those limitations on water delivery to the SPA, (3) the upgrades necessary to ensure water service to the SPA at build-out, and (4) the environmental impacts of those upgrades. The failure of the Draft EIR/EIS to fulfill its obligation by providing this information in the first instance prevents any meaningful review of the issue by the public or decision makers. The City must, therefore, revise the analysis to correct these deficiencies and re-circulate the Draft EIR/EIS for public review and comment.

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c. The Analysis Fails to Address the Effect of Year-Round Diversions of Project Water on Existing and Future Users.

In addition to the issue of likelihood of year-round availability of "Project Water," the analysis fails to discuss the effect of the year-round absence of that water on other users. If Project Water is available only during July and August because existing customers (such as municipalities and agricultural operations) use all or even most available water during the remaining months, the shift of Project Water deliveries to a year-round schedule to accommodate future users in the SPA could affect these other users, or require NCMWC to procure water from other sources to offset the decline in supply. The theoretical agreement by NCMWC to provide Project Water year-round does not mean that doing so will have no effect on other users of the same water source, and the analysis must provide an explicit discussion regarding these potential effects on other users.¹¹⁴ However, the analysis fails even to acknowledge the potential for this effect. The City must revise the analysis accordingly to allow for meaningful review of the effects of the proposed alternatives.

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¹¹³ See *Vineyard, supra*; *Stanislaus Natural Heritage, supra*.

¹¹⁴ See *Gray, supra*.

d. The Water Supply Analysis Provides Very Little Tolerance for Differences Between Calculated and Actual Demand.

As shown in Table 3A.18-7,¹¹⁵ the difference between demand calculations and available water ranges from a mere 10.6 percent during normal years to as low as 7.6 percent in dry years. Although the analysis attempts to use these figures as evidence that excess water remains in the proposed entitlement to serve the project and provide a cushion, these numbers in fact tend to suggest the opposite—that is, 6,000 AFY may not suffice. How much error resides in the estimates of water demand in the water supply assessment, especially given that separate meters for water used for landscape irrigation did not exist in the study area from which demand values were calculated, and which did not allow disaggregating "inside" and "outside" water uses?

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e. Water Supply Mitigation Measures Are Not Effective.

The mitigation measures proposed to prevent development occurring prior to a secure water supply to serve that development fail to achieve their objective.

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The City must revise mitigation measure 3A.18-2a¹¹⁶ to state the City shall issue no occupancy permits for any development unless and until the required water infrastructure to serve that development is fully constructed.

The City must revise MM 3A.18-2b¹¹⁷ to state the City shall issue no occupancy permits for any development unless and until the required water treatment capacity to serve that development is fully constructed and available.

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12. The Draft EIR/EIS Provides only the Most Conclusory Analysis of Impacts Related to Long-Term Water Supply.

The "analysis" provided in Section 3A.18.5 of options for long-term water supply provides a series of brief, conclusory statements for the various resource areas.¹¹⁸ Although the discussions reference the environmental analyses provided elsewhere in the Draft EIR/EIS, each generally includes only a conclusory statement relating the impacts of this supply option to the impacts evaluated for other "water" alternatives. Those deficient analyses include, but are not limited to, the following:

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¹¹⁵ Draft EIR/EIS, p. 3A.18-13.

¹¹⁶ Draft EIR/EIS, p. 3A.18-21.

¹¹⁷ Draft EIR/EIS, p. 3A.18-22.

¹¹⁸ Draft EIR/EIS Section 3A.18.5, beginning on p. 3A.18-24.

Air Quality. The discussion of air quality does not even attempt to quantify the construction-related or operational emissions this option would generate. It does so even after conceding the presence of sensitive receptors adjacent to the proposed extraction well sites.

211 cont.

The analysis simply concludes that air quality impacts associated with NOx would be greater under this option. However, if emissions from this option would exceed those anticipated from "water" alternatives, those emissions presumably include PM10 and PM2.5 (though the analysis fails to describe the expected emissions with enough specificity to determine this), which are TACs and could have adverse health effects on nearby residents. The City must, therefore, revise this analysis to quantify (1) of all anticipated pollutants from this option, and (2) disclose the incremental increase in cancer and non-cancer acute health risks to those sensitive receptors.

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Biological Resources. The analysis concludes that both potential well sites under this option could result in direct impacts to tributaries of Laguna Creek and to vernal pools, native trees, and a long list of sensitive species. However, the analysis fails to quantify these impacts, even as it asserts that mitigation contained in the biological resources analysis would reduce any such impacts to less-than-significant levels. The City must correct this deficiency to allow meaningful public review and comment.

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Climate Change. This analysis suffers from the same defects as the climate change analysis for the "land" and "water" alternatives. It offers a standardless analysis and relies on vague, unenforceable mitigation measures.

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Hazards and Hazardous Materials. The analysis states that groundwater may exhibit odors and taste different from water provided by the NCMWC, which would result in a significant impact. However, would the TDS levels to which the analysis refers still exist after treatment, and if not, how would a significant odor impact to end-users occur?

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Hydrology and Water Quality. The analysis includes a cursory discussion of cumulative impacts on groundwater withdrawal, and states only that the 2030 cumulative condition includes "other sources of demand" shown in the Sacramento County General Plan. However, the analysis does not identify these sources, or whether they include the three proposed quarries adjacent to the SPA.

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Traffic and Transportation. The analysis of short-term traffic impacts associated with construction within and adjacent to right-of-way suffers from the same defects as the construction analysis for the "land" and "water" alternatives, and relies on vague mitigation measures that will not reduce the impacts disclosed to a less-than-significant level.

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L. Cumulative Impacts (Guidelines § 15130)

(i) The Cumulative Impact Analysis Fails to Include the Walltown Project as Part of the Cumulative Impact Baseline

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While the Draft EIR/EIS identifies the Walltown Project in the Cumulative Impacts Chapter (see pp. 4-15 to 4-16), the analysis fails to discuss the project (as well as the Teichert Quarry) as part of the baseline for assessment of cumulative impacts. (See, e.g., Table 4-4, p. 4-27.) This is a clear error in the Draft EIR/EIS, which results in incorrect conclusions about cumulative impacts and incorrectly seeks to identify voluntary mitigation measures for the aggregate operators, such as Cumulative Mitigation Measures AIR-1-Land and Noise-1-Land. (See pp. 4-24 to 4-26, 4-51 to 4-53.) The City must revise the cumulative impact discussion to identify the aggregate quarries as part of the baseline for assessment of cumulative impacts.

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(ii) The Analysis is Cursory and Often Fails to Specify Whether a Significant Cumulative Impact Would Occur in the First Instance.

An EIR must include a discussion of cumulative impacts that are expected and provide a reasonable analysis of the cumulative impacts of the relevant projects.¹¹⁹ An adequate environmental analysis considers "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."¹²⁰ The analysis must first determine whether the proposed alternatives, in combination with others, would result in a significant impact, and then whether the incremental contribution of any of the proposed alternatives would be "cumulatively considerable."¹²¹ The description and analysis should reflect the severity of the cumulative impacts and the likelihood of their occurrence.¹²²

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However, the cumulative "analysis" provided for each issue area generally comprises a cursory discussion that often fails either to provide a clear significance conclusion regarding the cumulative impact for that resource as a whole, or for each impact threshold addressed. This confuses the significance conclusions with respect to the proposed alternatives, as the reader cannot distinguish between impacts that are cumulatively significant, but to which the proposed alternatives would not make a cumulatively considerable contribution; impacts that are cumulatively significant, to which the project would make a cumulatively considerable contribution; and impacts that are not cumulatively significant. Further, the discussions do not distinguish among the various proposed "land" and/or "water" alternatives, but instead provide "vanilla" analyses that properly apply to none of the alternatives. These failures render the Draft

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¹¹⁹ CEQA Guidelines § 15130(b)(4)-(5).

¹²⁰ CEQA Guidelines § 15355(b).

¹²¹ *Communities for a Better Environment v. Cal. Res. Agency*, 103 Cal. App. 4th 98, 120 (2002).

¹²² CEQA Guidelines § 15130(b); *City of Long Beach v Los Angeles Unified Sch. Dist.*, 176 Cal. App. 4th 889 (2009).

EIR/EIS "so fundamentally and basically inadequate" that public comment on the document with respect to cumulative impacts is essentially meaningless.¹²³ Only revision and recirculation of the Draft EIR/EIS can correct this and provide an adequate opportunity for the public and decision makers to consider and comment upon the environmental effects of the proposed alternatives.

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(A) Aesthetics

For example, the aesthetics analysis states that the cumulative projects "would substantially change the visual conditions,"¹²⁴ but fails to specify whether this change is adverse and constitutes a significant cumulative impact.

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Additionally, as in the project-specific aesthetics analysis for the "land" and "water" alternatives, the analysis fails to address daytime glare.

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(B) Air Quality

The analysis of land use compatibility with arterial roadways using TACs as a proxy states that a significant cumulative effect would not occur if the analysis uses emissions factors from 2030. However, how much construction, as a percentage of the development in the SPA, would reasonably be expected to occur from 2030 onward? The analysis itself concedes that emissions in "intermediate" years would be greater than in 2030,¹²⁵ but appears simply to use lower emissions factors closer to SPA build-out for this analysis. As a result, the analysis understates the impacts of construction emissions prior to 2030. Also, the cumulative analysis fails to address operational odors from such sources as dumpsters.

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(C) Climate Change

The climate change cumulative analysis contains no analysis at all, but merely references the project-level analysis of GHGs. Please refer to our comments above regarding the GHG analysis.

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(D) Cultural Resources

The analysis arbitrarily limits the scope of cumulative impacts to the Sacramento region, when many archaeological and historical resources of that region hold statewide or even national significance in the context of the California Gold Rush era and may be eligible for inclusion on the California Register of Historical Resources and/or the National Register of Historic Places. See Guidelines Section 15064.5. The City must revise the analysis to account

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¹²³ CEQA Guidelines §15088.5(a); *Laurel Heights Improvement Ass'n v Regents of Univ. of Cal. (Laurel Heights II)*, 6 Cal. 4th 1112, 1130 (1993); see also PRC § 21166.

¹²⁴ Draft EIR/EIS, p. 4-20.

¹²⁵ Draft EIR/EIS, p. 4-21.

for the greater significance of the resources present in the SPA and off-site areas, as well as the greater potential cumulative effect of their destruction as a result of the proposed alternatives. 229 cont.

(E) Geology and Mineral Resources

As in the Geology analysis for the "land" and "water" alternatives, the cumulative analysis improperly defers study and mitigation of the effect of development of the SPA on the availability of kaolin clay deposits within that area. Consequently, as with the alternatives analysis, the cumulative analysis can provide no meaningful conclusion regarding the impact to this resource. This non-analysis deprives the public and decision makers of the ability to fairly assess the environmental effects of any of the proposed alternatives on mineral resources, and to balance those effects against the supposed benefits of the alternatives. 230

Further, the analysis does not, as requested by the County of Sacramento in their letter regarding the NOP, discuss the effect of the City's existing and proposed policies regarding heavy trucks in the City and SPA, respectively, on the ability of quarries to mine and efficiently transport their minerals, particularly when these effects are combined with other development near existing and proposed quarries. This is a particularly egregious omission, given that the mineral resources at the Walltown Quarry site are classified as MRZ-2 (as discussed above in this letter). The City must thus revise the EIR/EIS to examine this issue. 2321
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(F) Paleontological Resources

The discussion simply does not indicate whether any cumulative impact to paleontological resources would occur even without the project. Further, the analysis erroneously assumes that important fossils would be "encountered" and "studied," rather than damaged or destroyed, and on that basis finds the alternatives would not result in a cumulatively considerable contribution to an impact to this resource. This is akin to a claim that harassment or take of a specimen of a sensitive animal species would not result in a significant impact because the take would add to the knowledge base regarding the species. The City must revise the analysis to acknowledge the possibility of damaging or destroying unique paleontological resources, to identify the significance of the cumulative impact, and to actually substantiate the significance conclusion regarding the alternatives' cumulatively considerable contribution to that impact. 233
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(G) Hazards and Hazardous Materials

The discussion states without any substantial evidence that cumulative impacts regarding hazards and hazardous materials do not occur; rather, they are project-specific in nature. What is the basis for this conclusion? Do multiple projects in a given area that use hazardous materials not create a higher aggregate risk to nearby facilities or residents? If not, why not? If so, why does the discussion not disclose and evaluate this possibility with respect to the SPA, off-site, and surrounding areas? 236
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(H) Hydrology, Water Quality, and Groundwater Resources

This discussion fails to provide a significance conclusion for the cumulative impact without the alternatives. Further, the analysis acknowledges that the alternatives would result in additional diversions throughout the year, and could result in reduced SWP and CVP water deliveries in subsequent years. Even if these year-round diversions are "only" 10 cubic feet per second, they could "contribute to further reductions in Sacramento River flows in the long term."¹²⁶ Also, the groundwater resources discussion concludes that a significant cumulative impact would occur,¹²⁷ and that major sources of groundwater recharge include streams and waterways, presumably including the Sacramento River.¹²⁸ What is the threshold for a significant cumulative impact under these circumstances? Also, how would areas most conducive to recharge be "sited and designed to maximize infiltration"?¹²⁹ And if the soils outside these areas are not conducive to recharge, how can the discussion conclude that landscape irrigation would increase seasonal groundwater recharge? Areas with vernal pools are underlain by a layer of hardpan that prevents percolation of surface waters and their infiltration into the groundwater table.

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(I) Land Use and Agricultural Resources

The discussion completely avoids any meaningful analysis, stating that land use impacts are "site-specific" and cannot, by their nature, create cumulative impacts. However, this conclusion has no logic supporting it. Multiple land use impacts, of course, can have a cumulative effect, e.g., an overall change in regional land use patterns, etc. The analysis concludes that because the Sacramento County and El Dorado County Important Farmland Maps designate the SPA and off-site areas as grazing land or urban built-up land, and CEQA does not consider these as "important farmlands," no impact with respect to agricultural resources would occur.¹³⁰ However, Appendix G of the CEQA Guidelines (Item II.c) does not require an "important" or other farmland designation to find a potentially significant impact when agricultural lands are converted to non-agricultural uses.

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IV. CONCLUSION

Tsakopoulos is troubled by the City's apparent interest in accelerating the SOI Project through the planning process absent a meaningful environmental review and absent a collaborative effort with regional Stakeholders to address issues such as transportation and traffic. Though the City provided inadequate time to review the Draft EIR/EIS in a meaningful

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¹²⁶ Draft EIR/EIS, p. 4-41.
¹²⁷ Draft EIR/EIS, p. 4-44.
¹²⁸ Draft EIR/EIS, p. 4-42.
¹²⁹ Draft EIR/EIS, p. 4-42.
¹³⁰ Draft EIR/EIS, p. 4-45.

Gail Furness de Pardo
September 10, 2010
Page 45

manner, the host of environmental deficiencies in the document noted herein in the short review period should highlight why the City ought to re-examine the SOI Project and its relationship to issues of regional concern.

245 cont.

Sincerely,



SCOTT N. CASTRO of
Jeffer Mangels Butler & Mitchell LLP

SNC:snc

cc: Kerry Shapiro, Esq.
Angelo G. Tsakopoulos

Tsakopoulos-2-1 through

Tsakopoulos-2-2

The comments state that the comment letter was submitted on behalf of Angelo G. Tsakopoulos and Katherine Tsakopoulos, owners of the Wilson Ranch property that is located directly south of the project's southern boundary, and that an application for an aggregate quarry on the Wilson Ranch property is pending before the County. The comments state that the project, as proposed, "threatens direct and indirect impacts" on the proposed quarry, and therefore comments are being submitted.

These comments are general in nature and are provided as an introduction to the remaining comments in the body of the letter which are responded to in this FEIR/FEIS individually. The comments do not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comments do not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comments are noted.

Tsakopoulos-2-3 through

Tsakopoulos-2-4

The comments state that the State CEQA Guidelines CCR Section 15105(a) provides for a public review period of at least 45 days, but may exceed 60 days, and note that these public review time periods were created in the context of 150- to 300-page documents, the page limits generally suggested for EIRs. The comments note that the document prepared by the City is over five times longer, but does not provide meaningful additional time for review. The comments state that the City claims the unusual scope and complexity of the project necessitates exceeding page limit guidelines, yet does not find unusual circumstances that would necessitate an extended review period. The comments further state that an extension of the public review period would not prejudice the project applicants and would provide the public with a more meaningful time period in which to review the DEIR. The comments also state that comments are limited to the DEIR, though it is likely that many of the CEQA deficiencies will point to similar deficiencies in the NEPA analysis.

Responses to the commenter's individual comments as they pertain to the analysis contained in the DEIR/DEIS are provided in responses to comments Tsakopoulos-2-5 through Tsakopoulos-2-245.

The City provided an extension to the public review period for a total of 74 days, which is longer than the mandated time limits under CEQA and NEPA. See response to comment Sac Cnty-1-1.

The commenter provides no specifics in the body of his letter as to any deficiencies that he believes are present in the NEPA analysis contained in the DEIS; all comments appear to be directed solely towards CEQA and the DEIR. Therefore, responses in this letter are prepared accordingly (i.e., oriented towards CEQA).

Tsakopoulos 2-5

The comment states that the City of Folsom appears to be pursuing restrictions on quarry trucks through the SPA, as opposed to regional planning efforts. The comment also states that the restrictions would be in conflict with the State's mineral resource classification of MRZ-2a at the Wilson Ranch property.

The California Vehicle Code grants local agencies the authority to designate commercial vehicle routes on highways within their jurisdiction. The SPA is proposed to be annexed into the City of Folsom and, therefore if the annexation is approved by LAFCo, the City would have the authority to regulate commercial vehicle routes through areas where it has jurisdiction. This provides the basis for proposed truck route mitigation described in the DEIR/DEIS. The City of Folsom is an active participant in regional planning efforts that affect the transportation system in eastern Sacramento County, including, but not limited to, the Highway 50 Corridor Mobility Partnership and the Southeast Area Connector. See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach and edits to Cumulative Air and Noise mitigation measures as shown in Chapter 5, “Errata” of this FEIR/FEIS.

The commenter provides no justification for the claim that the implementation of quarry truck routes through the SPA would affect the State's mineral resource classification of the Wilson Ranch property as MRZ-2a. In fact, the Wilson Ranch property has already been zoned by the State, and that zoning classification cannot be affected by any actions taken by the City or USACE. No actions proposed by the project would preclude the physical mining of aggregate (or any other types of mineral resources) at the Walltown Quarry.

Tsakopoulos-2-6

The comment restates the City's acknowledgment in Section 3A.10, “Land Use and Agriculture,” of the DEIR that the City does not have land use planning authority over the SPA at this time; rather, land use authority rests with Sacramento County.

The comment restates text contained in Section 3A.10, “Land Use and Agriculture” of the DEIR/DEIS; the comment is noted.

Tsakopoulos-2-7

The comment states that the City appears to be ignoring LAFCo Resolution 1196's requirements (paragraphs 4 and 5) by not developing a traffic mitigation plan to address impacts of development within the SPA.

The requirements of LAFCo Resolution 1196, paragraphs 4 and 5, must be implemented *prior to LAFCo approval* of any application to annex property. Thus, these components of the LAFCo resolution do not need to be addressed at the DEIR/DEIS stage, but at any time before the application to annex property to the City. Nonetheless, the DEIR/DEIS contains a traffic mitigation plan and measures to mitigate the impacts of development within the project study area, pursuant to the LAFCo resolution. See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

The traffic impacts of the project, including impacts to the SPA, City of Folsom, Sacramento County, City of Rancho Cordova, El Dorado County, and State highways, are discussed in detail on pages 3A.15-49 through 3A.15-136 of the DEIR/DEIS, and mitigation measures are recommended for such impacts where available and feasible (Impact 3A.15-1a through Impact 3A.15-4y, and associated mitigation measures and funding strategies). Therefore, the DEIR/DEIS addresses regional traffic impacts of the project and identifies mitigation measures to reduce those impacts. See also Cumulative Mitigation Measure AIR-1-Land, pages 4-24 to 4-26, and Cumulative Mitigation

Measure NOISE-1-Land, pages 4-51 to 4-53 of the DEIR/DEIS, with revisions shown in Chapter 5, “Errata” of this FEIR/FEIS.

Tsakopoulos-2-8

The comment states that the DEIR fails to recognize that many land uses that are proposed in the SPA conflict with plans currently being pursued by the County.

The City notes that upon project adoption, as stated in numerous locations throughout the DEIR/DEIS (see for example, “Project Requiring Environmental Analysis – Land” on page 1-2 of the DEIR/DEIS), the SPA would be annexed into the jurisdiction of the City of Folsom. Therefore, conflicts with policies pursued by the County would not necessarily apply to the SPA. Only under the No Project Alternative, where annexation would not occur, would the SPA remain within the jurisdiction of Sacramento County. The commenter provides no specifics as to what conflicts he believes would occur; therefore, the City is unable to respond with specificity.

Furthermore, State CEQA Guidelines, CCR Section 15125(d) only requires that an EIR discuss consistency with “applicable” adopted land use plans. A plan covering another jurisdiction or one that is in draft form is not applicable, and the EIR need not contain a consistency analysis or discussions of such plans. See for example: *Sierra Club v. City of Orange*, 163 Cal.App.4th 523, 543-544 (2008) (an EIR for a project to be annexed to the City was not found inadequate on the grounds that it did not discuss the inconsistency with traffic standards in the County’s General Plan); *Chaparral Greens v. City of Chula Vista*, 50 Cal.App.4th 1134, 1145 (1997) (draft or proposed plans are not “applicable” for purposes of CEQA). Nonetheless, the DEIR/DEIS contains a cumulative analysis of other land uses and projects proposed within the region, including Sacramento County, El Dorado County, Sutter County, and the City of Rancho Cordova (on pages 4-2 to 4-64 of the DEIR/DEIS). Therefore, other plans and projects were considered in the DEIR/DEIS impact analysis.

Tsakopoulos-2-9

The comment refers to the Mitigated Traffic Network discussed in the DEIR and states that the DEIR attempts to implement a route of roadways through the SPA but fails to discuss on-going efforts to draft and implement a truck management plan.

The DEIR/DEIS analyzes the traffic impacts of the project and recommends mitigation measures where feasible, available, and appropriate (see pages 3A.15-49 to 3A.15-136, Impacts 3A.15-1a to Impact 3A.15-4y of the DEIR/DEIS). This impact analysis and the proposed mitigation measures satisfy the requirements of CEQA and NEPA.

As an *alternative* method of project mitigation to these individual measures, the DEIR/DEIS suggests a voluntary and regional approach to addressing traffic impacts on a systematic basis, pursuant to a “Mitigated Transportation Network.” Because the Mitigation Transportation Network addresses properties outside of the City’s jurisdiction, the City could not compel implementation of the network. The network also would not mandate truck routes through the SPA. See Cumulative Mitigation Measure AIR-1-Land, pages 4-24 to 4-26, and Cumulative Mitigation Measure NOISE-1-Land, pages 4-51 to 4-53 of the DEIR/DEIS, with revisions shown in Chapter 5, “Errata” of this FEIR/FEIS.

Furthermore, the DEIR/DEIS takes into account the on-going efforts of various stakeholders to draft and implement a truck management plan to address quarry truck traffic. The discussion on pages 3A.15-137 to 3A.15-138 of the DEIR/DEIS describes the ongoing joint efforts of Sacramento County, the City of Folsom, the City of Rancho Cordova, El Dorado County, Caltrans, the Capital SouthEast Connector JPA, and the

quarry operators on a quarry truck management plan to address issues associated with quarry truck traffic and identifies a number of goals and components of the plan.

See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Tsakopoulos-2-10 *The comment states that the City of Folsom’s intent to restrict or ban quarry trucks through its sphere of influence (i.e., the SPA) may not be legal and is contrary to regional planning efforts to supply aggregate material.*

See response to comment Tsakopoulos-2-5.

Tsakopoulos-2-11 *The comment states that Chapter 2, “Alternatives,” of the DEIR does not include a reasonable range of alternatives as required by State CEQA Guidelines CCR Section 15126.6.*

The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. (State CEQA Guidelines CCR Section 15126.6[f]). The DEIR/DEIS contains five “Land” alternatives that consider different land use configurations, densities, and amounts of preservation of biological and cultural resources, in addition to the required No Project/No Action Alternative. All six “Land” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS. The DEIR/DEIS also contains 10 Off-site Water Facility alternatives, in addition to the required No Project/No Action Off-site Water Facility Alternative. All 11 “Water” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS. The City believes that these alternatives constitute a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project. (State CEQA Guidelines Section CCR 15126.6[a] and [f].)

Tsakopoulos-2-12 *The comment states that the DEIR identifies multiple significant and unavoidable impacts, yet appears to reject a number of feasible alternatives based on cost and other factors. The comment cites Citizens of Golden Valley (1990) 52 Cal.3d 553 for authority that a more expensive alternative is not infeasible simply because it would be more expensive or less profitable. The comment further states that the DEIR does not provide substantial evidence regarding rejection of alternatives based on cost, and notes that “no single factor establishes a fixed limit on the scope of reasonable alternative,” quoting State CEQA Guidelines CCR Section 15126.6(f)(1) and Save our Residential Environment v. City of West Hollywood, 9 Cal. App. 4th 1745, 1753, n.1. (1992).*

The City assumes that the commenter is referring to the following: (1) Section 2.3.7, “Land Alternatives Considered and Eliminated from Further Consideration” beginning on page 2-65 of the DEIR/DEIS, which discusses additional “Land” alternatives that were considered and rejected during the review process, including off-site alternatives; and (2) Section 2.8.1, “Potential ‘Water’ Alternatives Not Considered Further in this DEIR/DEIS” beginning on page 2-99 of the DEIR/DEIS. The EIR need examine in detail only the alternatives that the lead agency determines could feasibly attain most of the basic objectives of the project (State CEQA Guidelines CCR Section 15126.6[f]). An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation (State CEQA Guidelines CCR Section 15126.6[a]). Among the factors that may be taken into account when addressing the feasibility of

alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (*Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal.3d 553; and *Save Our Residential Environment v. City of West Hollywood* [1992] 9 Cal.App.4th 1745, 1753, fn. 1).

Tsakopoulos-2-13

The comment states that “Water” alternatives 1, 1A, 2, 2A, and 3B are largely minor variations on several actual alternatives and cannot represent the only alternatives that would feasibly attain most of the project objectives but avoid or substantially lessen any of the significant effects of the project (citing State CEQA Guidelines CCR Section 15126.6).

See Master Response 20 – Formulation of Off-site Water Facility Alternatives and Water Supply Options. Under CEQA, the range of alternatives that must be considered is limited to those reasonably related to the project’s objectives. As part of the DEIR/DEIS analysis, the City considered 10 variations of the Off-site Water Facility Alternatives – the Preferred Alternative, and alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4. See also responses to comments Teichert-2-11 and Teichert-2-12.

Tsakopoulos-2-14

The comment states that the project description should provide a clear and concise overview of the project. The comment states that instead, the project description is split into a multitude of “Land” and “Water” alternatives that leave the reader guessing as to possible project permutations, and, in turn, the impacts of those permutations. The comment further states that intelligent evaluation of potential environmental impacts requires an “accurate, stable, and finite project description” (citing County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 193 [1977]).

Several important links support the format of analysis provided in the DEIR/DEIS. As discussed on page 1-1 of the DEIR/DEIS, the overall project requires an environmental analysis with two components: a land use component, and an analysis of the off-site water supply facilities necessary to support the proposed land uses. Because the purpose, objectives, associated alternatives, and implementing entities are different for the “Land” and “Water” components of the project, they are presented separately in the DEIR/DEIS. Furthermore, this differentiation between the two project components is appropriate because of the different geographic areas and associated resources that could be potentially affected by the two project components (see the third bullet on page 1-3 of the DEIR/DEIS). However, as discussed in detail in Section 3.1.2 “Integration of the ‘Land’ and ‘Water’ Alternatives for Development,” of the DEIR/DEIS, “the City and the USACE wish to make clear to the reader that the ‘project’ as a whole consists of both development of the SPA and off-site facilities necessary to provide water in support of SPA development. Thus, when considering impacts of the ‘project’ as a whole, it is necessary to consider both the 3A and 3B impacts taken together” (page 3-2 of the DEIR/DEIS).

The combined (or cumulative) effect of the “Land” and “Water” components in conjunction with other planned projects in eastern Sacramento County are described and analyzed in the cumulative impact analysis provided in Chapter 4, “Other Statutory Requirements” of the DEIR/DEIS. This approach is consistent with the requirements of CEQA and NEPA, and provides the most effective means for capturing the combined

effects of the “Land” and “Water” components in addition to other planned projects that could contribute to cumulatively considerable impacts.

An EIR’s project description should contain the location and boundaries of the proposed project by way of a map; a “general description” of the project’s technical, economic, and environmental characteristics; and a statement briefly describing the intended use of the EIR. (See CEQA Guidelines Section 15124[a]-[d].) The description of the project “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” (See CEQA Guidelines Section 15124.) A general conceptual discussion of the main features of the project is sufficient. (See CEQA Guidelines Section 15124[a], [c]; *Dry Creek Citizens Coalition v. County of Tulare*, 70 Cal. App. 4th 20, 27-28 [1999]).

The EIR satisfies the requirements for a project description. An accurate, stable, and finite project description has been provided in Chapter 2, “Alternatives” of the DEIR/DEIS, which includes all of the components required by State CEQA Guidelines CCR Section 15124 and consists of 110 pages of detailed text along with more than 20 exhibits. This chapter includes multiple maps identifying the location of the project and a description of the project and its components. The project description is adequate and complies with CEQA. The commenter does not provide any specifics as to what he believes is lacking in the project description.

Tsakopoulos-2-15

The comment states that the discussion of alternatives in Chapter 2 of the DEIR “leaves little doubt that the Proposed Project Alternative is not the environmentally superior alternative.” The comment restates the conclusions in Table 2-16 regarding land use alternatives that are environmentally superior to the Proposed Project Alternative. The comment further states that while CEQA allows a lead agency to “disregard the environmentally superior alternative” and select an alternative with greater environmental impacts, such a decision rejecting a means to lessen significant impacts must be justified. The comment further states that the DEIR does not include substantial evidence or justification as to why the lead agency cannot feasibly adopt any of the environmentally superior alternatives (i.e., No Project, No USACE Permit, Resource Impact Minimization, and Centralized Development).

The environmentally superior alternative is identified as required by State CEQA Guidelines CCR Section 15126.6(e)(2) and discussed in Chapter 2, “Alternatives” (DEIR/DEIS Section 2.11 on pages 2-104 through 2-108). Section 2.11 identifies that the No Project Alternative would be the environmentally superior “Land” alternative. As further required by State CEQA Guidelines CCR Section 15126.6(e)(2), an environmentally superior “build” alternative was identified. Page 2-105 of the DEIR/DEIS states: “As shown in Table 2-16, all five of the action alternatives (No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development) would have the same overall significance after implementation of mitigation in each of the issue areas.” However, page 2-105 of the DEIR/DEIS goes on to conclude that based on the analysis contained in Sections 3A.1 through 3A.18, either the No USACE Permit, Resource Impact Minimization, or Centralized Development Alternative could be considered the “environmentally superior alternative” under CEQA for the “Land” portion of the project.

As the commenter notes, nothing in CEQA requires the lead agency to adopt the environmentally superior alternative. The Proposed Project Alternative meets all of the project objectives and the lead agency is authorized to reject alternatives, including ones that are environmentally superior, as infeasible on policy grounds. (See *California Native*

Plant Society et al. v. City of Santa Cruz [2009] 177 Cal.App.4th 957; *City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417; see also, PRC Section 21081[a][3], and CEQA Guidelines, Section 15091[a][3] providing that an agency may find that an environmentally superior alternative is infeasible on various grounds, including “[s]pecific economic, legal, social, technological, or other considerations”)

Tsakopoulos-2-16

The comment states that many of the mitigation measures in the DEIR are improperly deferred and unenforceable. The comment further states that CEQA requires mitigation measures to be fully enforceable through permit conditions, agreements, or other legally binding instruments. The comment also states that implementation of mitigation measures must be ensured. The comment concludes that the DEIR identifies mitigation measures that propose little more than deferred analysis.

As discussed in Master Response 9 – Deferred and/or Hortatory Mitigation, the City believes that mitigation measures identified in the DEIR/DEIS are enforceable and do not constitute improper deferral of mitigation.

Tsakopoulos-2-17 through

Tsakopoulos-2-18

The comments state that CEQA allows deferral where formation of specific mitigation measures is impracticable, though specific performance standards must be identified to provide a benchmark for future development. The comments state that the DEIR contains deferred mitigation measures that do not identify adequate performance criteria.

The City agrees that State CEQA Guidelines CCR Section 15126.4(a)(1)(B) allows the inclusion of measures with specific performance standards, and believes that where appropriate, such performance standards have been identified in the DEIR/DEIS. See Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-19

The comment states that Mitigation Measures 3A.1-1, 3B.1-19, 3B.1-20 require future submittal of landscape plans but provide no performance criteria; and that Mitigation Measure 3A.1-4 requires future screen designs but provides inadequate performance criteria.

Mitigation Measure 3A.1-1 requires the construction and maintenance of a 25- to 50-foot-wide landscape corridor by the project applicants. The analysis provided in the DEIR/DEIS is at the specific plan level and is programmatic; detailed landscape plans are neither required nor available at this time. Mitigation Measures 3B.1-19 and 3B.1-20 do not exist. Assuming that the commenter is referring to Mitigation Measures 3B.1-2a and 3B.1-2b, which are presented on page 3B.1-19, both mitigation measures each contain four bullet points of detailed performance standards. Mitigation Measure 3A.1-4 provides performance standards that are appropriate for this program-level analysis of a 3,500-acre specific plan. The commenter does not provide any specifics as to how he believes the performance standards are inadequate. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-20

The comment states that Mitigation Measure 3A.1-31 to 33 requires that outdoor lighting standards be incorporated into the specific plan’s design guidelines, but identifies no performance criteria.

Mitigation Measures 3A.1-31 to 3A.1-33 do not exist. Assuming that the commenter is referring to Mitigation Measure 3A.1-5 on pages 3A.1-31 to 3A.1-33 of the DEIR/DEIS,

that mitigation measure contains 10 bullet points of detailed performance standards. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-21

The comment states that Mitigation Measure 3A.3-2a fails to include criteria for development of a monitoring plan for vernal pool invertebrates.

Mitigation Measure 3A.3-2a does not address vernal pool invertebrates. The City assumes that the commenter is referring to Mitigation Measure 3A.3-2g, “Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions.” This mitigation measure (on page 3A.3-61 of the DEIR/DEIS) requires that the project applicants secure a BO from the USFWS, and the mitigation measure identifies criteria to be included in the supporting conservation and minimization measures (i.e., performance standards). The conservation and minimization measures must include preparation of supporting documentation that describe methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-22

The comment states that Mitigation Measures 3A.3-52 to 54 fail to provide performance criteria for a Swainson’s hawk mitigation plan.

Mitigation Measures 3A.3-52 to 3A.3-54 do not exist. The City assumes that the commenter is referring to Mitigation Measure 3A.3-2b on pages 3A.3-52 through 3A.3-54 of the DEIR/DEIS. That mitigation measure identifies the required components of the Swainson’s hawk mitigation plan, including a mitigation ratio, conservation easement or land ownership requirements, and the financial mechanism for operating the mitigation. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-23

The comment states that Mitigation Measure 3A.3-5 fails to identify performance criteria for a future oak woodland mitigation plan.

The discussion of the requirements imposed in Mitigation Measure 3A.3-5 on pages 3A.3-76 through 3A.3-86 of the DEIR/DEIS identifies the required components of the oak woodland mitigation plan, including consistency with PRC Section 21083.4, identifying acreage of oak woodland to be preserved and created (and criteria for plantings), and conducting surveys (i.e., performance standards). See also Master Response 9 – Deferred and/or Hortatory Mitigation. See also edits to Mitigation Measure 3A.3-5 shown in Chapter 5, “Errata” of this FEIR/FEIS.

Tsakopoulos-2-24

The comment states that Mitigation Measure 3A.7-1a fails to identify performance criteria for site-specific geotechnical reports to mitigate seismic risks.

Mitigation Measure 3A.7-1a on page 3A.7-27 of the DEIR/DEIS identifies a 12-point bulleted list of the required components of the site-specific geotechnical reports, plus subsurface testing and foundation designs consistent with CBC requirements (i.e., performance standards). See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-25

The comment states that sensitive viewers of the SPA would consist of roadway travelers and people within the City of Folsom. The comment details the views represented by several photographs in the DEIR and suggests that the analysis does not provide a representative range of the views available.

Section 3A.1.1, “Affected Environment” of the DEIR/DEIS, describes the existing visual character of the SPA, which is approximately 3,500 acres in size and is visible from a number of public roadways, including U.S. 50. Section 3A.1 “Aesthetics” contains 25 different photographs, which are representative of the visual character of the SPA and surrounding area. In addition to the photographs, Section 3A.1 provides four pages of detailed, thorough, descriptions of each of the four different landscape areas that are present on the SPA. The DEIR/DEIS’ analysis of aesthetic resources uses accepted visual impact assessment methodology based on procedures for visual assessment developed by the Federal Highway Administration and U.S. Forest Service and endorsed by the City and USACE. This methodology compares existing visual conditions with anticipated project conditions, assesses the change in visual qualities, and takes into consideration viewer groups and viewer sensitivity to reach a conclusion regarding the project’s impact on visual resources. The City therefore believes that the information presented in the “Affected Environment” of DEIR/DEIS Section 3A.1 adequately conveys information to the reader regarding the CEQA baseline (at time of publication of the NOP), and provides an appropriate basis upon which to base the impact analysis.

Tsakopoulos-2-26

The comment suggests that the DEIR did not adequately recognize residents of El Dorado Hills, the Four Seasons residential development, and the Stonebriar residential development as sensitive viewers because it did not provide photographs of the SPA from these locations.

Sensitive viewers are defined on pages 3A.1-2 and 3A.1-16 of the DEIR/DEIS. They are listed as groups within the City of Folsom, community of El Dorado Hills, and unincorporated portions of Sacramento County. The Stonebriar and Four Seasons residential developments are located in El Dorado County, south of U.S. 50, south of the community of El Dorado Hills. The portion of the SPA that is in the vicinity of the Stonebriar and Four Seasons’ viewers is topographically located several hundred feet higher than these viewers, and is on a ridgeline. Exhibit 3A.1-1, Viewpoint 14, provides a representative view of this ridgeline. The City believes that the information presented in the “Affected Environment” of DEIR/DEIS Section 3A.1 adequately conveys information to the reader regarding the CEQA baseline, and provides an appropriate basis upon which to base the impact analysis.

Tsakopoulos-2-27

The comment states that the “Water” portion of the DEIR contains no photographs illustrating the views along Easton Valley Parkway from the western boundary of the SPA to Folsom Boulevard.

Because of the expansive area contained within Zone 4 of the “Water” Study Area, a representation of every physical vantage point within Zone 4 through photographs in the DEIR/DEIS is not feasible. The representative photographs provided in Exhibit 3B.1-1 are considered sufficient to characterize existing visual resource conditions with the “Water” Study Area. Furthermore, the commenter’s request for representative photographs is not feasible because of access restrictions to the Aerojet property.

Tsakopoulos-2-28 through

Tsakopoulos-2-29

The comments state that establishing a baseline is critical to assess the environmental impacts of a project because the significance of environmental impacts cannot be

determined without setting this baseline. The comments further state that the concept of baseline is also closely tied to the required “no project” alternative analysis.

This general comment about the function of baseline and analysis of the “no project” alternative under CEQA do not address adequacy of the project’s CEQA analysis or propose changes to the DEIR/DEIS. Specific issues concerning the baseline are addressed in responses to comments Tsakopoulos-2-30 through Tsakopoulos-2-34.

Tsakopoulos-2-30 *The comment recommends that the City amend the discussion of existing conditions to focus on and support the analysis of the sensitive viewers and important views.*

See the responses to comments Tsakopoulos 2-25 and Teichert 2-17. The DEIR/DEIS identified sensitive viewer groups and established that the project’s effects on visual resources would be noticeable to sensitive viewer groups, and that these impacts would be significant and unavoidable based in part on the presence of viewer groups with high sensitivity. A revision of the analysis to further elaborate on the role of sensitive viewer groups would be redundant and unnecessary. The conclusions in the DEIR/DEIS, which are supported by the comparison of existing conditions to the anticipated project conditions, would not be altered.

Tsakopoulos-2-31 *The comment recommends that the City provide photographs and analysis of views that are available from neighboring residential areas.*

Section 3A.1.1, “Affected Environment” (on pages 3A.1-4 through 3A.1-15 of the DEIR/DEIS), describes the existing visual character of the SPA and provides photographs that are representative of existing views of the SPA and vicinity from various locations on-site and off-site, including views that would be similar to views from residential areas in El Dorado Hills and Folsom. See Viewpoint 13 and Viewpoint 14 on page 3A.1-10 of the DEIR/DEIS. The City believes that the information presented in the “Affected Environment” of DEIR/DEIS Section 3A.1 adequately conveys information to the reader regarding the CEQA baseline, and provides an appropriate basis upon which to base the impact analysis.

Tsakopoulos-2-32 through
Tsakopoulos-2-34 *The comment states that the environmental setting must support the conclusions regarding significant environmental effects of the project and alternatives, and that the baseline for aesthetics does not adequately support the impacts analysis and mitigation findings.*

See responses to comments Tsakopoulos-2-25 through Tsakopoulos-2-33.

Tsakopoulos-2-34 *The comment suggests that the City should revise the aesthetics analysis and recirculate the DEIR.*

As described in response to comment Tsakopoulos-2-25, the analysis of aesthetic resources uses accepted visual impact assessment methodology, based on procedures for visual assessment developed by the Federal Highway Administration and U.S. Forest Service and endorsed and used by the City and USACE. This stepwise methodology was used to reach a conclusion regarding the project’s impact on visual resources and is not conclusory in nature. A revision of the analysis to further elaborate on the role of sensitive viewer groups, provide more or different viewpoints, or provide visual simulations would not provide significant new information, alter the conclusions reached in the DEIR/DEIS, or result in the development of additional feasible mitigation

measures. The conclusion of the DEIR/DEIS' analysis that the changes to visual resources existing within the SPA would result in significant and unavoidable aesthetic impacts are supported by the comparison of existing conditions and the with-project conditions. See Master Response 12 – DEIR/DEIS Recirculation is Not Required.

Tsakopoulos-2-35

The comment suggests that the discussion regarding Mitigation Measure 3A.1-1, which requires a 25- to 50-foot landscaped corridor on the south side of U.S. 50, does not adequately explain how the measure will be effective in providing visual mitigation because it provide only a “narrow strip” of landscaping.

As described in Mitigation Measure 3A.1-1 on page 3A.1-25 of the DEIR/DEIS, the landscaped corridor would be 50 feet wide, except adjacent to the regional mall where it would be 25 feet wide. The City believes that the width of the landscape buffer is appropriate. The purpose of a landscape corridor is to screen views of the project site from U.S. 50 and would reduce light and glare. However, constructing a landscape corridor would not fully compensate for the loss of scenic views of the project site, and therefore implementing a wider landscape corridor would not fully reduce visual resource impacts. As noted on page 3A.1-26 of the DEIR/DEIS, the alteration of a scenic vista resulting from project implementation would not be reduced to a less-than-significant level. Therefore, the impact would be significant and unavoidable. This conclusion applies to all project alternatives, except the No Project alternative. See also response to comment Tsakopoulos-2-36.

Tsakopoulos-2-36

The comment suggests a larger buffer of 150 to 300 feet from U.S. 50 should be required, to provide effective visual relief from the highway. The comment also suggests that rather than merely a thin landscape buffer at the proposed industrial and commercial areas within and adjacent to the oak woodland (e.g., under the No USACE Permit Alternative), the larger buffer also should include relatively dense planting of mature trees (removed from the oak woodland) and new oak trees of comparable species with a minimum size of 12 inches diameter at breast height. The comment states that these plantings would provide a visual buffer consonant with the oak woodland and would mimic its continuation.

Mitigation measure 3A.1-1 requires the project applicant to fund, construct, and maintain a landscaped corridor within the SPA and south of U.S. 50 (page 3A.1-25 of the DEIR/DEIS). This corridor would be 50 feet wide in all areas except adjacent to the regional mall, where it would be 25 feet wide (page 3A.1-25 of the DEIR/DEIS). Landscape corridors are not required within the preserved oak woodlands because those trees act as a natural landscape barrier (page 3A.1-25 of the DEIR/DEIS). However, the impact of urban development on undeveloped land is significant and unavoidable, even with implementation of a landscape corridor. Development of buildings, paved surfaces, and landscaping necessarily affects the aesthetics. The land, once converted, loses its character as an open, rural landscape. Because of this, there are no feasible mitigation measures available that would fully reduce the aesthetic impacts resulting from the project's conversion of over 3,500 acres of rural land to urban land uses to a less-than-significant level. The project's significant and unavoidable impacts to aesthetics might possibly be avoided by denying the project or by requiring a substantially reduced project footprint that would prevent the conversion of all or a major portion of the site to urban uses (this latter option is essentially the No Project Alternative, which would allow construction of up to 44 rural residences on 80-acre parcels). However, such actions would not meet the fundamental project objectives, such as providing a large-scale mixed use development south of U.S. 50 generating positive fiscal impacts to the City through

development. In addition, denial of the project would not constitute “feasible mitigation,” and therefore would not be required under CCR Section 15126.4 of the State CEQA Guidelines.

Although aesthetic impacts cannot be feasibly reduced to less-than-significant levels, even with a larger buffer from U.S. 50, the City has minimized and substantially lessened the significant effects of the project through the requirement of a 50-foot-wide landscape corridor. The commenter does not provide specific facts or evidence to support the proposition that a larger buffer would significantly reduce the aesthetic impacts and does not specify the extent to which the impact would be reduced. Rather, the commenter presents subjective concerns unsupported by technical data or expert analysis. However, the “the possibility of significant adverse environmental impact is not raised simply because of individualized complaints regarding the aesthetic merit of a project. [citations]” (*Eureka Citizens v. City of Eureka* [2007] 147 Cal.App.4th 357, 376.) The DEIR/DEIS has analyzed and assessed the aesthetic impacts of the project and the conclusions are supported by substantial evidence in the record. An EIR that provides a reasonable analysis of an impact is not required to address all variations of the issues presented. (*National Parks & Conservation Association v. County of Riverside* [1999] 71 Cal.App.4th 1341, 1365; *see also San Joaquin Raptor Rescue Ctr. v. County of Merced* [2007] 149 Cal.App.4th 645, 666 [the analysis of an issue need not be “so exhaustively detailed as to include every conceivable study or permutation of the data.”].)

Tsakopoulos-2-37

The comment suggests that commercial and industrial developments should be developed as “campuses” to accommodate transplanted trees and provide a greater degree of integration into the landscape, even though such development formats would not reduce impacts to less-than-significant levels.

The comment refers to the design of the project and does not raise a significant environmental issue under CEQA. The comment does not explain how the existing design of the commercial and industrial developments requires further mitigation. See also response to comment Tsakopoulos-2-36. The comment asserts the conclusion that the commenter’s proposed mitigation measures would “clearly” reduce impacts of the project, but does not provide facts to support the conclusion. Therefore, the comment does not constitute substantial evidence to justify revisions of the DEIR/DEIS or mitigation measures. (See State CEQA Guidelines, CCR Section 15384 [substantial evidence includes “facts, reasonable assumptions predicated upon facts, and expert opinion supported by fact,” but does not include “Argument, speculation, unsubstantiated opinion or narrative...”]) Additionally, the commenter notes that even with the proposed mitigation, impacts are not fully reduced to a less-than-significant level. CEQA does not require analysis of every imaginable mitigation measure. (*See Gilroy Citizens for Responsible Planning v. City of Gilroy* [2006] 140 Cal.App.4th 911, 935.) Rather, the CEQA lead agency need only consider measures that will avoid or substantially lessen environmental impacts. (*Id.*) Because the commenter acknowledges that even with the proposed mitigation impacts would remain significant and because the comment does not present facts demonstrating that the impacts would be substantially lessened, further consideration of the suggested measures is not required.

Tsakopoulos-2-38

The comment states that no mitigation measure is provided for Impacts 3A.1-2 and -3, which conclude that the project would result in unavoidable impacts. The comment suggests that the City adopt feasible mitigation measures to minimize the unavoidable impacts.

Impact 3A.1-2 is related to damage to scenic resources within a scenic corridor. As described under Impact 3A.1-2 on page 3A.1-26 of the DEIR/DEIS, the views from Scott Road are of open grassland in the foreground with distant views of the rolling hills to the east, and to the north and west are views of oak woodlands in the middle distance and background. Lack of topographic variation in this area would make any development on the western portion of the project site visible from the scenic corridor area on the south side of the SPA. The Proposed Project Alternative and the other four action alternatives would convert the existing visual character of the site from rural grassland and grazing land to urban development, including housing, roadways, and commercial development. The FPASP (Appendix N of the DEIR/DEIS) includes over 1,000 acres of open space. These designated open space areas and connecting natural parkways described in Section 8, "Open Space" of the SPASP, would preserve elements of the existing scenic vistas. Other than the standards contained in the FPASP, there are no feasible mitigation measures that would reduce the significant impact for viewers along Scott Road from conversion of over 3,500 acres of grassland to urban uses.

Tsakopoulos-2-39

The comment suggests that, to reduce significant impacts on scenic views, the project should increase the use of buffers and berms.

The FPASP (Appendix N of the DEIR/DEIS) already includes extensive use of open space buffers to reduce impacts on scenic views, to the maximum extent feasible. Section 3A.1 of the DEIR/DEIS acknowledges that impacts to aesthetics would remain significant and unavoidable despite the implementation of all feasible mitigation measures.

Tsakopoulos-2-40

The comment suggests that, to reduce significant impacts on scenic views, the project should use stands or windrows of transplanted trees or specimens of a large enough minimum box size (i.e., 36–48 inches or more, depending on the species) to provide visual buffers on major roadways.

Trees can be moved from one location to another to be saved; however, this is usually very costly and frequently is not successful. Much of the transplanted tree's success depends on the species of tree that is to be moved, the soil and groundwater condition where the tree is currently growing, the distance to be moved, and the extent and cost of aftercare. The trees in the SPA are generally Blue oak, *Quercus douglasii*. This species of oak is one of the slowest to grow, the most sensitive to change, and easiest to kill. They have a larger root system than most trees in order to take advantage of the poor, dry soils where they normally are found. The roots generally extend downward 2-3 times the size of the tree's canopy. This tree is rarely found in areas with rich alluvial soils, but rather on the driest, highest sites with substantial amounts of rock in the soil. This combination of the tree species and soil conditions make this a poor candidate for transplanting when the trees are much larger than 2-3 inches in diameter. Blue oaks are readily available grown in #15 pots for a fraction of the price. These nursery grown trees have a higher success rate of initial and long-term survival. Tree companies and landscaping companies will guarantee nursery stock, but they will rarely guarantee a larger Blue oak tree. If trees are to be successfully balled and burlapped (or boxed) for moving, this requires just the right soil in order to achieve tree survival in the new location, and Folsom is lacking in optimal soil conditions. Therefore, practical survival rates can only be achieved by

purchasing a tree that has had its roots pruned or where water is plentiful (which is not the case in the SPA) so that roots do not extend too far from the trunk or too deep. Therefore, for the reasons listed above, the City believes that the commenter's suggestion is not feasible because the success rate (i.e., survival) of large trees would be too low and the cost too high, as compared to smaller sized nursery-raised native oaks.

Tsakopoulos-2-41 *The comment suggests that, to reduce significant impacts on scenic views, the project should use tighter clustering of proposed residential units, with more communal open space, to minimize the footprint of development associated with structures.*

The Reduced Hillside Development and Centralized Development Alternatives, which are analyzed throughout the DEIR/DEIS, both include tighter clustering of proposed residential units with more communal open space.

Tsakopoulos-2-42 *The comment suggests that, to reduce significant impacts on scenic views, the project should require at least one new tree with a minimum box size of 36–48 inches (or more, depending on the species), or a transplant that would otherwise have been removed, for each residential unit.*

The City's Design Guidelines already require two street trees for each single-family residential lot. See also response to comment Tsakopoulos-2-40.

Tsakopoulos-2-43 *The comment suggests that, to reduce significant impacts on scenic views, the project should use building materials or finishes that are visually compatible or otherwise harmonize with the surrounding environment.*

This requirement is already contained in the FPASP (attached Appendix N to the DEIR/DEIS) and in the City's Design Guidelines.

Tsakopoulos-2-44 *The comment suggests that, to reduce significant impacts on scenic views, the project should include a submittal of viewshed analyses by developers for each development.*

The viewshed analyses suggested by the commenter would not reduce any of the significant environment impacts of the project for the following reasons: (1) simply conducting an "analysis" does nothing to physically affect the significance of the impact; and (2) an analysis of the project's viewshed is already contained in the Section 3A.1 of the DEIR/DEIS. Furthermore, the DEIR/DEIS provide a programmatic analysis of a specific plan; all subsequent development projects within the FPASP (Appendix N of the DEIR/DEIS) would be required to go through a Design Review entitlement process with the City (see pages 1-9 and 1-10 of the DEIR/DEIS). Aesthetics and compatibility of building materials would be reviewed at that time.

Tsakopoulos-2-45 *The comment suggests that, to reduce significant impacts on scenic views, the project should consider the placement of particular development components with respect to natural landforms to provide a natural visual buffer.*

The commenter's suggestion is already incorporated into the FPASP (Appendix N of the DEIR/DEIS), Implementation Section A.4 (requires tentative maps to utilize contour grading techniques and submit grading plans to the City for review and approval).

- Tsakopoulos-2-46 *The comment references the holding from Laurel Heights Improvement Association v. Regents of the University of California ([1993] 6 Cal.4th 1112, 1130), that when a feasible alternative or mitigation measure, considerably different from those considered in the EIR, is proposed that would lessen the environmental impacts of a project but the project proponent declines to adopt it, the lead agency must recirculate that EIR.*
- The comment correctly restates the holding of the case. The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- Tsakopoulos-2-47 *The comment suggests that the City revise Mitigation Measure 3A.1-4 to include screening of construction sites in addition to the staging areas to reduce significant impacts to visual quality in the vicinity of the project site.*
- The additional mitigation to screen construction sites suggested by the commenter is not economically feasible, as stated on page 3A.1-30 of the DEIR/DEIS, because construction sites generally cover large areas and/or include tall buildings; therefore, this impact was found to be potentially significant and unavoidable. Under CEQA, a mitigation measure is “‘feasible’ if it is ‘capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors’” see *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019.
- Tsakopoulos-2-48 *The comment suggests that Mitigation Measure 3A.1-5 should be revised to express maximum lighting levels, for different types of developments and areas, expressed in foot-candles or some other definite, verifiable performance standard.*
- For this program-level DEIR/DEIS, Mitigation Measure 3A.1-5 on page 3A.1-31 of the DEIR/DEIS contains adequate mitigation and performance standards, including a requirement to shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties. For reference, see *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099 (a court-approved mitigation measure which required the project applicant to avoid light spillover by requiring that “lighting be hooded and directed away from adjacent properties and toward the project site,” by which the court found that the agency “has committed itself to mitigation and to specific performance standards”).
- Tsakopoulos-2-49 *The comment suggests that Mitigation Measure 3A.1-5 does not provide for enforceability of the measures, and therefore cannot be shown to remedy the environmental problem, because use of the term “consideration shall be given” does not give a clear statement requiring implementation.*
- Mitigation Measure 3A.1-5 (page 3A.1-31 of the DEIR/DEIS) establishes and requires conformance to lighting standards and requires preparation and implementation of a lighting plan. The first bullet point in this mitigation measure requires the City to establish standards for on-site outdoor lighting to reduce high-intensity nighttime lighting and glare as part of the FPASP design guidelines (see DEIR/DEIS Appendix N). Performance standards are included in this mitigation measure by requiring that consideration shall be given to design features, namely directional shielding for street lighting, parking lot lighting, and other substantial light sources, that would reduce effects of nighttime lighting. In addition, consideration shall be given to the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light. The phrase “consideration shall be given to” is similar to the phrase

“includes, but is not limited to.” This text is intended to provide suggestions as to items that could be included in the outdoor lighting plan; the mitigation is intended to provide the City with the flexibility to discuss and determine lighting standards in consultation with the project applicants depending on the future project-level tentative map-level improvements that are proposed. The City believes the mitigation measure is enforceable and that it would be effective in reducing the environmental impact.

Tsakopoulos-2-50

The comment notes that under any of the proposed action alternatives, development of structures on the project site would create the potential for increased daytime glare from structures with reflective surfaces. The comment suggests that this glare could represent a safety hazard to drivers as well as a nuisance for pedestrians and occupants of nearby structures, representing a potentially significant impact that is not analyzed or mitigated for in the DEIR.

Impact 3A.1-5 states: “Glare is intense light that shines directly, or is reflected off a surface, into a person’s eyes. Use of building materials such as reflective glass and polished surfaces can cause glare. During daylight hours, the amount of glare depends on the intensity and direction of sunlight. Glare is particularly acute at sunrise and sunset because of the low angle of the sun in the sky.” (Page 3A.1-31 of the DEIR/DEIS.) This impact further states: “In addition, nighttime lighting or the presence of reflective surfaces on buildings in the commercial, office, and industrial areas (e.g., reflective window glazing) may result in light and glare shining onto motorists on U.S. 50, White Rock Road, Placerville Road, Scott Road, and Prairie City Road, and to residences within the City of Folsom and the community of El Dorado Hills.” (Page 3A.1-31 of the DEIR/DEIS.) Mitigation Measure 3A.1-5 on page 3A.1-32 of the DEIR/DEIS includes the following requirement: “Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways.” Therefore, the issue raised by the commenter is evaluated and mitigated for in the DEIR/DEIS.

Tsakopoulos-2-51

The comment suggests that, to minimize glare, mitigation measures should include the use of textured or non-reflexive surfaces and non-reflective glass for structures in the SPA.

Mitigation Measure 3A.1-5 on page 3A.1-31 of the DEIR/DEIS contains provisions adequate to minimize glare impacts, including the use of appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting nearby roadways.

Tsakopoulos-2-52 through

Tsakopoulos-2-53

The comment suggests that the analysis provided in Impact 3B.1-1 on page 3B.1-17 of the DEIR acknowledges that “Water” alternatives would involve construction of some above-ground off-site water facilities. The comment further suggests that the analysis consists solely of an unsupported conclusion, but must disclose the reasoning supporting the analysis. Therefore, at minimum, the DEIR should describe the proposed facilities in relation to their surroundings and provide supporting visual simulations.

A less-than-significant determination is appropriate because most of the Off-site Water Facilities would be installed underground within existing right-of-ways. Any aboveground facilities would be extremely limited in geographic extent and would not

affect any designated scenic vistas. Impact 3B.1-1 (page 3B.1-17 and 3B.1-18 of the DEIR/DEIS) states:

Construction activities and permanent facilities proposed as part of the Off-site Water Facility Alternatives 1, 1A, 3, and 3A (e.g., WTP) would be visible from these ridgelines and the SRA. Views of and through the Off-site Water Facilities Study Area would be altered by new above-ground facilities, landscaping, and other site improvements where proposed. However, it is expected that new Off-site Water Facilities structures would be partially masked by intervening topography, existing vegetation, and development within the Folsom SPA. ... Based on these considerations, the scenic impact of new structural facilities proposed as part of the Off-site Water Facilities would be minor and more sparsely spaced than existing structures within the viewshed. As described in the affected environment discussion, these existing structures include power transmission lines, aggregate processing facilities, and commercial and industrial buildings that already impair the quality of the viewshed. Given the degree of this existing impairment, the change to the landscape as a result of the Off-site Water Facilities would be considered minor and, therefore, would not constitute a substantial adverse effect. In addition, once constructed, the Off-site Water Facilities would appear visually similar and consistent with the existing and planned development within the 'Water' Study Area.

The City evaluated the Off-site Water Facility Alternatives at a programmatic level. This level of analysis did not require a visual simulation showing the specific placement of a WTP or pump station facilities on a specific section of the properties under consideration. Furthermore, the two off-site WTP sites under consideration are already contained within degraded viewsheds. As discussed on page 3B.1-18 of the DEIR/DEIS, placement of a WTP at the White Rock site would add to the site's industrial appearance because of the existing overhead transmission line corridor. Similarly, a WTP at the Folsom Boulevard site would visually blend in with existing commercial development along Folsom Boulevard.

Tsakopoulos-2-54

The comment suggests that because Impact 3A.2-1 assumes a linear construction schedule of 19 years using conservative emission rates, then states that some periods of construction might be more intense, the DEIR should explain how the construction scenario represents a conservative one.

The assumptions and methodology associated with calculation of construction emissions are thoroughly explained on page 3A.2-28 of the DEIR/DEIS. Conservative emission factors for construction equipment were used (year 2011 emission factors rather than 2030 emission factors), and all construction activity phases were assumed to occur simultaneously within a given year (conservative). Air pollutant emissions associated with construction of all action alternatives using the above assumptions would exceed SMAQMD's thresholds. The DEIR/DEIS also explains that peak activity could cause levels that could further exceed SMAQMD's thresholds.

Tsakopoulos-2-55 *The comment states that more intense construction activities are likely to result in elevated levels of dust, particulates, and diesel exhaust emissions; however, the analysis includes no calculations for PM₁₀ associated with grading, even though a significant impact can reasonably be assumed. The comment suggests correcting this deficiency by revising the analysis, including calculations of all pollutants based on reasonable estimates of activity.*

The DEIR/DEIS provided calculations of PM₁₀ associated with grading, given what was known about construction activities at the time of writing the DEIR/DEIS (total PM₁₀ construction emissions can be found on page 3A.2-29 of the DEIR/DEIS, and PM₁₀ construction emissions associated with grading are included in DEIR/DEIS Appendix C1). See also Master Response 10 – Programmatic Nature of DEIR/DEIS analysis.

Tsakopoulos-2-56 *The comment states that the health risks associated with construction-related TAC emissions (diesel exhaust, PM₁₀, and PM_{2.5}) should have been evaluated within the framework of potential health risks to the nearest sensitive receptors, including some residents/occupants within the SPA during buildout as well as within the City of Folsom and the communities of El Dorado Hills, Four Seasons, and Stonebrier.*

TACs associated with construction activities are generally caused by diesel or gasoline exhaust emissions (some ROG emissions from paving or coating potentially can be toxic); non-combustion-generated PM (i.e., dust) generally does not contain TACs outside of crystalline silica or asbestos, unless contaminated soil is disturbed.

Potential exposure of sensitive receptors to short-term and long-term TACs and naturally occurring asbestos emissions is described in detail on pages 3A.2-50 through 3A.2-59 of the DEIR/DEIS; dispersion modeling and HRAs associated with TAC emissions could not be performed at the programmatic level of this DEIR/DEIS, because information regarding emission sources/strengths/locations (and future receptor locations within about 500 feet of the sources) was not available. See also Master Response 10 – Programmatic Nature of DEIR/DEIS analysis.

Tsakopoulos-2-57 *The comment (continued from comment Tsakopoulos-2-56) states that the discussion also applies to carbon monoxide (CO) emissions.*

See Impact 3A.2-3 in Section 3A.2, “Air Quality” on pages 3A.2-48 through 3A.2-50 of the DEIR/DEIS. The creation of CO hotspots caused by construction equipment is extremely unlikely because construction activities are not likely to generate substantial quantities of CO, and therefore the analysis is not recommended under SMAQMD’s CEQA guidance, (available online at <http://www.airquality.org/ceqa/cequguideupdate/Ch3Construction-GeneratedCAPsFINAL.pdf>).

Tsakopoulos-2-58 *The comment states that although Impact 3A.2-4 purports to evaluate the effects of construction-related and operational TAC emissions, it fails to quantify their volume or effect, and provides no substantial evidence for its initial conclusions or the effectiveness of mitigation for any of the proposed alternatives.*

Exposure of sensitive receptors to temporary, short-term and long-term TAC and naturally occurring asbestos emissions is described in detail on pages 3A.2-50 through 3A.2-59 of the DEIR/DEIS; dispersion modeling and HRAs associated with TAC and naturally occurring asbestos emissions could not be performed at the programmatic level of this DEIR/DEIS, because information regarding emission sources/strengths/locations (and future receptor locations within about 500 feet of the sources) was not available.

Additionally, some TAC and PM (including dust from naturally occurring asbestos) mitigation measures consist of implementation of BMPs, and because their effectiveness at reducing TAC and naturally occurring asbestos concentrations cannot be quantified with certainty (including Mitigation Measures 3A.2-1a, 3A.2-1d, 3A.2-1e, and 3A.2-5, on pages 3A.2-30, 3A.2-37, and 3A.2-58 of the DEIR/DEIS), especially at the program level, the impacts are identified as significant and unavoidable. See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-59

The comment states that without the barest effort to quantify particulate emissions for construction-related activities, the potential impacts of the alternatives on nearby existing and future residents cannot be meaningfully understood.

The DEIR/DEIS provides calculations of PM emissions associated with construction-related activities, given what was known about construction phasing at the time of writing the DEIR/DEIS (PM construction emissions are discussed on page 3A.2-29 of the DEIR/DEIS, and PM construction emissions associated with fugitive dust and exhaust are included in DEIR/DEIS Appendix C1). The DEIR/DEIS also requires project-level PM₁₀ dispersion modeling, to estimate PM₁₀ concentrations at nearby sensitive receptors when such information becomes available, in Mitigation Measures 3A.2-1c on page 3A.2-33 of the DEIR/DEIS. See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-60

The comment states that failure to provide any mechanism to evaluate the significance of particulate emissions precludes a meaningful analysis of the effect of development on attainment of the objectives of the air quality plan for the air basin, which is classified by the EPA as a non-attainment area.

The DEIR/DEIS provides calculations of PM emissions associated with construction-related activities, given what was known about the proposed construction phasing at the time of writing the DEIR/DEIS (PM construction emissions can be found on page 3A.2-29 of the DEIR/DEIS, and PM construction emissions associated with fugitive dust and exhaust are included in DEIR/DEIS appendix C1). As noted on page 3A.2-30 of the DEIR/DEIS: "...dispersion modeling has not been performed for this program-level analysis because detailed information about grading activities and the locations and occupancy timing of future planned on-site receptors is not known at the time of writing this EIR/EIS. A project-level analysis that incorporates specific details of each phase of the selected alternative would be necessary to perform accurate and meaningful dispersion modeling and properly disclose the air quality impacts associated with PM₁₀ emission concentrations. SMAQMD has approved this approach for this analysis because the analysis is being performed at the program-level (Hurley, pers. comm., 2009)." See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-61

The comment states that the DEIR says that trip generation and distribution methods used for quarry trucks are unacceptable to the City.

The comment mischaracterizes the City's objections to the trip generation and distribution methods. During preparation of the DEIR/DEIS, the only available public document regarding transportation impacts of the proposed east county quarries was the Teichert Quarry DEIR. In reviewing the Teichert Quarry DEIR, the City did not question the trip generation methods used to determine the volume of trucks to be generated by the quarries. The City did comment that the "passenger car equivalent" of two cars per truck, used in the Teichert Quarry DEIR, did not accurately reflect the potential impacts the quarry trucks would have on the transportation system. Furthermore, the City did not

dispute the trip distribution methodology in the Teichert Quarry DEIR but did comment that the volume of quarry trucks assigned to roadways in the SPA was sufficiently high in volume as to be incompatible with proposed land uses. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Tsakopoulos-2-62 *The comment states that, according to Sacramento County's comment letter on the NOP, the City has begun to restrict all truck traffic through the city, and proposes to preclude all truck traffic north through the SPA, potentially including Prairie City Road, Oak Avenue Parkway, Scott Road/East Bidwell Street, and Empire Ranch Road.*

See response to comment Tsakopoulos-2-179.

Tsakopoulos-2-63 *The comment states that although the City intends to alter truck traffic within the region, it does not analyze the potential air quality impacts of this re-routing. The comment further states that the City could not seek to restrict and re-route truck traffic, but simultaneously attempt to avoid any requirement to analyze the environmental effects of these changes.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Tsakopoulos-2-64 *The comment states that Impact 3A.2-2 estimates the emissions of four key pollutants by each of the alternatives but fails to provide a standard by which emissions other than reactive organic compounds maybe considered significant.*

Impact 3A.2-2, beginning on page 3A.2-42 of the DEIR/DEIS, states that implementation of the project would generate operational emissions of ROG and NO_x that would exceed the SMAQMD's thresholds and could conflict with air quality planning in the Sacramento Valley Air Basin. ROG and NO_x are the regional pollutants of interest that contribute to ozone formation. CO is a pollutant of local concern and is discussed on pages 3A.2-48 through 3A.2-50 of the DEIR/DEIS. Because of the absence of a regional PM plan, SMAQMD does not offer guidance regarding operational PM emissions other than to quantify them for disclosure purposes, the results of which are shown and discussed on pages 3A.2-42 through 3A.2-48 of the DEIR/DEIS (for reference, see <http://www.airquality.org/ceqa/cequguideupdate/Ch4OperationalCAPsFINAL.pdf>, page 4-2 and pages 4-14 to 4-15; and <http://www.airquality.org/ceqa/cequguideupdate/Ch8CumulativeFinal.pdf>, page 8-5).

Implementation of the AQMP would reduce concentrations of all criteria air pollutants; however, ROG and NO_x would still exceed SMAQMD's significance thresholds (see page 3A.2-48 of the DEIR/DEIS) and therefore the impact is significant and unavoidable. No operational significance thresholds for other criteria air pollutants exist.

Tsakopoulos-2-65 *The comment states that operational PM₁₀ and PM_{2.5} are TACs, and the operational emissions analysis does not evaluate impacts on sensitive receptors within and adjacent to the SPA, and therefore, fails to provide any mechanism to evaluate the significance of those emissions on the attainment of the objectives of the plan for the air basin.*

Not all operational emissions of PM are TACs, as discussed previously (see response to comment Tsakopoulos-2-56); generally speaking, combustion-generated PM_{2.5} related to diesel exhaust is the main TAC of concern. Other health risks exist from PM, which is why ambient air quality standards have been developed for PM. Exposure of sensitive receptors and attainment of ambient air quality standards (based on health and environmental effects) are two separate issues.

Dispersion modeling to assess local impacts of TACs and construction PM on sensitive receptors was discussed previously (responses to comments Tsakopoulos-2-58, Tsakopoulos -2-59, and Tsakopoulos -2-60). Regional dispersion modeling is not performed for operational (area sources) of PM related to project buildout (i.e., paved road dust and residential/commercial fuel combustion). Operational emissions of PM were quantified, as required by SMAQMD, and are expected to be reduced through implementation of the air quality monitoring plan (in Appendix C-2 of the DEIR/DEIS), but not necessarily to less-than-significant levels, as discussed previously (see response to comment Tsakopoulos-2-64).

Tsakopoulos-2-66

The comment states that Impact 3A.2-6 fails to evaluate and disclose the potential odor effects associated with commercial and industrial garbage bins on neighboring residential uses. The comment suggests that mitigation should be required that includes enclosure of garbage disposal bins, sequestering those bins from neighboring uses, and requiring a minimum garbage collection frequency. The comment thus suggests that the analysis be revised to disclose and analyze this impact and provide appropriate mitigation.

The City believes that Mitigation Measure 3A.2-6 addresses all potential operational odors, which would include those related to garbage or food, on pages 3A.2-61 and 3A.2-62 of the DEIR/DEIS. The DEIR/DEIS contains an analysis of an over 3,500-acre specific plan at a programmatic level; therefore, the addition of further site-specific mitigation dealing with the location of garbage bins, which cannot be known at this time, is not appropriate. Therefore, no changes to the DEIR/DEIS are required. See also Master Response 10 – Programmatic Nature of DEIR/DEIS analysis.

Tsakopoulos-2-67

The comment states that Mitigation Measures 3A.2-1a-c propose a variety of mechanisms to reduce construction-related emissions; however, the analysis fails to demonstrate how and to what extent many of these measures would reduce emissions, and no performance standards or other method by which the City could gauge its effectiveness are included in the mitigation measures.

SMAQMD guidance was used to generate mitigation measures for construction-related emissions. As discussed previously (responses to comments Tsakopoulos-2-54 through Tsakopoulos-2-66), some construction mitigation measures have quantifiable emission reductions, while others are BMPs (i.e., performance standards) that do not have quantifiable reductions (see discussion in Table 3A.2-3 on page 3A.2-29 of the DEIR/DEIS). See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-68

The comment states that, in the context of the proposed off-site improvements, reliance on these measures (from comment Tsakopoulos-2-67) as well as Mitigation Measures 3A.2-d-h that lack substantial evidence showing that mitigation would reduce impacts to a less-than-significant level, do not support the claim that they will be effective in remedying the environmental problem.

See response to comment Tsakopoulos-2-67. Both air districts that have jurisdiction over the SPA (on- and off-site elements) have recommended construction emission mitigation measures, some of which are quantifiable, and others which are not. See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-69

The comment states that Mitigation Measure 3A.1-2b requires payment of an off-site mitigation fee to offset construction-related NO_x emissions associated with construction, and asks if a nexus study for this fee exists, and what percentage or total volume of offset of NO_x emissions the payment of that fee effects.

The NO_x mitigation fee is a requirement of SMAQMD (see SMAQMD's CEQA guidance for a full discussion of the NO_x mitigation fee [available online at <http://www.airquality.org/ceqa/cequguideupdate/Ch3Construction-GeneratedCAPsFINAL.pdf>]). See the discussion regarding this topic on page 3A.2-12 of the DEIR/DEIS: "...if modeled construction-generated emissions for a project are not reduced to SMAQMD's [NO_x] threshold of significance (85 pounds per day [lb/day]) by the application of the standard construction mitigation, then an off-site construction mitigation fee is recommended. The fee must be paid before a grading permit can be issued. This fee is used by SMAQMD to purchase off-site emissions reductions. Such purchases are made through SMAQMD's Heavy Duty Incentive Program, through which select owners of heavy-duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies."

Tsakopoulos-2-70

The comment states that Mitigation Measures 3A.2-1c and 3A.2-1h require future developments to prepare a project-specific air quality analysis, including disclosure of PM₁₀ emissions. The comment further states that calculations and disclosure of those emission will do nothing to disclose the potential health effects of those emissions on sensitive receptors or reduce those emissions to avoid or substantially lessen their effects on sensitive receptors. The comment that if, as the City purportedly suggests in the DEIR analysis, the absence of an adopted standard by SMAQMD means that no standard can exist, then no basis exists for reducing these emissions or selecting a level for reduction efforts to accomplish. The comment concludes that, consequently, no substantial evidence supports the DEIR's conclusion that these measures will be effective in reducing emissions or their health effects.

Mitigation Measures 3A.2-1c and 3A.2-1h (on page 3A.2-33 and page 3A.2-40, respectively) state that detailed dispersion modeling of construction-generated PM₁₀ should be performed at the project level, so that PM₁₀ concentrations at sensitive receptors could be disclosed. If concentrations were found to exceed the ambient air quality standards, then additional measures would be required, in accordance with air district guidance, requirements, and rules that have been specifically designed to reduce emissions (and consequently, provide health benefits), which are included as performance standards on pages 3A.2-30 through 3A.2-32 of the DEIR/DEIS. The analysis conservatively concludes that based on the information known at the time of writing of the DEIR/DEIS, the impact is significant, and for PM₁₀, may remain significant and unavoidable despite the implementation of all feasible mitigation measures. See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Furthermore, the commenter's reasoning regarding his statement about the lack of an SMAQMD standard for PM₁₀ is unclear. As stated on page 3A.2-30 of the DEIR/DEIS, SMAQMD typically recommends that project-level analyses determine the maximum concentration of PM₁₀ emissions by performing air dispersion modeling with the EPA's AERMOD model if the maximum daily acreage of ground disturbance would exceed 15 acres. Although the DEIR/DEIS does not contain a project-level analysis, given the overall size of the SPA and the likelihood that substantial portions would undergo construction at one time, it was conservatively assumed during the analysis that more than 15 acres of ground disturbance activity would occur in one day. Because PM₁₀ is a

criteria air pollutant, there is a potential that PM₁₀ emissions could cause an exceedance of the NAAQS or CAAQS; therefore, it was evaluated on that basis in the DEIR/DEIS (see page 3A.2-30). See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

Tsakopoulos-2-71

The comment states that Mitigation Measure 3A.2-2 (on page 3A.2-43 of the DEIR) would require the project applicants to comply with the AQMP, but no performance standards or quantification of emissions reductions are included; consequently, no evidence is provided support any claim that this measure would be effective in reducing emissions and associated health effects expected to result from the operation of any of the alternatives (except No Project).

SMAQMD scaling methodology was used to develop the AQMP, which was specifically designed to reduce regional operational emissions of ozone precursors (i.e., NO_x and ROG emissions, with other criteria pollutants reduced as co-benefits) by up to 48.3%. The AQMP was approved by SMAQMD and was circulated with the DEIR/DEIS in Appendix C2.

Tsakopoulos-2-72

The comment states that Mitigation Measure 3A.4-4a would require the project applicants to develop a plan to reduce exposure of sensitive receptors to TACs generated by project construction activities. The comment further states that, this mitigation measure includes only vague potential elements and provides no performance standards to evaluate their effectiveness. The comment adds that CEQA does not permit deferred analysis by ordering a report without either setting standards to measurably reduce the impact or demonstrating how the impact can be mitigated.

Mitigation Measure 3A.4-4a does not exist; therefore, the City assumes that the commenter is referring to Mitigation Measure 3A.2-4a beginning on page 3A.2-50 of the DEIR/DEIS). A plan to mitigate TAC exposure must be prepared and implemented at the project level rather than the programmatic level, as specified in Mitigation Measure 3A.2-4a. Performance standards are included in the second paragraph of the mitigation measure. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-73

The comment states that Mitigation Measure 3A.4-4b would require implementation of a range of measures, some of which appear to attempt to limit increase in cancer risk or Hazard Index value. The comment further states that the standard provided for some does not apply to all. The comment adds that the project applicants would need to implement guidelines which the measure describes as advisory and, therefore, a standard by which TAC emissions could be evaluated as significant remains uncertain.

Mitigation Measure 3A.4-4b does not exist; the City assumes that the commenter is referring to Mitigation Measure 3A.2-4b beginning on page 3A.2-51 of the DEIR/DEIS. Mitigation Measure 3A.2-4b includes performance standards that consist of implementing BMPs and guidelines from ARB that have been specifically designed to reduce the risk of operational TAC exposures to sensitive receptors. Detailed information was not available at the time of writing the DEIR/DEIS to perform HRAs based on TAC emissions from specific land uses. The DEIR/DEIS is a programmatic document, and HRAs would have to be conducted at the project level. See also Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-74

The comment states that Mitigation Measure 3A.2-5 (like Mitigation Measure 3A.2-4a) does not provide performance standards for evaluation of effectiveness and, therefore, the mitigation is deferred, which is not permitted by CEQA.

Mitigation Measure 3A.2-5 (beginning on page 3A.2-58 of the DEIR/DEIS) consists of performance standards that include implementation of BMPs and guidelines from SMAQMD that have been specifically designed to reduce the risk of exposure to naturally occurring asbestos by sensitive receptors. Detailed construction phasing information was not available at the time of writing the DEIR/DEIS to estimate naturally occurring asbestos emissions from construction. The project applicants would have to perform a site investigation and sampling for naturally occurring asbestos, and if found, SMAQMD would have to review and approve an Asbestos Dust Control Plan before any construction could occur. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-75

The comment states that Mitigation Measure 3A.2-6 provides no standards for the mitigation measures to meet, rendering it defective for the reasons stated in previous comments.

Mitigation Measure 3A.2-6 (beginning on page 3A.2-61 of the DEIR/DEIS) consists of performance standards that include implementation of BMPs that have been specifically designed to reduce the risk of odor exposures to sensitive receptors. Detailed construction information was not available at the time of writing the DEIR/DEIS to estimate operational odor emissions from future land uses. The City would have to review the odor control measures proposed by the project applicants before issuing building permits. See also Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-76

The comment states that Mitigation Measure 3B.2-3a would require the use of certain equipment to the extent practicable, but provides no metric of practicability, meaning that the language would fail to ensure full implementation of the measure, and the conclusion that the residual impact would be less-than-significant is unsupported.

The text of Mitigation Measure 3B.2-3a states: “New pumping stations including back-up diesel generators shall be located more than 200 feet away from sensitive receptors. Electrically-powered pumps shall be used to power new pumps, to the extent practicable.” (DEIR/DEIS page 3B.2-13.) The focus of this mitigation measure is the language requiring a 200-foot setback from sensitive receptors. This language is specific and enforceable. If it is feasible to use electrically-powered pumps instead of diesel pumps, this mitigation measure indicates that such equipment should be used. The less-than-significant impact conclusion on DEIR/DEIS page 3B.2-14 includes implementation of both Mitigation Measures 3B.2-3a and 3B.2-3b, and does not depend on the use of electrically-powered pumps (i.e., “...air quality impacts to sensitive receptors would be reduced to a less-than-significant level because **diesel powered pumps** and back-up generators would be placed a sufficient distance from sensitive receptors” [Emphasis added]).

Tsakopoulos-2-77 *The comment states that for all of the reasons stated in the comment letter, the City must revise the cited mitigation measures to provide performance standards and other substantial evidence to support the proposition that the mitigation measures would actually reduce the significant effects disclosed.*

The City does not believe that any revisions to the cited mitigation measures are required for the reasons stated in responses to comments Tsakopoulos-2-67 through Tsakopoulos-2-76, Master Response 9 – Deferred and/or Hortatory Mitigation, and Master Response 10 – Programmatic Nature of DEIR/DEIS Analysis.

Tsakopoulos-2-78 *The comment states that the baseline for CEQA analysis must be existing conditions in the affected area at the time the NOP was published [2008], but according to page 3A.4-3 of the DEIR, the emissions inventory used for the climate change analysis dates to 2005, which does not accurately represent conditions in the study area when the NOP was issued.*

The “local inventory” referenced on page 3A.4-3 of the DEIR/DEIS was a Sacramento County inventory (with estimates for the City of Folsom) performed in 2005, but it has nothing to do with the GHG analysis performed for the DEIR/DEIS; it provides background or setting information only. Many counties and cities do not have greenhouse gas inventories.

Tsakopoulos-2-79 *The comment states that on pages 3A.4-11 and 3A.4-12 of the DEIR, an appropriate threshold of significance is an efficiency-based annual operational emissions standard of 4.36 metric tons CO₂e/SP/year for 2020 and 3.68 metric tons CO₂e/SP/year for 2030. The comment acknowledges that on page 3A.4-11 of the DEIR, the document correctly states that the Office of Planning and Research (OPR) Technical Advisory recommends determining whether project emissions have the potential to result in a significant project or cumulative impact and to mitigate the impacts where feasible mitigation is available. The comment further states that despite this, the analysis discussion on page 3A.4-13 of the DEIR states that the calculation of greenhouse gas volumes is for information and comparison purposes because no regional air quality control agency with jurisdiction, including or near the plan area, has formally adopted a quantified threshold.*

The comment provides a generally correct summary of text contained in Section 3A.4, “Climate Change” of the DEIR/DEIS; the comment is noted.

Tsakopoulos-2-80 *The comment states that the approach taken in the DEIR/DEIS is inadequate, referencing the OPR Technical Advisory, which states CEQA requires disclosure of GHG emissions and mitigation, even in the absence of clearly defined thresholds, and although OPR recognizes the difficulty in determining significance, the absence of adopted thresholds does not relieve the lead agency of the responsibility to develop one.*

GHG emissions and mitigation were analyzed and discussed in the DEIR/DEIS in Section 3A.4, “Climate Change.” Additionally, a GHG performance-based threshold was calculated for the project, but it was noted that the air quality management districts have not yet adopted their own GHG significance thresholds. (See pages 3A.4-11 through 3A.4-13 of the DEIR/DEIS.)

Tsakopoulos-2-81

The comment states that the analysis provided in Section 3B.4, “Climate Change – Water” of the DEIR provides no explanation of why the application of BAAQMD thresholds for GHG emissions are appropriate for the “Water” analysis but not for the “Land” analysis.

An explanation of the methodology used for the quantification of GHG emissions is provided on page 3B.4-2 of the DEIR/DEIS. The main reason the GHG analysis methodology for the Off-site Water Facility Alternatives differs from that applied for the “Land” alternatives is a consequence of the project details that were developed for the Off-site Water Facility Alternatives but not for the SPA. For example, the City was able to estimate the electrical demands for conveyance pumping, which in turn allowed for the conversion to GHG using Utility Specific Verified CO₂ Emission Factors provided in the 2008 Local Government Operations Protocol. This type of detailed analysis was not possible for the “Land” portion of the program due to programmatic nature of the analysis. For these reasons, the SMAQMD concurred with the application of BAAQMD’s methodology for quantification of GHGs for the “Water” portion of the project.

Tsakopoulos-2-82

The comment states that GHG calculations for the land alternatives in the DEIR do not include all emissions that would result from the various alternatives, and to tell the true story of the project’s role in climate change, the DEIR must inventory, at a minimum, not only the GHG emissions generated through its energy consumption during both construction and operation of project facilities, but also the GHG emissions generated throughout the manufacturing and lifecycle of the building materials used to construct the various alternatives. The comment further states that, without accounting for each of these factors, the DEIR’s calculation of GHG emissions resulting from each of these sources is unsupported, and because the calculations do not include the lifecycles of the materials used, the GHG emissions associated with project implementation are substantially understated.

Project-level energy lifecycle analyses (including criteria pollutant and GHG emissions estimates for primary production and long-range transport of building materials) are not required for CEQA purposes. See Master Response 4 – GHG Lifecycle Analysis.

Tsakopoulos-2-83

The comment states that because the analysis uses URBEMIS 2007, it only accounts for CO₂ emissions from construction and operation of the various project alternatives, not other GHGs such as methane (CH₄) and nitrous oxide (N₂O). The comment further notes the DEIR’s discussion that emissions of these other GHGs would be nominal, and that this assertion is unsupported. The comment also states that this flaw results in the analysis understating the GHG emissions of all of the alternatives.

GHG emissions are reported as CO₂e because other GHGs with different global warming potentials (such as CH₄ and N₂O) were included in the analysis of electricity and water consumption (see pages AQ-83 and AQ-84 in Appendix C, “Air Quality” of the DEIR/DEIS), but had to be converted to CO₂-equivalents.

CO₂ emissions calculated using URBEMIS 2007 (mobile and area sources) do not include CH₄ and N₂O, but an examination of these emission factors in the California Climate Action Registry (CCAR) General Reporting Protocol (GRP) indicate that CH₄ and N₂O emissions are generally 1 to 4 orders of magnitude less than CO₂ emissions, despite higher global warming potentials (23 for CH₄ and 296 for N₂O). See the CCAR for a discussion of emission factors and global warming potentials (CCAR GRP V3.1, January 2009, DEIR/DEIS Appendix C).

Tsakopoulos-2-84

The comment states that the analysis does not account for loss of CO₂ sequestration capacity in the SPA caused by the loss of blue oak woodland and individual trees. The comment further states that although the biological resources analysis evaluates the loss of these resources, the discussion does not compensate for the lack of analysis within the context of GHGs and climate change. The comment notes that the omission results in the analysis understating the net increase in GHG emissions resulting from implementation of the various alternatives, and furthermore, it prevents a meaningful comparison among some of the different alternatives that would avoid losses of oak woodland and individual trees, such as the Resource Impact Minimization and Centralized Development alternatives.

A GHG analysis was not performed specifically to estimate the loss of carbon storage due to the removal of blue oak woodland and other individual trees. However, Mitigation Measure 3A.4-2b (“Participate in and Implement an Urban and Community Forestry Program and/or Off-Site Tree Program to Off-Set Loss of On-Site Trees”) was specified to compensate for the loss of carbon storage. Because new trees would be planted, monitored, and maintained to exactly offset those removed, further analysis was not warranted. A life cycle analysis is not currently required under CEQA (see Master Response 4 – GHG Lifecycle Analysis).

Tsakopoulos-2-85

The comment states that lack of accounting for CO₂ sequestration would prevent meaningful comparison among the alternatives that would have lower losses of oak trees.

The differences among the alternatives are inconsequential in the context of climate change. Because climate change is a global, cumulative impact which no one project can measurably influence, the influence of one alternative within a single project is even less substantial. In other words, no single alternative could substantially alter the project’s contribution to climate change. Either every alternative’s incremental contribution would be cumulatively considerable or every alternative’s contribution would not be cumulatively considerable. The impact conclusion states that the Proposed Project Alternative and the other four action alternatives would result in a cumulatively considerable contribution to a significant cumulative impact and the relatively small differences in the number of trees that would be lost with each alternative would not be enough to change the level of significance.

Tsakopoulos-2-86

The comment states that the City must not piecemeal or segment a project by splitting it into smaller elements for analytical purposes, thereby submerging cumulative effects. The comment further states that the on-site and off-site improvements are evaluated separately, such as determining that the detention basin and sewer force main construction associated with the land alternatives would require no mitigation, and that this type of segmentation would result in understatement of GHG emissions and is prohibited by CEQA.

Regardless of the individual significance assessment associated with construction of certain off-site elements, the discussion on page 3A.4-23 of the DEIR/DEIS states, “Because of the uncertainty with respect to GHG reductions from regulations that have not yet been developed, and because the GHGs generated by construction of the Prairie City Road Interchange, Rowberry Drive overcrossing, Oak Avenue Interchange, and Roadway Connections to El Dorado County [i.e., off-site improvements] could be considerable, the incremental contribution of GHG emissions from project-related construction [i.e., both on-site and off-site] would be cumulatively considerable and significant and unavoidable.” Therefore, the analysis has not been piecemealed.

Tsakopoulos-2-87 *The comment states that Mitigation Measure 3A.4-2a (beginning on page 3A.4-26 of the DEIR), upon which most of the impacts identified in the GHG analysis rely, is not enforceable because the language implies that the future development would only need to meet the specified performance standards if it was feasible to do so. The comment further states that the measure fails to provide any metric to objectively demonstrate feasibility and contains only a list of vague factors for the City to consider when evaluating potential future mitigation measures, and some for the City to consider “as appropriate.” The comment concludes that, consequently, no substantial evidence supports any conclusion that the measure would be effective in remedying the environmental problem.*

See Master Response 3 – GHG Mitigation Measures.

Tsakopoulos-2-88 *The comment states that Mitigation Measure 3A.4-2a (beginning on page 3A.4-26 of the DEIR) impermissibly would defer mitigation, and that ordinarily, CEQA does not permit deferring formulation of a mitigation measure. The comment further states that Mitigation Measure 3A.4-2a would not actually require future mitigation measures to meet any performance standard and would not satisfy the requirements for a permissible deferral.*

See Master Response 3 – GHG Mitigation Measures and Master Response 9 – Deferred and/or Hortatory Mitigation.

Tsakopoulos-2-89 *The comment states that the DEIR fails to include quantified reductions of GHG emissions from mitigation measures. The comment suggests that the DEIR should attempt to estimate the potential reductions in GHG emissions, which would enable evaluation of the effectiveness of the proposed mitigation measures.*

See Master Response 3 – GHG Mitigation Measures.

Tsakopoulos-2-90 *The comment states that the project ignores Goal 25 in the Open Space and Conservation Element of the City of Folsom’s General Plan, which requires the City to “preserve, acquire, enhance and maintain” a variety of biological resources including sensitive habitats such as vernal pools, permanent and seasonal wetlands, oak savanna and woodlands, and sensitive wildlife species, wherever feasible.*

Folsom General Plan Goal 25 states, in part, “wherever feasible, to preserve, acquire, rehabilitate, enhance, and maintain the identified resources for the use and enjoyment of present and future generations.” The project would maintain 30% of the SPA (over 1,000 acres) as natural open space, including all of the biological resources listed by the commenter, as specifically required by Measure W and the LAFCo MOU. The commenter provides no specifics as to how he believes the project would be inconsistent with General Plan Goal 25.

Tsakopoulos-2-91 *The comment notes that several of the project alternatives would reduce impacts to natural resources, but these alternatives “appear to be of little interest to the City.”*

This is a statement of the commenter’s opinion that is unsupported by fact. The City will carefully consider all the analysis contained in the DEIR/DEIS before making a decision whether to adopt the Proposed Project Alternative or one of the other alternatives evaluated therein.

Tsakopoulos-2-92

The comment states that the analysis of the potential impacts of the No USACE Permit Alternative to waters of the United States fails to provide detail indicating why indirect significant impacts would occur. The comment states that implementation of the No USACE Permit Alternative would avoid impacts to approximately 39.50 acres of Federal jurisdictional waters and 1.25 (acres) of State jurisdictional waters on-site.

As described on page 3A.3-28 of the DEIR/DEIS, under the No USACE Permit Alternative, urbanized development would completely surround aquatic habitats to within 50 feet and would, therefore, result in urban runoff, erosion, and siltation; intrusion of humans and domestic animals; and introduction of invasive plant species that could result in habitat degradation, impaired water quality, and changes in hydrology. These would be considered significant impacts requiring mitigation. The No USACE Permit Alternative would avoid direct impacts to waters of the U.S. and waters of the state because these features would not be filled; however, indirect impacts would still occur because of substantial development of the surrounding habitat.

Tsakopoulos-2-93 through

Tsakopoulos-2-95

The comments suggest that because the impacts to jurisdictional waters would be significant and unavoidable, the discussion should present a “fair and complete analysis” of alternatives to avoid or minimize these impacts. The comments further suggest that the No USACE Permit Alternative could be developed so that such indirect impacts would be avoided or minimized, and in turn, impacts to these waters would be less than significant. The comments recommend building off Mitigation Measure 3A.3-1a on page 3A.3-31 of the DEIR and strengthening it for the analysis to be CEQA-compliant.

Regarding the commenter’s suggestion that other alternatives be evaluated, see response to comment Tsakopoulos-2-11. The preservation of wetland habitats within small, fragmented areas surrounded by extensive urban development cannot be expected to provide the same ecological services and values as provided by larger expanses of interconnected wetland complexes surrounded by natural upland habitats, particularly for species that would utilize both upland and aquatic habitats for different phases of their life cycle. Although wetlands and other waters would be avoided under the No USACE Permit Alternative, they would be provided with only a 50-foot buffer from development and their micro watersheds would not be preserved. The magnitude of topographic modification and impervious surfaces that would be created across the SPA under this alternative would be extensive and would substantially alter the surrounding landscape and hydrological patterns, adversely affecting retained wetlands and other waters. Therefore, indirect impacts would still be significant, although to a much lesser extent than the Proposed Project Alternative, as stated on page 3A.3-28 of the DEIR/DEIS. Mitigation Measure 3.3-1a is proposed to mitigate indirect impacts on waters of the U.S. and waters of the state that would result from implementing the No USACE Permit Alternative; however, it would not be possible to reduce all indirect impacts on wetland function and value, which would include habitat functions and values, to a less-than-significant level when converting a landscape consisting of wetland resources surrounded by natural upland habitats to wetland resources surrounded by urban development. The value of these habitats to many species would undoubtedly be substantially degraded, regardless of any mitigation measures that could be implemented, as would other wetland functions. Because of the widely scattered distribution of wetlands and other waters across the SPA, it would not be possible to provide a wide enough buffer to reduce all possible indirect impacts to a less-than-significant level and still meet the development objectives under CEQA.

Tsakopoulos-2-96

The comment states that the DEIR did not adequately assess impacts of urbanization and growth on biological resources because much of the SPA and off-site elements have not been surveyed for special-status species.

Numerous biological investigations were conducted on the SPA to establish baseline biological conditions. These investigations included wetland delineation, habitat assessment, arborist surveys, vegetation mapping, reconnaissance surveys, and protocol-level species surveys, as listed on page 3A.3-1 of the DEIR/DEIS. In addition to these investigations, subsequent investigations included protocol-level branchiopod surveys and amphibian and reptile surveys on the Folsom South property. Protocol-level surveys for special-status plants and vernal pool branchiopods have been conducted on all of the SPA parcels with the exception of the Folsom Heights and Javanifard and Zarghami properties. Tree surveys have been completed over most of the SPA parcels containing trees, and oak tree canopy has been mapped and quantified for the entire SPA. Verified wetland delineations exist for all portions of the SPA. This level of investigation is adequate to characterize the biological resources on the SPA, to analyze the potential impacts of implementing the FPASP.

As appropriate, based on the dynamic nature of some of the biological resources such as nesting raptors, some additional surveys would be conducted before construction of individual project phases to accurately determine the abundance and distribution of these resources at the time of project implementation. The DEIR/DEIS assumes these species might be present and provides appropriate mitigation measures to reduce impacts on these species to a less-than-significant level, if feasible, if they were confirmed to be present during preconstruction surveys for individual project phases. See responses to comments Tsakopoulos-2-102 and Tsakopoulos-2-103 for further discussion of preconstruction species surveys.

Tsakopoulos-2-97 through

Tsakopoulos-2-98

The comments state that the analysis regarding impacts on habitat of special-status wildlife and plant species and direct take of wildlife species was inadequate. The comments suggest that the analysis should be based on more than literature review and a single site assessment, so that the potential impacts of various alternatives on special-status species are properly assessed and compared.

The analysis was not based on a single site assessment. Numerous biological investigations were conducted in the SPA and off-site elements to characterize baseline biological resources conditions and species that could potentially be affected by project implementation. See response to comment Tsakopoulos-2-96.

Tsakopoulos-2-99

The comment states that it is impossible to provide more than a generalized assessment of impacts of the various project alternatives on special-status species without a complete understanding of where these species occur and where their habitat occurs.

See response to comment Tsakopoulos-2-96. The Reduced Hillside Development Alternative was determined to have similar significant direct and indirect impacts on biological resources to the Proposed Project Alternative because it would result in the loss and degradation of approximately the same amount of habitat for common and sensitive species. The determination that the No USACE Permit, Resource Impact Minimization, and Centralized Development Alternatives would reduce impacts on biological resources is based on the fact that these alternatives would preserve more of the existing habitat, would provide larger, more interconnected habitat patches, would retain more of the existing wetlands and other waters, and would maintain generally

wider buffers and result in less fragmentation. Biological investigations to map and assess species habitat have been completed, thus the comment is incorrect in stating that the location of special-status species habitat is unknown.

Preconstruction surveys would be conducted to determine the distribution of some resources, such as active nest sites, elderberry shrubs, and roosting bats, before construction of individual project phases began, consistent with DFG and USFWS guidelines.

Tsakopoulos-2-100 through

Tsakopoulos-2-101

The comments state that the City ignored comments and recommendations from two federal agencies, EPA and the USFWS, in conducting its analysis of impacts of project alternatives on biological resources. The comments state that the EPA recommended that the City conduct “robust” analyses and the USFWS recommended that habitat assessment and surveys of multiple species be conducted both within the SPA as well as at off-site locations potentially affected by the water supply pipeline element of the project.

The comments do not clarify what is meant by “robust analyses” or how the DEIR/DEIS fails to provide “robust analyses.” The referenced comment letter from the EPA states that the DEIR/DEIS should include a “robust analysis” of direct, indirect, and cumulative impacts on waters of the U.S., and the City believes that such an analysis has been provided in the DEIR/DEIS. Habitat assessments and surveys have been completed at a program level, as explained in response to comment Tsakopoulos-2-96. See also responses to comments Tsakopoulos-2-102 through Tsakopoulos-2-103.

Tsakopoulos-2-102 through

Tsakopoulos-2-103

The comments note that although the DEIR requires that protocol level surveys be conducted for special-status plants for “all project phases,” no similar requirement exists for special-status wildlife. The comments recommend that the City amend the analysis to include a requirement of protocol-level surveys for all special-status species and states that surveys conducted before more site-specific activities would come too late to inform the City and public of potential project impacts.

Protocol-level surveys for special-status plant and wildlife species are those surveys that are conducted according to the USFWS and DFG protocol and/or guidelines to determine presence or absence on a project site. These surveys must be conducted as part of permit applications and or part of the CEQA process and are generally completed as part of the CEQA/NEPA process to establish baseline biological conditions. However; for some resources, it is more appropriate to conduct surveys after the CEQA/NEPA document(s) are prepared but before project construction begins. This is because of the dynamic nature of some resources, such as biological resources. For example, according to guidelines established by DFG (1994), surveys for nesting raptors should be conducted no less than 14 days and no more than 30 days before the beginning of construction, and this is a requirement of Mitigation Measure 3A.3-2a, as stated on page 3A.3-51 of the DEIR/DEIS. Preconstruction surveys are required as mitigation where appropriate for special-status wildlife species that have the potential to occur in the SPA (see pages 3A.3-51 through 3A.3-69 of the DEIR/DEIS). Protocol-level surveys for some species, such as vernal pool branchiopods, already have been conducted on project parcels, as listed on page 3A.3-1 of the DEIR/DEIS.

Mitigation measures presented in response to Impact 3A.3-2 require preconstruction surveys where this method would be the most appropriate for determining species

impacts and outline the steps that would need to be taken to reduce impacts on species, if found during preconstruction surveys, to reduce impacts on said species to a less-than-significant level. For some species (e.g., Swainson's hawk, burrowing owl, and other nesting raptors) it would not be appropriate to base impact conclusions on surveys conducted concurrent with or before circulation of the DEIR/DEIS because the absence of these species at that time would not be evidence that the species would not occupy the site by the time a particular project phase would be implemented. The DEIR/DEIS conservatively assumes these species might be present, and past surveys would not eliminate the need to conduct additional preconstruction surveys for Swainson's hawk and other raptors, according to the DFG guidelines. The DFG guidelines require surveys to identify active nests on and within 0.5 mile of a project site and active burrows on the project site, as specified in Mitigation Measure 3A.3-2a, on pages 3A.3-51 and 3A.3-52 of the DEIR/DEIS.

Likewise, protocol-level valley elderberry longhorn beetle (VELB) surveys that were conducted early in the process would not provide an accurate indication of the size and distribution of elderberry shrubs in the SPA over the life of the project, which is expected to be built out in phases over 20 years. Because mitigation ratios are based on the number and size of elderberry stems removed, it would be appropriate to conduct elderberry surveys to determine impacts on VELB habitat at the preconstruction phase. Protocol-level VELB surveys are considered valid by the USFWS for only 2 years; thus, surveys should not be conducted more than 2 years before the impact would occur.

Tsakopoulos-2-104

The comment states that insufficient data is provided in the special-status species analysis to conclude that "there are no established migratory routes through the SPA that are vital for the movement of any resident or migratory fish or wildlife species or population" because no protocol wildlife surveys were conducted.

The comment is incorrect that no protocol wildlife surveys were conducted on the SPA (see response to comment Tsakopoulos-2-103). Numerous reconnaissance and protocol-level biological investigations have been conducted throughout the SPA, and no evidence of established migratory routes through the SPA has been found.

The term "established migration corridor" as used under CEQA generally applies to regular travel routes used by a species or population to move between habitat ranges during different seasons or life stages (e.g., winter range to summer range or breeding grounds to foraging grounds).

The SPA is surrounded by existing urban development to the north and east. Lands to the west are planned for urban development in the near future (the Glenborough and Easton Place projects) and are currently characterized by dredge tailings and Aerojet facilities, with a natural riparian habitat corridor along Alder Creek. The proposed Glenborough and Easton Place projects would preserve a riparian corridor along Alder Creek, as would the Folsom South of U.S. 50 Specific Plan project.

All project alternatives include preservation of the mainstem of the Alder Creek corridor (a potentially valuable species movement corridor, recognized within the SPA) as open space. The DEIR/DEIS concluded that the proposed corridors in the open space design would adequately minimize potential impacts to wildlife movement and migratory routes to a less-than-significant level. The SPA does not connect natural habitat to the south to any other natural habitats, aside from the Alder Creek corridor, that could provide important breeding or foraging grounds for any terrestrial species or population.

For fish species, migration corridors are within rivers and streams. Anadromous fish species use the Lower American River below Nimbus Dam, but the dam prevents fish passage from the Lower American River to Alder Creek. Therefore, it is reasonable to conclude that no established migratory routes are found through the SPA that are vital for the movement of any resident or migratory fish or wildlife species or population (page 3A.3-92 of the DEIR/DEIS) and the most likely migratory route for wildlife on the project site, Alder Creek, would be preserved.

Tsakopoulos-2-105 through

Tsakopoulos-2-106 *The comments state that the only discussion of Habitat Conservation Plan (HCP) planning is provided in Mitigation Measure 3A.3-2g in the context of the No USACE Permit Alternative. The comments further state that although the City asserts that the South Sacramento HCP (SSHCP) has not been completed and would not include the SPA, and thus is “irrelevant” to the DEIR/DEIS, LAFCo Resolution 1196 requires the City to prepare an HCP or join in the SSHCP process to address mitigation of impacts of development on biological resources. The comments also state that CEQA requires an EIR to review project consistency with regional plans.*

Consistency with the SSHCP is evaluated for all “Land” alternatives in Impact 3A.3-7 on pages 3A.3-93 and 3A.3-94 of the DEIR/DEIS. The DEIR/DEIS responds to compliance with an HCP according to the parameters set forth by CEQA, which expressly states the threshold as a conflict with the provisions of an *adopted* HCP or other approved local, regional, or state habitat conservation plan. The SSHCP is not an adopted or approved plan. The DEIR/DEIS does not say that the SSHCP is “irrelevant.” Conservation commitments for the SSHCP have not been secured and the locations of SSHCP habitat preserves have not been established, thus it is not currently possible for the project to design habitat conservation areas to compliment SSHCP preserves. The existing draft information available on the SSHCP website does not identify any conservation planning areas within or adjacent to the SPA; however, it is likely that the mitigation outlined in the DEIR/DEIS as well as the habitat preservation and wildlife corridor elements that are part of the project alternative designs would complement the conservation goals of open space in the vicinity of the project area, should the SSHCP be adopted.

Tsakopoulos-2-107 through

Tsakopoulos-2-108 *The comments state that lands to the south of the SPA were reclassified as MRZ-2a in 2009, and the Surface Mining and Reclamation Act requires a lead agency proposing land use changes that “would threaten the potential to extract” these resources to prepare a statement forwarded to the State Geologist and State Mining and Geology Board for Review. The comments further state that the DEIR ignores this reclassification, and the City intends to restrict or ban truck traffic, affecting the development of these classified minerals.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach and responses to comments Sac Cnty-35 through Sac Cnty-2-48.

Tsakopoulos-2-109

The comment states that the DEIR does not adequately consider the effects of allowing construction of residences within the SPA, which could have conflicts with the quarry operations proposed to the south of the SPA.

The commenter does not specify what conflicts he believes may occur. The closest proposed mining project for which a CEQA notice of preparation has been circulated to the public is located approximately 1.2 miles south of the SPA. Because the proposed development on the SPA would not occur on or adjacent to the lands proposed for

mining, it is unclear to the City, nor does the commenter specify, exactly how the physical development of the SPA would constitute a physical threat to mining activities that would occur 1.2 miles to the south. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach and Master Response 8 – Land Use Incompatibility.

Tsakopoulos-2-110 *The comment suggests that because the DEIR fails to identify or analyze the State Mining and Geology Board's classification of the Wilson Ranch site's minerals as MRZ-2a, and because the project may have potential adverse impacts on the ability of other pending projects to harvest those mineral resources, the DEIR should be revised and recirculated.*

See responses to comments Sac Cnty-2-35 through Sac Cnty-2-48 and Tsakopoulos-2-109.

Tsakopoulos-2-111 *The comment states that State CEQA Guidelines CCR Section 15088.5 requires recirculation of an EIR whenever significant new information is learned that changes the environmental setting.*

See response to comment Tsakopoulos-2-110 and Sac Cnty-2-35 through Sac Cnty-2-48. The information regarding redesignation of the Wilson Ranch property to MRZ-2a has no effect on the impact analysis contained in the DEIR/DEIS; therefore, no recirculation is required. See also Master Response 12 – DEIR/DEIS Recirculation is Not Required.

Tsakopoulos-2-112 through

Tsakopoulos-2-114 *The comment states that the City's reliance on the State CEQA Guidelines Appendix G Checklist for impacts related to mineral resources avoids meaningful discussion of impacts that the project and related projects could have on the Teichert and Walltown Quarries. The comments state that several important quarries located to the south of the SPA are in the planning process before Sacramento County with active project applications. The comments further state that the City is contemplating a ban on truck traffic from those quarries through the project area, which could increase air emissions and decrease levels of service on nearby roadways in the region because the ban would force the trucks to use more circuitous routes to reach U.S. 50, resulting in direct and immediate adverse impacts. The comments suggest that the City should develop a significance threshold that adequately considers and addresses the potential impacts of the City's ban on truck traffic in the project area.*

As the commenter himself notes, the City's use of the Appendix G Environmental Checklist as thresholds of significance is permissible under CEQA. The thresholds of significance in the checklist related to mineral resources are broad enough to encompass the scope of the Folsom South of U.S. 50 Specific Plan project and are directly relevant. The Appendix G thresholds relate to the loss of availability of a known locally- or regionally-designated mineral resource. This issue as related to mineral resources in the SPA is evaluated in Impacts 3A.7-8 and 3A.7-9 (pages 3A.7-36 through 3A.7-38 of the DEIR/DEIS). As discussed in responses to comments Sac Cnty-2-35 through Sac Cnty-2-46, the closest mining project for which a CEQA notice of preparation has been circulated to the public is approximately 1.2 miles south of SPA. Therefore, physical development of the SPA would have no effect on the physical ability of any landowner to recover mineral resources from the known proposed quarry projects, nor would the SPA be located in close proximity to mining operations. With regards to the quarry truck haul routes and the issue of land use compatibility, see Master Response 7 – Quarry Truck Cumulative Impact Analysis and Master Response 8 – Land Use Incompatibility. Quarry truck routes other than Oak Avenue Parkway are available, and work is in process, as

mandated by Sacramento County, for the various stakeholders to agree on quarry truck routing in the form of the East Sacramento Regional Aggregate Mining Truck Management Plan (TMP), which will require its own CEQA analysis. The commenter's assertion that the proposed mitigation measures for cumulative impacts caused by the quarry trucks might somehow impede the quarries' ability to operate, thereby conflicting with the designation of the quarry area as a valuable mineral resource zone, lacks merit because the City has not proposed a unilateral ban on truck traffic as the only solution to potential problems caused by a large volume of truck traffic through the SPA. In consideration of the City's good faith commitment to cooperate in the development and implementation of the TMP, the proposed mitigation measures previously identified in the DEIR/DEIS to address the cumulative air quality and noise impacts associated with development of the SPA along with future quarry truck traffic through the SPA have been revised to rely upon the TMP as the first resort for mitigation and ensure that when a TMP is adopted, those portions of the TMP subject to City control will, in fact, be implemented. Accordingly, Cumulative Mitigation Measures AIR-1-Land and NOISE-1-Land have been revised as shown in Chapter 5, "Errata" of this FEIR/FEIS. Therefore, the City believes that the thresholds of significance contained in the DEIR/DEIS are relevant to the project at hand and appropriately capture all the potentially significant environmental impacts of the project.

Tsakopoulos-2-115 *The comment states that the DEIR should specify the name and location of the impoundment along the tributary of Alder Creek that may be subject to jurisdiction by DWR, Division of Safety of Dams (DSOD).*

Impact 3A.9-4 (pages 3A.9-43 and 3A.9-44 of the DEIR/DEIS) describes the five ponds in the SPA and three ponds located upstream (to the south of White Rock Road) that appear to hold water throughout the year behind existing dams. These ponds are described as located within subwatersheds AC1d, AC2d, AC9a, AC5b, OFF4a and OFF4b, as depicted in Exhibit 3A.9-2 (page 3A.9-3 of the DEIR/DEIS). One of the ponds, located in subwatershed AC9a, is estimated to be approximately 3 to 5 surface acres, formed by an earthen dam approximately 15 to 20 feet in height on the north side of the pond, with an unknown depth and associated volume. The heights of the other dams and/or volume of water in the associated impoundments are unknown and, therefore, it is not known whether any of the dams are under the jurisdictional oversight of DSOD. Mitigation Measure 3A.9-4 (page 3A.9-44 of the DEIR/DEIS) would require conducting studies of these dams before submittal of tentative maps or improvement plans, to determine the extent of inundation in the case of dam failure.

Tsakopoulos-2-116 *The comment states that Mitigation Measure 3A.9-1 lacks performance standards to ensure its effectiveness and enforceability.*

Mitigation Measure 3A.9-1 (pages 3A.9-25 and 3A.9-26 of the DEIR/DEIS), would require the acquisition of appropriate regulatory permits and coverage under the SWRCB NPDES General Permit. This would include preparation and implementation of a SWPPP and BMPs. Performance standards, including numeric effluent limitations, are specified in the NPDES General Permit. Requirements for the SWPPP are defined by the SWRCB and are strictly enforceable by the Central Valley RWQCB. The permit monitoring, inspection, and reporting requirements, including annual reports and additional information on pre- and post-rain event inspections, are designed to ensure that all measures are functioning and timely repaired to protect water quality. Enforcement actions, including monetary penalties, can be used by the Central Valley RWQCB as tools to deter future violations.

Tsakopoulos-2-117

The comment states that Impact 3A.9-2 appears to list up to four potential significance thresholds but does not specify which was used in the analysis.

Impact 3A.9-2 (page 3A.9-32 of the DEIR/DEIS) addresses the potential increased risk of flooding and hydromodification from increased stormwater runoff in the SPA. The significance criteria used to evaluate a potential increased risk of flooding is described (on page 3A.9-29 of the DEIR/DEIS) as appropriately conveying off-site runoff through the SPA and reducing flooding from project-related on-site runoff by appropriate containment in detention basins or management of runoff through other improvements.

The significance criteria that have been proposed by the City to evaluate a potential increased risk of hydromodification are described on page 3A.9-32 of the DEIR/DEIS. These include an erosion potential exceeding 1.2 (a 20% increase in the probability of stream channel instability) or 1.1 (a 10% increase), respectively, as an appropriate measure to evaluate hydromodification. The DEIR/DEIS also states that hydromodification was not addressed in the Storm Drainage Master Plan (MacKay & Somps 2007) and, therefore, is assumed to be potentially significant. Mitigation Measure 3A.9-2 on page 3A.9-29 of the DEIR/DEIS states that, for the purposes of this DEIR/DEIS, hydromodification BMPs would be designed and constructed in accordance with the forthcoming SSQP Hydromodification Management Plan and that hydromodification would not be increased from predevelopment levels such that existing stream geomorphology would be changed. The significance threshold that would be used is described in Mitigation Measure 3A.9-2 as a conservative estimate (e.g., an erosion potential of 1.1 or other as approved by the SSQP and/or City of Folsom Public Works Department) or a specific range of conditions would be calculated for each receiving water, if feasible.

The recommendations presented in the Alder Creek Watershed Management Action Plan (City of Folsom 2010) have not been adopted by the City of Folsom as a set of regulations or policies and are, therefore, not required to be incorporated in the DEIR/DEIS. They were mentioned on page 3A.9-36 of the DEIR/DEIS, not as significance thresholds but rather as potential hydrologic and geomorphic processes recommendations that might be utilized in the future hydromodification analysis and design specifications. The project applicants considered the Alder Creek Watershed Management Action Plan guidelines and incorporated many of the guidelines contained in that plan into the FPASP.

Tsakopoulos-2-118

The comment states that modified outlet facilities would be provided to reduce flow to pre-project conditions for the 2-year and 5-year storm events if downstream facilities would be affected, but this requirement is not listed as a mitigation measure and does not appear to be enforceable.

Mitigation Measure 3A.9-2 (pages 3A.9-29 and 3A.9-30 of the DEIR/DEIS) includes requirements that final drainage plans be prepared and submitted, demonstrating that off-site upstream runoff would be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention basins or managed by other improvements to reduce flooding and hydromodification impacts. It further specifies that final drainage plans would include runoff calculations for the 10-year, 100-year, and other small storm events, as required, to appropriately size drainage infrastructure. The final drainage plans for the project site would require approval of the City of Folsom Community Development and Public Works Department before approval of grading plans and building permits.

- Tsakopoulos-2-119 *The comment states that Mitigation Measure 3A.9-3 defers analysis and mitigation to future studies without establishing measurable performance standards.*
- As described in Mitigation Measure 3A.9-3 on pages 3A.9-38 of the DEIR/DEIS, the project would be subject to the Sacramento County and City of Folsom Phase I MS4 NPDES permit, which includes receiving water limitations (site-specific interpretations of water quality standards), discharge prohibitions, and additional requirements. See also Master Response 9 – Deferred and/or Hortatory Mitigation.
- Tsakopoulos-2-120 *The comment states that the analysis in Impact 3A.9-4 does not discuss how the alternatives could reduce the risk to structures and human life from dam failure relating to the reduced number of structures and occupants proposed within the area, subject to inundation in different alternatives.*
- The commenter correctly states that the alternatives that include higher densities of occupants and structures would subject more people/structures to the potential risk of dam failure. However, the significance conclusion provided on page 3A.9-44 of the DEIR/DEIS would not change regardless of the alternative because substantial numbers of people and structures would still be subject to the risk of dam failure. The impact for all alternatives would continue to be potentially significant and implementation of Mitigation Measure 3A.9-4 (page 3A.9-44 of the DEIR/DEIS) would be an appropriate measure for all alternatives to reduce this impact to less-than-significant levels.
- Tsakopoulos-2-121 *The comment states that Mitigation Measure 3A.9-4 does not define what constitutes "a significant risk of flooding."*
- The use of the word “significant” in Mitigation Measure 3A.9-4 is intended to state a connection to Appendix G of the State CEQA Guidelines, where the guidelines state (at IX.i) that a project would result in a significant impact related to hydrology and water quality if it would: “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.” The standard for determining a “significant risk of flooding” would be similar – if a breached impoundment would pose a risk of loss, injury, or death to people or structures, it would be considered significant.
- Tsakopoulos-2-122 *The comment states that because Mitigation Measure 3B.9-1a includes no performance standards, it would be unenforceable.*
- Mitigation Measure 3B.9-1a (page 3B.9-22 of the DEIR/DEIS) includes specific criteria outlining the content that must be included within the SWPPP (i.e., the performance standards) to address all the known sources of water quality impairment from construction. The performance standards contained in the newly adopted General Construction Permit (Order 2009-0009-DWQ) also should be noted, as referenced in the mitigation measure.
- Tsakopoulos-2-123 *The comment states that Impact 3B.9-2 finds the impact would be less than significant but specifies no threshold or substantial evidence to support this conclusion.*
- The first paragraph of Impact 3B.9-2 on page 3B.9-24 of the DEIR/DEIS states that the evaluation of water quality impacts to the Delta are largely contingent on whether the diversion would affect the position of X-2, which is based on the SWRCB’s water rights decision, D-1641. As discussed, the change in Delta outflow as attributed to the Off-site Water Facility Alternatives would be substantially less than the 1% change in Delta flow

that is generally required to affect the position of X-2. For this reason, the impact conclusion is appropriate and supported by substantial evidence.

Tsakopoulos-2-124 *The comment states that the discussion included in Impact 3B.9-2 provides no analysis to support the conclusion that the use of diverted water for M&I purposes, and the resulting changes in characteristics, would result in a less-than-significant impact.*

The impact analysis provided on pages 3B.9-24 and 3B.9-25 of the DEIR/DEIS considers the range of effects that could directly or indirectly affect the quantity of return flows to the Sacramento River. As discussed, the change to an M&I schedule would involve treatment of the return flows by SRCSD to levels required by SRCSD's NPDES permit; whereas, under the existing conditions, there currently is no pre-discharge treatment of return flows from the use of the water proposed be assigned by NCMWC. Based on these considerations, a less-than-significant determination is appropriate.

Tsakopoulos-2-125 *The comment states that Mitigation Measure 3B.9-3a defers analysis and mitigation. The comment suggests that, although development within the SPA may not yet be specified, because the parameters of the water facilities, particularly for a WTP and water supply pipeline with a specific size and capacity, are generally known, they should be fully analyzed.*

Impact 3B.9-3, beginning on page 3B.9-25 of the DEIR/DEIS, provides an analysis of post-construction drainage impacts as a result of a WTP. More specifically, the second paragraph on page 3B.9-26 provides pre- and post-construction runoff estimates for a WTP, using the Sacramento County Drainage Manual, based on an assumed acreage of 10 acres. Based on these factors, the analysis is not deferred. Furthermore, Mitigation Measure 3B.9-3a provides very specific performance standards for the design of a WTP site. The City notes that subsequent to the writing of the DEIR/DEIS, it has determined that the preferred location for the WTP is within the SPA (see Chapter 5, "Errata" of this FEIR/FEIS for text changes in DEIR/DEIS Chapter 2, "Alternatives" associated with this decision; see also Chapter 2, "Minor Modifications to the Project" of this FEIR/FEIS). Impacts associated with all construction within the SPA, including an on-site WTP, are already fully evaluated in Chapter 3 of the DEIR/DEIS. Finally, the City notes that the DEIR/DEIS contains a programmatic level of analysis. Because the WTP has not been designed, it would be inappropriate to perform the level of analysis requested by the commenter because such an analysis would be speculative. See Master Response 10 – Programmatic Nature of the DEIR/DEIS Analysis and DEIR/DEIS Chapter 1, "Introduction" at pages 1-9 and 1-10. A future project-specific CEQA analysis would be required for construction of the WTP.

Tsakopoulos-2-126 *The comment states that Mitigation Measure 3B.9-3b includes no performance standards and, therefore, is unenforceable.*

In recognition of the programmatic nature of the DEIR/DEIS, Mitigation Measures 3B.9-3a and 3B.9-3b (beginning on page 3B.9-26 of the DEIR/DEIS) include a menu of BMPs (i.e., performance standards) that the City might implement to minimize post-construction runoff and erosion at the WTP. Mitigation Measure 3B.9-3a prescribes a specific design standard for these BMPs by requiring them to accommodate the 10-year, 24-hour storm event.

Tsakopoulos-2-127 *The comment asks what substantial evidence supports the less-than-significant determination for Impact 3B.9-4, which appears to result from the proposed year-round diversion schedule.*

The less-than-significant determination for Impact 3B.9-4 on page 3B.9-28 of the DEIR/DEIS is supported by the four fundamental assumptions that are described in Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta. Furthermore, a negligible quantity of water would be diverted by the project in relation to the total flow within the Sacramento River at any one time. As shown in Table 3B.9-3 on page 3B.9-29 of the DEIR/DEIS, changes in flows are estimated at 3 cubic feet per second (cfs) or <0.04% of the total minimum flow (e.g., 10,000 cfs) at Freeport during September. Additionally, the less-than-significant determination is supported by the fact that the project’s water supply would be diverted from and within the permitted capacity of the Freeport Project, previously analyzed under CEQA and NEPA; therefore, no net increase diversion capacity along the Sacramento River would occur.

Tsakopoulos-2-128 *The comment states that Impact 3B.9-5 relies on defective mitigation and, therefore, the impact determination is not supported by substantial evidence.*

See responses to comments Tsakopoulos-2-125 and Tsakopoulos-2-126. The significance determination that is provided in Impact 3B.9-5 on page 3B.9-30 of the DEIR/DEIS is conservative because the number of aboveground facilities would be limited and the City is required by law to comply with the SWRCB’s Water Quality Order No. 97-03-DWQ, NPDES General Industrial Permit No. CAS000001.

Tsakopoulos-2-129 *The comment states that the DEIR’s analysis of land use consistency is contradictory and the DEIR fails to analyze the consistency of the project with County policies, even though the SPA is currently subject to these policies. The comment states that the document evades an analysis of SPA consistency with County policies.*

An evaluation of land use planning consistency is not a physical environmental impact and therefore is not subject to analysis under CEQA. The commenter cites DEIR/DEIS text out of context. Page 3A.10-30 of the DEIR/DEIS states:

The land use planning and zoning authority of local jurisdictions in California is set forth in the state’s planning laws. Currently, both Sacramento County and the City of Folsom have planning jurisdiction over the SPA, though the City would have no direct land use authority over the area unless and until annexation to the City is approved by the Sacramento LAFCo. Because the SPA is located within the unincorporated area of Sacramento County and outside the legal boundaries of Folsom, Sacramento County maintains the authority to designate allowable land uses and approve development on the site. Following LAFCo’s approval of the annexation, Sacramento County would relinquish land use planning authority to the City, and the Sacramento County General Plan would no longer apply to the annexed areas. Nonetheless, the project may be appropriately compared to the Sacramento County General Plan to determine the consistency of the project with existing land use designations because the City does not have the current land use control. It should be noted that any inconsistency of the project with Sacramento County or Folsom land use designations and zoning code is an issue related to land use regulation and not a physical environmental consequence of the project, and therefore would not be considered a significant impact under CEQA. Specific impacts associated with other resource and issue areas are addressed in each

technical ‘A’ or ‘Land’ Sections of this EIR/EIS as appropriate. These technical sections provide a detailed analysis of other relevant environmental effects resulting from implementation of the project.

The DEIR/DEIS appropriately considers that Sacramento County’s goals, policies, and land use designations would apply only to the No Project Alternative (in which the SPA would remain under County land use jurisdiction), and to the detention basin west of Prairie City Road (which would not be annexed into the City of Folsom). Implementation of the Proposed Project Alternative or one of the other four action alternatives would include annexation of the SPA into the City of Folsom and therefore the County policies would not apply, because the County would not have land use authority over the SPA. See also Master Response 8 – Land Use Incompatibility.

Tsakopoulos-2-130

The comment states that the DEIR’s land use section is flawed in its analysis because it does not properly relate the thresholds of significance to the impacts. The comment cites the threshold in the DEIR relating to potential conflicts with policies designed to avoid or mitigate an environmental effect, and states that the analysis does not address this threshold because it does not analyze inconsistency of the project with Sacramento County or City of Folsom General Plan land use designations or zoning districts. The comment further states that an analysis was not made of the impacts of the project in comparison with the existing Sacramento County land use policies and regulations.

See response to comment Tsakopoulos-2-130 and Master Response 8 – Land Use Incompatibility. Furthermore, any potential conflict with policies specifically designed to “avoid or mitigate an environmental effect” is addressed in the DEIR/DEIS as a separate impact in the relevant topic area (for example, see Section 3A.11, “Noise” for an evaluation of the project’s potential to exceed City/County noise standards adopted as part of each respective general plan; see Section 3A.3 “Biological Resources” for an evaluation of the project’s consistency with adopted tree preservation ordinances).

Tsakopoulos-2-131

The comment states that the City does not show in the DEIR that the project is consistent with paragraphs 4 and 5 of LAFCO Resolution 1196 concerning roadway improvements.

See response to comment Tsakopoulos-2-7.

Tsakopoulos-2-132

The comment states that, to the extent that the noise analysis relies on truck and other traffic distribution, all of the comments regarding traffic bear on the accuracy of the operational noise analysis, and that failure to include “the technical report” deprives the ability of the public and decision makers to evaluate the accuracy of assumptions underlying the noise analysis.

The commenter does not specify what technical report he is referring to. CEQA does not require that the DEIR/DEIS include a separate traffic or noise technical report. According to the State CEQA Guidelines, an EIR “is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR.” See *Building Code Action v. Energy Resources Conservation & Dev. Com.*, 102 Cal.App.3d 577, 586 fn. 4 (1980) (an agency’s record need not include “all the information upon which its staff bases its recommendations.” [italics in original]); and Kostka and Zischke, *Practice under CEQA* (CEB 2010) at Section 23.73, page 1216.1 (source material need not be included in the record).

Underlying technical studies for the DEIR/DEIS are and have been available to the public upon request to the City. Refer to the discussion on page 3A.15-1 of the DEIR/DEIS, noting that because of the large volume of raw data generated during traffic counts and modeling analysis conducted in support of the traffic analysis, it is not feasible to provide this material as an appendix to the DEIR/DEIS, but this material is and has been available to the public upon request to the City.

Tsakopoulos-2-133 *The comment states that the construction noise analysis in Impact 3A.11-1 assumes the maximum 7.5-dB reduction per doubling of distance, based on the soft ground in much of the SPA. The comment further states that, although this might be true for initial development on the SPA, as development became more widespread and uses were developed at the edges of the SPA, more ground would become hardscape and would more easily transmit construction-related noises to nearby uses, yielding a reduction of 6 dB or less, as opposed to only 4.5 dB in developed areas for “Water” alternative impacts. The comment states that the consistent use of the maximum reduction for “Land” alternatives results in a significant understatement of construction noise impacts, particularly given the 3-dB threshold.*

The DEIR/DEIS indicates the construction noise for the “Land” portion of the project is a significant impact (page 3A.11-30). DEIR/DEIS Mitigation Measure 3A.11-1 on page 3A.11-31 contains various measures to reduce construction noise levels during each phase of project construction at newly developed sensitive receptors located adjacent to or within close proximity (850 feet) of active construction. As stated in bullet point 9 of Mitigation Measure 3A.11-1 on page 3A.11-31, when future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise. With regards to the severity of the impact, it was identified as significant using a 7.5-dB attenuation rate and applying a 3-dB change as the significance criteria. The City/USACE believe that the appropriate attenuation rate has been used given the characteristics of the SPA (e.g., “soft” vs. “hard”), the types of construction equipment, proximity to proposed sensitive receptors, City noise thresholds, and accepted industry noise standards.

Tsakopoulos-2-134 *The comment states that the numbers provided in Table 3A.11-16 and Impact 3A.11-1 discussion provide substantial evidence that a significant impact would occur from construction noise, even if the City of Folsom exempts construction noise from applicable standards. The comment cites case law (Oro Fino Gold Mining Corp. v. County of El Dorado, 225 Cal.App.3d 872 [1990], and City of Antioch v. City Council, 1897 Cal.App.3d 1325 [1986]) to argue that “conformity with a general plan does not insulate a project from EIR review where it can be fairly argued that the project will generate significant environmental impacts.”*

First, the comment misconstrues Impact 3A.11-1 (pages 3A.11-29 and 3A.11-30) in the DEIR/DEIS. Page 3A.11-30 states that the closest sensitive receptors to the SPA are north of U.S. 50 and to the east in El Dorado Hills (the land south and west of the SPA is undeveloped). Page 3A.11-30 states that construction in the SPA would have no noise effects on City residences north of U.S. 50 because of the existing highway noise; therefore, even if the City’s exemption for daytime noise was not enforced, there would be no noise impact north of U.S. 50. Page 3A.11-30 goes to state that El Dorado County has not adopted an exemption for daytime construction noise, and based on modeling conducted, project-generated noise levels could exceed 55 dB L_{eq} within 850 feet of the activity center; therefore, a significant impact could occur at the El Dorado County

residences located adjacent to the eastern project boundary. Page 3A.11-30 also discusses the potential nighttime-oriented noise impacts could occur, and concludes that those also are potentially significant. Finally, page 3A.11-30 concludes that project construction noise could result in significant impacts to future phases of development within the SPA. Mitigation Measure 3A.11-1 (pages 3A.11-31 and -32) of the DEIR/DEIS contains a bulleted list of 9 measures to be implemented that would mitigate the impacts of construction noise during both daytime and nighttime periods, even though project-related construction during the daytime hours is exempt from City noise standards.

Second, the commenter references *Oro Fino Gold Mining Corp. v. County of El Dorado*, 225 Cal.App.3d 872 (1990), and *City of Antioch v. City Council*, 1897 Cal.App.3d 1325 (1986). In both the referenced case law citations, the project proponents prepared an Initial Study/Mitigated Negative Declaration (IS/MND). The IS/MNDs referenced by both of these cases relied on exemptions to mitigate noise impacts. The main argument in both cases was that an EIR should have been prepared for both projects instead of an IS/MND because it was fairly argued by the petitioners that the projects would generate significant environmental impacts and that conformity with a general plan does not insulate these projects from EIR review. Neither case is applicable here because the City of Folsom has prepared an EIR, in which it has fully evaluated all potential noise impacts (including those related to general plan standards). Furthermore, all measures recommended in DEIR/DEIS Mitigation Measure 3A.11-1 on page 3A.11-31, when implemented, would effectively reduce construction noise levels during all phases of project construction at newly developed and existing off-site sensitive receptors to a less-than-significant level (with the exception of the off-site roadways in El Dorado County; because the City would not have control over the timing or implementation of this mitigation in El Dorado County, that portion of the impact is conservatively assumed to be significant and unavoidable).

Tsakopoulos-2-135

The comment states that by not acknowledging a significant impact, no basis would exist for imposing construction-related noise mitigation measures on the project applicant. The comment suggests that the City should revise the analysis to acknowledge, disclose, and mitigate the impact that up to 90 dB would create on nearby sensitive receptors.

As described in response to comment Tsakopoulos-2-134, Impact 3A.11-1 on page 3A.11-30 of the DEIR/DEIS concludes that direct impacts from noise generated by the construction of on-site and off-site project-related elements would be significant. Therefore, the measures recommended in Mitigation Measure 3A.11-1 are applicable. It is possible that construction activities could generate noise levels up to 90 dBA at 50 feet; however, this maximum sound level (L_{max}) noise level would be intermittent and not sustained for extended periods of time during construction near noise-sensitive receptors. The most intense construction activities that would generate the highest noise levels would be the site preparation phase. The project site is relatively flat except for the portion east of Scott Road. It is anticipated that the highest noise levels generated by the site preparation phase would occur in this area because of the amount and time required to grade this area. Sensitive receptors are located to the east of this portion of the project site, but are shielded by the existing intervening hill. Furthermore, Mitigation Measure 3A.11-1 already includes measures to reduce construction noise levels at these sensitive receptors in El Dorado Hills to a less-than-significant level assuming that El Dorado County cooperates in their implementation; if not, then the impact to those receptors in El Dorado Hills would be significant and unavoidable (see page 3A.11-31 of the DEIR/DEIS).

Tsakopoulos-2-136

The comment states that the analysis asserts, without any reference to authority, blasting produces airborne noise largely outside the audible spectrum for humans.

This comment refers to the following text in Impact 3A.11-1 (page 3A.11-29 of the DEIR/DEIS):

Based on the information provided in Table 3A.11-16 and accounting for the usage factor of individual pieces of equipment and activity types, on-site construction would be predicted to result in hourly average noise levels of 87 dB L_{eq} at 50 feet and maximum noise levels of 90 dB L_{max} at 50 feet from the simultaneous operation of heavy-duty equipment and blasting activities. Typical airborne noise associated with blasting activities is at a frequency below the range audible to humans and thus the impacts associated with blasting focus on the effects of groundborne noise and vibration which are discussed separately below in Impact 3A.11-3.

“Blast noise” incorporates a wide spectrum of frequencies; the largest component of blast-induced noise occurs at frequencies below the threshold-of-hearing for humans (i.e., 16 to 20 Hertz). Hence, the common industry term for blast-induced noise is “air-overpressure.” As shown in Chapter 5, “Errata” a reference to REVEY Associates Inc. (2004) has been added in support of this DEIR/DEIS text. See Chapter 6, “References” of this FEIR/FEIS for the full reference citation.

Tsakopoulos-2-137

The comment states that Impact 3A.11-2 asserts that similar projects generate no more than 500 one-way daily trips during construction and on this basis concludes that no significant impact would occur. The comment states that the analysis provides no substantial evidence to support this assertion.

The comment misstates the text of the DEIR/DEIS and cites text out of context. Impact 3A.11-2 (page 3A.11-33) states:

Construction of the Proposed Project Alternative and the other four action alternatives would result in additional vehicle trips on the local roadway network from worker commute and the transport of equipment and materials. The exact number of daily trips required for project construction is not known at this time. However, based on professional judgment and experience with similar types of projects, said activities typically do not include more than 500 daily one-way trips even with projects that involve intensive earth movement activities (e.g., soil import/export), which would not be anticipated for construction of any of the on-site or off-site elements. An increase in traffic noise levels of 3 dB CNEL/ L_{dn} or greater at noise-sensitive receptors along affected roadway segments would be considered substantial as such is perceivable to the human ear. Typically, when the ADT volume is doubled on a roadway segment in comparison to existing conditions, the resultant increase is approximately 3 dB CNEL/ L_{dn} . According to the traffic analysis, ADT volumes on roadway segments in the project vicinity range from 1,800 to 149,000 under existing no project conditions. Additionally, the existing no project ADT volumes on those segments (i.e., White Rock Road, between Prairie City Road and the eastern boundary of the SPA, and U.S. 50) anticipated to provide primary access to construction areas would range from 7,600 up to 87,000, respectively. Therefore, project construction would not be anticipated to result in a doubling of ADT volumes (e.g., assuming a maximum of 500 additional one-way trip to roadways with a minimum of 1,800 under existing conditions) along affected roadway segments even when considering the increased

tire and engine source noise from these types of trips (e.g., primarily heavy-duty trucks). Thus, implementation of on- and off-site elements of the Proposed Project and the other four action alternatives would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project from project construction traffic; or, consequently, expose sensitive receptors to or generate noise levels in excess of applicable standards. As a result, this direct impact would be less than significant.

State CEQA Guidelines, CCR Section 15384 states that “substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.” AECOM has prepared over 3,500 environmental compliance documents, many of which have been high-profile, controversial projects, including projects where opponents threatened litigation. While AECOM’s CEQA/NEPA documents have helped avert litigation in most cases, several of our projects have been subjected to lawsuits. When litigation has occurred, AECOM’s legal defensibility record for projects prepared by Sacramento and San Francisco staff members is outstanding. One EIR has been overturned by the courts—the Pierce’s Disease Control Program EIR was upheld at Superior Court, but overturned on appeal because the court felt the EIR’s reliance on the Department of Pesticide Regulation’s CEQA process for certification of pesticide compounds was not sufficient for a specific application program. Of the remaining 30 AECOM projects that were litigated (out of 3,500 total), the following outcome has resulted: 10 were settled in client’s favor and withdrawn; 13 were upheld at Superior Court and not appealed; and 7 were upheld at Superior Court and/or after appeal. Therefore, AECOM believes that its statement in the DEIR/DEIS that the analysis is based on professional judgment and experience with similar types of projects, constitutes “substantial evidence.”

Tsakopoulos-2-138

The comment states that the DEIR asserts that extensive grading is not anticipated, but then it ignores the grading necessary for development in hillside areas and the need to remove blasted rock.

The DEIR/DEIS does not assert that extensive grading is not anticipated, nor does it ignore the grading necessary for development in the hillside areas. In fact, Section 3A.7, “Geology, Soils, Minerals, and Paleontological Resources,” asserts the opposite (see Impact 3A.7-3 discusses extensive grading over 3,500 acre of land and includes mitigation [pages 3A.7-28 through 3A.7-30] and Impact 3A.7-4 discusses the specific types of grading that would occur and construction on slopes ranging from 16-32% and includes mitigation [pages 3A.7-31 through 3A.7-33 of the DEIR/DEIS]). Section 3A.11-1 “Noise” also acknowledges that site preparation would involve grading, compacting, and excavation, which uses the noisiest types of construction equipment, along with potential bedrock blasting (refer to Impact 3A.11-1, paragraph 3 on page 3A.11-28 of the DEIR/DEIS). The need to remove blasted rock is discussed, evaluated, and mitigated for in Impact 3A.11-1 (pages 3A.11-28 and 3A.11-29), Impact 3A.11-3 (pages 3A.11-33 through 3A.11-35), Impact 3A.7-4 (page 3A.7-31), and Impact 3A.8-5 (pages 3A.8-29 through -31).

Tsakopoulos-2-139

The comment states that the analysis needs to consider the potential for increased truck traffic impacts near new neighborhoods as the SPA is developed. The comment further states that the DEIR shows no “serious consideration” of these factors and makes no attempt to use a comparable project or study as a basis for analysis. The comment also states that the Impact 3A.11-2 (beginning on page 3A.11-32 of the DEIS) is devoid of substantial evidence.

Impact 3A.11-2 beginning on page 3A.11-32 of the DEIR/DEIS includes a complete discussion of construction-related traffic noise level increases from the different phases of project construction. As discussed in Impact 3A.11-2, and summarized herein, an increase in traffic noise levels of 3 dB CNEL/L_{dn} or greater at noise-sensitive receptors along affected roadway segments would be considered substantial because it is perceivable to the human ear. Typically, when the ADT volume is doubled on a roadway segment in comparison to existing conditions, the resultant increase is approximately 3 dB CNEL/L_{dn}. According to the traffic analysis performed by DKS (see Section 3A.15 “Traffic and Transportation” of the DEIR/DEIS), ADT volumes on roadway segments in the project vicinity range from 1,800 to 149,000 under existing no project conditions. Additionally, the existing no project ADT volumes on those segments (i.e., White Rock Road, between Prairie City Road and the eastern boundary of the SPA, and U.S. 50) that would be anticipated to provide primary access to construction areas would range from 7,600 up to 87,000, respectively. Therefore, project construction would not be anticipated to result in a doubling of ADT volumes (e.g., assuming a maximum of 500 additional one-way trip to roadways with a minimum of 1,800 under existing conditions) along affected roadway segments even when considering the increased tire and engine source noise from these types of trips (e.g., primarily heavy-duty trucks). Therefore, the analysis appropriately concludes that the impact is less than significant. The DEIR/DEIS contains a thorough analysis of potential construction traffic-related noise impacts. The commenter does not specify what other “substantial evidence” he believes should have been provided.

Tsakopoulos-2-140

The comment states that Mitigation Measure 3A.11-3 conditions most of its physical requirements to avoid residential housing using conditional language that renders those requirements unenforceable, nor does it demonstrate how monitoring and reporting vibration levels associated with blasts would reduce the vibration impact. Therefore, the conclusion that implementation of Mitigation Measure 3A.11-3 would reduce or avoid the impact is not supported by substantial evidence.

Mitigation Measure 3A.11-3 contains a 5-point bulleted list of measures designed to reduce the project’s vibration impacts. The first two measures use conditional language (i.e., “To the extent feasible...”) because it may in fact be necessary to conduct blasting and bulldozing activities within 250 feet and 50 feet, respectively, of noise-sensitive receptors in order to construct certain portions of the project. However, in those areas of the project where blasting and bulldozing could be conducted more than 250 feet and 50 feet, respectively, from sensitive receptors, implementation of this mitigation would reduce the noise impact. The City would determine the distance specified in these measures at the time that site-specific grading plans are submitted for their review as specified in the “Enforcement” heading (page 3A.11-35 of the DEIR/DEIS). With regards to the requirement that vibration levels be monitored, the purpose of such a requirement is to ensure that if any exceedances of vibration were documented, the blasting plan (also called for in Mitigation Measure 3A.11-3) would then be revised to incorporate additional protective measures (e.g., increased distance, smaller blast load) to further reduce vibration levels (i.e., the only way to determine if blasting vibration

thresholds are being exceeded is to conduct monitoring). As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text of this measure has been revised to clarify this point. Page 3A.11-35 of the DEIR/DEIS states that although Mitigation Measure 3A.11-3 would reduce project-generated groundborne noise and vibration levels and the exposure thereto, depending on the exact location of said activities, which cannot be determined at this time due to the programmatic nature of the analysis, sensitive receptors could still be exposed to vibration levels that exceed those recommended by Caltrans and the Federal Transit Administration for the prevention of structural damage and human disturbance. Therefore, the impact is assumed to be significant and unavoidable. The commenter does not specify what additional substantial evidence he believes should have been provided.

Tsakopoulos-2-141 *The comment states that Impact 3A.11-4 (beginning on page 3A.11-36 of the DEIR) segments the traffic noise analysis by omitting quarry truck trips from the traffic calculations as shown in the title of Table 3A.11-19, and the analysis offers to adequate explanation for this omission.*

This issue raised by the commenter is not an omission. The analysis of quarry truck trips was intentionally presented in a separate table to make clear the additional level of increment of impact that would occur when the quarry trucks were added to other cumulative roadway traffic. Therefore, this does not constitute “segmentation.” See Master Response 7 – Cumulative Quarry Truck Impact and Mitigation Approach.

Tsakopoulos-2-142 *The comment states that the DEIR’s traffic analysis in Section 3A.15 segments the quarry truck trip analysis and uses incorrect and ungrounded assumptions regarding aggregate quarry truck trips. The comment also states, “That analysis at least includes some attempt to model the effects.”*

As noted in Section 3A.15.6 of the DEIR/DEIS, the traffic analysis was based on available data that was provided in the Teichert Quarry project EIR, which has been recently certified by Sacramento County, concerning the proposed quarry projects. At this time, no definitive routing exists for truck traffic that will result from the ongoing East Sacramento Region Aggregate Mining Truck Management Plan effort. The DEIR/DEIS included a separate analysis in the traffic section disclosing the unique effects associated with adding quarry truck traffic to SPA roadways (see pages 3A.15-135 through 3A.15-138 of the DEIR/DEIS). The commenter appears to have mistakenly concluded that this analysis takes the place of the more comprehensive cumulative impact analysis presented in Chapter 4 of the DEIR/DEIS. As the disputed section discloses, however, “this analysis is presented to inform the public and decision makers regarding the potential range of effects of quarry truck trips on the roadway network in the project vicinity” (page 3A.15-135 of the DEIR/DEIS). This traffic subsection does not take the place of the standard cumulative impact analysis presented in Chapter 4 of the DEIR/DEIS, which did include the quarries as part of the “cumulative baseline” consisting of past, present, and proposed future projects within the geographic areas that could be affected by the project. See Master Response 7 – Quarry Truck Impact and Mitigation Approach. Finally, the commenter seems to imply that while Section 3A.15 “Traffic and Transportation” included modeling of the quarry truck trips, the traffic noise section in the cumulative analysis did not include such modeling. As stated on page 4-47 of the DEIR/DEIS, “Traffic noise levels associated with the related projects were predicted for affected roadway segments using the Federal Highway Administration’s (FHWA’s) Highway Noise Prediction Model (FHWA-RD-77-108) (FHWA 1978) and traffic data (e.g., ADT volumes, vehicle speeds, and percent distribution of vehicle types) from DKS Associates, Inc. and Caltrans. This model is based on the California vehicle

noise (CALVENO) reference noise emission factors for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and ground attenuation factors and does not assume any natural or human-made shielding (e.g., the presence of vegetation, berms, walls, or buildings).”

- Tsakopoulos-2-143 *The comment suggests that the noise analysis contained in Impact 3A.11-4 should be revised to include all reasonably foreseeable trip generation in the development horizon of the proposed alternatives, including the quarry truck trips.*
- See Master Response 7 – Quarry Truck Impact and Mitigation Approach and responses to comments Tsakopoulos-2-141 and Tsakopoulos-2-142.
- Tsakopoulos-2-144 *The comment states that Mitigation Measure 3B.11-1b fails to provide specific a performance standard and, therefore, would be unenforceable.*
- As shown in Chapter 5, “Errata” of this FEIR/FEIS, Mitigation Measure 3B.11-1b on page 3B.11-11 of the DEIR/DEIS has been revised to clarify that the specific measures contained therein must be implemented “within 200 feet of a sensitive receptor.”
- Tsakopoulos-2-145 *The comment states that Impact 3B.11-2 fails to quantify the potential vibration impacts that would be experienced by nearby sensitive receptors as a result of blasting activities but instead asserts that blasting would be “minimal,” and on that basis alone makes the conclusion that no significant impact would occur; therefore, the finding is not supported by substantial evidence.*
- The first paragraph on DEIR/DEIS page 3B.11-14 under Impact 3B.11-2 states that blasting could result in instantaneous peak particular velocities (PPV) of 0.2 inches per second at a distance of 25 feet. Any construction-related blasting would be limited to the eastern edge of Zone 4, in the vicinity of the SPA, where construction could encounter shallow bedrock. No sensitive receptors are located within this portion of Zone 4 and, therefore, the analysis appropriately concludes that a less-than-significant impact would occur. Table 3B.11-6 (DEIR/DEIS page 3B.11-14) specifically provides the vibration levels in PPV for a variety of construction activities. When considering the vibration levels generated by these construction activities and the structural thresholds provided in Table 3B.11-1 (DEIR/DEIS page 3B.11-4), a less-than-significant impact determination is appropriate given that construction would occur at distances generally greater than 50 feet from a sensitive receptor.
- Tsakopoulos-2-146 *The comment states that Impact 3B.11-3 fails to quantify the noise anticipated by the proposed WTP and the effect of the required setbacks on that noise with respect to the multi-family residences proposed nearby.*
- See DEIR/DEIS pages 3B.11-14 through 3B.11-17 for a discussion of operational noise impacts from the WTP at the each of the locations considered for the Off-site Water Facility Alternatives, including the on-site location (i.e., within the SPA), the White Rock Road site, and the Folsom Boulevard site. As provided, the exact placement of the WTP at each of these locations, including the SPA, had not been determined at the time the DEIR/DEIS was prepared. Nevertheless, adjacent land uses, including those planned but not currently constructed, were considered in the analysis and the corresponding impact was quantified based an assumed proximity.

Tsakopoulos-2-147 *The comment states that the DEIR fails to include a copy of the transportation impact analysis prepared by DKS Associates (the City's traffic consultant).*

The usual difference between a technical report and a transportation section of an EIR is typically the level of detail in the documentation. Often some detail is not placed in the DEIR and there are references to a more detailed traffic technical report. However, for this project, Section 3A.15-1, "Traffic and Transportation – Land" of the DEIR/DEIS contains all of the detailed information typically included in a traffic technical study report, and therefore a separate report is not necessary.

CEQA does not require that the DEIR/DEIS include the referenced underlying technical reports or data. See response to comment Tsakopoulos-2-132. As indicated in the discussion on page 3A.15-1 of the DEIR/DEIS, because of the large volume of raw data generated during traffic counts and modeling analyses conducted in support of the traffic analysis, it is not feasible to provide this material as an appendix to the DEIR/DEIS. However, the material is available to the public upon request to the City, and was available during the public review period for the DEIR/DEIS.

Tsakopoulos-2-148 *The comment states that the DEIR does not contain information to demonstrate that transportation agencies and regional agencies received copies of the traffic technical study as required by law. The comment further suggests that the City should provide certified mail return receipts indicating that Caltrans, LAFCo, and SACOG received copies of the transportation technical report.*

See response to Tsakopoulos-2-147; the traffic study information is incorporated into Section 3A.15-1, "Traffic and Transportation" of the DEIR/DEIS. Please refer to the contents of FEIR/FEIS Appendix S indicating receipt of the DEIR/DEIS by Caltrans, LAFCo, and SACOG.

Tsakopoulos-2-149 *The comment states that the traffic counts for the Traffic Impact Study (TIA), discussed on page 3A.15-7 of the DEIR, were collected between 2005 and 2007; however, the NOP for the DEIR was not issued until 2008. The comment states that the existing conditions analysis in a CEQA document must reflect existing conditions at the time the NOP is published. The comment suggests that counts collected 3 years before the NOP and 5 years before the DEIR do not provide an accurate reflection of conditions when the NOP was issued.*

The NOP was published in September 2008. The discussion on page 3A.15-7 of the DEIR/DEIS states that traffic counts from 2005 to November 2007 were used for the analysis. State CEQA Guidelines, CCR Section 15125 requires that the environmental baseline be measured from the conditions as they exist at the time of publication of the notice of preparation. A California Court of Appeal recently affirmed the principle that "an agency enjoys the discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence," and that existing conditions "might take into consideration conditions that have existed over a range of time." (*Sunnyvale West Neighbors Ass'n v. City of Sunnyvale* 2010 WL 5116526, December 16, 2010, emphasis in original.) The City properly concluded that the traffic counts utilized in the DEIR/DEIS are representative of existing traffic conditions and properly exercised its discretion in using these traffic counts to determine existing traffic volumes.

More recent traffic counts (2008-2010) have shown lower volumes than previous counts (2005-2007) because of the current economic conditions with high unemployment. Less employment means less commuter traffic. The higher, pre-recession volumes were used for a more conservative analysis. A group of 69 Performance Measurement System annual average daily traffic volume counts on U.S. 50 in the study area shows that traffic volumes have decreased approximately 5% between when counts were conducted in 2006 and when the DEIS/DEIR was published in 2010.

Tsakopoulos-2-150 *The comment states that the DEIR does not identify the specific sources for the various traffic volumes. The comment further states that the referenced source documents predate the NOP by 3 years. The comment concludes that the wide time range for the various counts makes global consistency within the analysis impossible.*

Traffic volumes for U.S. 50 came from the U.S. 50 Auxiliary Plane Project Study Report, with intersections counted in 2006. Intersection traffic volumes on White Rock Road were from the Traffic Operations Analysis Report, White Rock Road Improvement Project, counted in 2006. Intersection traffic volumes in the City of Folsom and El Dorado Hills were new 2007 counts. Daily traffic volumes were collected by Sacramento County between 2005 and 2007. Most of the counts were performed in 2006 or 2007. The average difference between counts that are 3 years apart is often within the daily range in variation of traffic, unless a large amount of new developments or substantial roadway improvements were made near the count location, which was not the case in the study area between 2006 and 2008.

Tsakopoulos-2-151 through
Tsakopoulos-2-152 *The comments reference discussion in the DEIR stating that the City of Folsom has a minimum LOS C acceptance level, but that LOS D is acceptable in the SPA if the improvements needed to meet LOS C exceed the City's "normally accepted maximum" improvements. The comments state that the City's "normally accepted maximum" improvements are not defined in the DEIR/DEIS analysis. The comments further state that this omission is curious and does not provide the rationale for the exception and why such improvements would not be acceptable.*

The discussion on page 3A.15-22 of the DEIR/DEIS describes "normally accepted maximum" improvements on arterial roadways to include three through lanes in each direction and at intersections to include two left-turn lanes, three through lanes, and one right turn lane on an approach (also see pages 3A.15-51 and 3A.15-102 of the DEIR/DEIS). Examples of improvements that would exceed this maximum are triple left turns, dual right turn lanes, or four (or more) through lanes on a given approach. Such intersections, although perhaps designed to achieve LOS "C" conditions for automobile traffic, would present substantial impediments to non-motorized transportation (bicycle and pedestrian) and could result in safety and operational issues. The SPA would be designed to comply with the California Complete Streets Act of 2008, which calls for a "balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan." (California Government Code, Section 65302[b][2][A]) Thus, the SPA might need to allow increased vehicular delay to avoid creating intersections that would discourage or impede non-motorized transportation.

Tsakopoulos-2-153

The comment states that the analysis does not identify which traffic improvements proposed as part of the mitigation strategy would exceed the City’s “normally accepted maximum” improvements. The comment suggests that the DEIR adopt feasible mitigation measures to reduce or avoid significant impacts, and if several measures are available to mitigate a significant adverse impact, the DEIR should discuss each measure and identify the reason for selecting a particular measure. The comment states that the analysis implies the availability of feasible measures to reduce or avoid significant impacts to roadway segments and intersections but does not describe or consider them, based on an unstated but apparently arbitrary criterion.

The City’s criteria for determining “normally accepted maximum” improvements are discussed beginning on page 3A.15-22 of the DEIR/DEIS, in the section describing the proposed amended LOS policy. This section explains that larger roadways and intersections and their associated widths, delays, and safety impacts to pedestrians and bicycles are undesirable and inconsistent with the philosophy of “Complete Streets” principles, which encourage accommodation of all transportation modes, not just motor vehicles. The City has determined that, in light of the limited reduction in vehicular delays that ever-larger roadways and intersections would provide, the benefits of excessively wide roadways and intersections would not outweigh the impacts to the community, which would include pedestrians and bicyclists. “Therefore, ‘normally accepted maximum’ improvements on arterial roadways include three through-lanes in each direction; and at intersections includes two left-turn lanes, three through-lanes, and one right-turn lane on an approach” (page 3A.15-23 of the DEIR/DEIS).

Thus, in the subsequent analysis wherever mitigation is stated as being rejected as infeasible because it would exceed the City’s “normally accepted maximum” improvement policy, such improvements would entail the construction of roadways exceeding three through-lanes in each direction or intersections with more than two left-turn lanes, three through-lanes and one right-turn lane on an approach. The meaning of “feasible” under CEQA encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. (*California Native Plant Society v. City of Santa Cruz* [2009] 177 Cal.App.4th 957, 998; State CEQA Guidelines, CCR Section 15364)

Tsakopoulos-2-154

The comment asks which improvements were determined to exceed the “normally accepted maximum” for the City, which impacts would they avoid or reduce, and why the analysis did not consider them.

The mitigation measures considered but rejected that would have exceeded the “normally accepted maximum” improvements are:

- 3A.15-1d – Construct triple left-turn lanes southbound and eastbound
- 3A.15-4b – Widen East Bidwell Street to eight lanes
- 3A.15-4d – Widen East Bidwell Street to eight lanes
- 3A.15-4h – Construct triple left-turn lanes southbound and eastbound

See also responses to comments Tsakopoulos-2-151 and Tsakopoulos-2-152.

Tsakopoulos-2-155 through

Tsakopoulos-2-157 *The comments state that the DEIR does not describe how the geographic scope of the traffic impact analysis was determined, does not describe its assumptions regarding trip distribution, and does not list the studies used for trip distribution assumptions. The comments request identification of substantial evidence supporting the trip distribution assumptions, names of the studies, and an explanation of the process by which the City determined that application of each of the studies properly related to the project.*

The geographic scope of the traffic impact analysis was determined by comparing the change in traffic volumes on roadways between the no project and plus project conditions and selecting the area that had roadways with a substantial increase in traffic. In addition, the study area was selected based on areas of known operational difficulties. The project's trip generation, distribution, mode choice, and assignment was calculated by the SACOG regional travel demand model. The only other study that was used as a reference for trip distribution was the Teichert Quarry Traffic Impact Study for the distribution only of aggregate quarry truck traffic.

Tsakopoulos-2-158 through

Tsakopoulos-2-159 *The comments state that "many" of the mitigation measures for traffic impacts are permissive and unenforceable. The comments give Mitigation Measure 3A.15-1c as an example, and further state that the use of the word "should" in this mitigation measure would make the funding mechanism uncertain, and that even if the funding mechanism were established, it would not be required to account for changes in conditions.*

See Master Response 9 – Deferred and/or Hortatory Mitigation and Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

Tsakopoulos-2-160

The comment asserts that the permissive, rather than mandatory, terms used in Mitigation Measure 3A.15-1c would render the measure's effectiveness uncertain, and that because future applicants would only pay a "fair share" apportioned to them based on formulas that may or may not be adequate, funds may not be available to actually construct the improvements.

Mitigation Measure 3A.15-1c (on page 3A.15-51 of the DEIR/DEIS) pertains to the funding and construction of improvements to the Scott Road (West)/White Rock Road Intersection (Intersection 28) and does use the mandatory terms "shall" and "must." Based on the comment's description of the measure, therefore, it is assumed the comment is referring to the discussion on pages 3A.15-47 through 3A.14-49, under "Project Participation in Funding Transportation Improvements." Subpart c (on page 3A.15-48) describes the parameters of a future agreement or multiple agreements between the City of Folsom and other jurisdictions whose transportation facilities might be affected by traffic generated by the project.

The approach of assessing the project only for its "fair share" of the costs of various improvements is consistent with constitutional limitations (see State CEQA Guidelines, Section, CCR Section 15126.4(a)(4), and court cases cited therein). Furthermore, the mitigation measure notes that with respect to impacts occurring outside the City's jurisdiction, the City proposes to commit to the steps necessary to create the institutional and legal arrangements needed to create a flow of money from the project applicants to the City and thence to other entities such as Caltrans and neighboring jurisdictions affected by the proposed SPA development. If adopted by the City Council, this measure would bind the City to attempt to reach agreement with the affected jurisdictions, and

would bind the project applicants to pay only for their “fair share” of the improvements needed to address demands created by the project.

The City has disclosed the impacts of its proposed approach in an honest, straightforward, and technically conservative manner. It has proposed mitigation that would, if implemented, reduce the project’s impacts on some facilities to a less-than-significant level. Not all impacts, however, can be mitigated to less-than-significant levels. In particular, those impacts that can only be mitigated through fair-share contributions to proposed facilities that would be built outside the City and that, therefore, would require the cooperation and participation of one or more agencies other than the City have been conservatively identified as significant and unavoidable because the cooperation of those agencies cannot be guaranteed at this time. The City is not aware of any mechanism whereby it could cause improvements to be made in another jurisdiction. Even so, the City would commit itself, under this approach, to work in good faith with its neighboring entities and Caltrans to fashion an agreement that would accomplish the extra-territorial mitigation measures set forth in the DEIR/DEIS.

The actual mechanism for funding improvements in other jurisdictions would depend on the agreements between the City of Folsom and each jurisdiction or agency. Options would include the collection of fees that were transmitted to the affected jurisdiction, calculated according to each jurisdiction’s standard formulas, and/or requiring the applicant to fully fund and/or construct the improvements with the expectation of reimbursement as fees were collected from other jurisdictions.

Should the agreements come to pass as the City reasonably anticipates, the FPASP’s fair share contributions should suffice to mitigate its own impacts to less-than-cumulatively considerable or less-than-significant levels. As the Third District Court of Appeal noted in *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188, “a single project’s contribution to a cumulative impact is deemed less than significant if the project is required to implement or fund its ‘fair share’ of a mitigation measure designed to alleviate the cumulative impact.” (See State CEQA Guidelines, CCR Section 15130, subd. [a][3].)

“Fee-based mitigation programs for cumulative traffic impacts – based on fair-share infrastructure contributions by individual projects – have been found to be adequate mitigation measures under CEQA.” (*Ibid.*, citing *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* [2001] 87 Cal.App.4th 99, 140.) In *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 363, the court stated broadly that “[f]ee-based infrastructure can be adequate mitigation under CEQA, and can be particularly useful where, as here traffic congestion results from cumulative impacts, and not solely from the development of a single project.” This statement makes it clear that the payment of fees is in general a legitimate form of mitigation. Numerous public agencies throughout California regularly utilize the payment of fees into a capital improvement program as standard mitigation for a variety of project-specific impacts (e.g., increased demands on water or wastewater treatment plants, road systems, parks, etc.).

“To be adequate, these mitigation fees, in line with the principle discussed above, must be part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing.” (*Anderson First Coalition v. City of Anderson*, *supra*, 130 Cal.App.4th at p. 1188, citing *Save Our Peninsula*, *supra*, 87 Cal.App.4th at pages 140-141.)

The agreements contemplated by this mitigation measure are intended to create such “reasonable plans” for mitigation. As explained above, because such “reasonable plans” for impacts would occur outside of the City of Folsom and in some instances do not yet exist, the City has conservatively and appropriately concluded for the time being that the impacts would be significant and unavoidable. Many of them, however, might ultimately prove to be less than significant if the mitigation measure functions as intended and leads to binding agreements between the various public agencies involved.

Tsakopoulos-2-161 *The comment states that mitigation measures requiring the negotiation and formulation of a funding mechanism for extra-territorial impacts (such as Mitigation Measure 3A.15-1c) constitute impermissible deferred mitigation.*

See Master Response 9 – Deferred and/or Hortatory Mitigation for an explanation of the circumstances under which the future formulation of some details of mitigation is permissible under CEQA, particularly in the context of a long-term, large-scale land use plan such as the FPASP. See also response to comment Tsakopoulos-2-160.

Tsakopoulos-2-162 *The comment suggests that the DEIR should provide a template of a proposed funding agreement for public review to assess its potential effectiveness.*

See response to comment Tsakopoulos-2-160 for a full discussion of why it was not feasible to provide a template of a proposed funding agreement at the time of the publication of the DEIR/DEIS. Paragraph c on page 3A.15-48 of the DEIR/DEIS includes basic explanations of the several key provisions the City would negotiate in good faith with affected jurisdictions to include in an agreement or agreements.

Tsakopoulos-2-163 *The comment states that as currently worded, mitigation measures requiring the future negotiation of an agreement or agreements with other jurisdictions for extra-territorial traffic impact mitigation allow for no meaningful review as to their effectiveness or enforceability.*

See responses to comments Tsakopoulos-2-160 and Tsakopoulos-2-162.

Tsakopoulos-2-164 *The comment states that the mitigation measures fail to ensure the construction of all required intersection and roadway improvements before implementation of future development. The comment further states that, as the mitigation measures are structured, a component of the project could operate before implementation of the roadway improvements necessary to serve that component of the project.*

See responses to comments Tsakopoulos-2-160 and Tsakopoulos-2-162. The comment is incorrect that the mitigation measures fail to specify the timing of the necessary improvements. For example, subdivision d on page 3A.15-48 of the DEIR/DEIS provides that for transportation improvements required to be constructed as mitigation before project implementation, such fair share payments for those improvements would be paid before building permit issuance. The concluding paragraph of the discussion further explains that, partially because the City of Folsom has no control over third party agencies with jurisdiction over the installation of some of the proposed improvements, the conservative conclusion is that despite the City’s own commitment to work with these other agencies, the impacts would remain significant and unavoidable.

Tsakopoulos-2-165 *The comment states that to actually reduce or prevent the impact associated with a particular development, any improvements would need to be implemented by the time the development it was intended to serve or accommodate was operational. The comment also states that under the State CEQA Guidelines, CCR Section 15130(a)(3) there must be an analysis coupled with supporting facts to support a finding a fair-share contribution to a mitigation plan will address a cumulative impact.*

The discussion on page 3A.15-49 of the DEIR/DEIS acknowledges this point in explaining why, despite the City's own commitment to work with the other agencies affected by the project's traffic, the impacts would remain significant and unavoidable. The City believes its mitigation measure fully satisfies the legal standards articulated by the comment, taking into consideration the limits on the City's authority and its lack thereof over other agencies. See also response to comment Tsakopoulos-2-160.

Tsakopoulos-2-166 *The comment states that the mitigation measure requiring the future negotiation of an agreement or agreements with other jurisdictions for extra-territorial traffic impact mitigation does not meet the standards of CEQA case law requiring evidence that mitigation to be implemented through the payment of fees will actually be carried out. The comment states that fee mitigation is not adequate when a program setting fee requirements and committing to specific mitigation measures has not been adopted.*

See response to comment Tsakopoulos-2-160.

Tsakopoulos-2-167 *The comment states that one possible funding mechanism might involve payment by a developer for the initial improvements, coupled with a mechanism to allow the developer to recoup fair-share costs from other applicants and/or public agencies.*

This suggested mechanism is identified in the discussion on pages 3A.15-47 to 3A.15-49 of the DEIR/DEIS, under "Project Participation in Funding Transportation Improvements," which states that within project boundaries, the project applicant would construct traffic improvements that may be subject to fee credits and/or reimbursement, coordinated by the City, from other fee-paying development projects, if available. Funding of improvements on the perimeter of the project boundaries would be shared with other development/jurisdictions. Outside the project boundaries, the project applicant would be responsible for paying the project's fair share of traffic improvements. For further information, see Section 3A.15, "Traffic and Transportation" of the DEIR/DEIS, specifically pages 3.A.15-47 to 3.A.15-49.

Tsakopoulos-2-168 *The comment states that the mitigation measure requiring the future negotiation of an agreement or agreements with other jurisdictions for extra-territorial traffic impact mitigation must mandate the construction of such improvements before the issuance of occupancy permits. The comment states that absent such a provision, a significant short-term impact would occur until completion of the improvements required to meet level of service standards.*

See responses to comments Tsakopoulos-2-160 and Tsakopoulos-2-164.

- Tsakopoulos-2-169 *The comment suggests that the City should require implementation of required improvements by the developer before issuance of an occupancy or other appropriate permit, and should establish a fair share mechanism that would allow the initial developer to recoup from other/future developers their fair share of the required improvements, rather than requiring a phasing analysis.*
- The mitigation measure set forth on pages 3A.15-47 through 3A.15-49 includes the commenter’s suggested requirements. See, for example, subdivision (a), which would require that the project applicant “...construct all feasible physical improvements necessary and available to reduce the severity of the project’s significant transportation-related impacts, which may be subject to fee credits and/or reimbursement...” See also subdivision (b)(1), which would require the payment of the project’s fair share of feasible physical improvements necessary and available to reduce the severity of the project’s significant cumulative traffic impacts, subject in some instances to fee credit against other improvements. Further, see subdivision (d), which includes the timing element (“prior to building permit issuance”).
- Tsakopoulos-2-170 *The comment states that unless the improvements were complete at the time cumulative traffic required them, the DEIR cannot find that a less-than-significant impact would occur, at least in the short term.*
- See response to comment Tsakopoulos-2-164.
- Tsakopoulos-2-171 *The comment states again that the mere payment of fair share fees would not ensure that the required improvements would ever actually be implemented, let alone in time to accommodate traffic from the project.*
- See response to comment Tsakopoulos-2-160.
- Tsakopoulos-2-172 *The comment states that an EIR must respond to specific suggestions for mitigating a significant impact.*
- Comments, including those comments suggesting new mitigation for an alleged significant impact, are being addressed by the City herein, as required by CEQA. The City notes, however, that *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, cited in the comment, explains that “an EIR need not analyze ‘every imaginable alternative or mitigation measure; its concern is with feasible means of reducing environmental effects.’” (*Id.* at 1029, italics in original.) Under CEQA, a mitigation measure is “‘feasible’ if it is ‘capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.’” (*Id.*)
- Tsakopoulos-2-173 *The comment states that mitigating traffic impacts through fees would result in incremental improvements to the roadway system as elements of the project develop.*
- This is common practice within the region, state, and possibly the country. Transportation improvements are often built in phases, based not only on availability of funding, but also on traffic demand. During initial development of the SPA, it is likely that the traffic volumes generated by the project would be accommodated by existing capacity in the system, and that it would only be later in the life of the project that additional capacity would need to be built into the system. Integral to this phasing approach are the preparation of traffic control plans, which are designed to maintain both property access and traffic flow, with as little impact on delay and safety as is possible. For larger

projects, a project-specific environmental document is usually required, which requires an analysis of construction impacts and possible mitigation; the Folsom South of U.S. 50 Specific Plan EIR/EIS, being a program-level document, is not required to analyze project-level impacts if future project-specific environmental documentation would be required.

Tsakopoulos-2-174 *The comment state, as an example, that improvements to the U.S. 50 mainline, interchanges, or ramps would necessarily create impacts on freeway operations.*

See response to comment Tsakopoulos-2-173.

Tsakopoulos-2-175 *The comment states that public agencies would implement improvements as funding is gained through fee collection, resulting in traffic disruption on the street being improved and on adjacent streets.*

See response to comment Tsakopoulos-2-173.

Tsakopoulos-2-176 *The comment states that construction of new facilities as infill occurs within the SPA could result in encroachments onto, or closures of, public right-of-way and would affect traffic flow within the SPA, which is not analyzed in the DEIR.*

See response to comment Tsakopoulos-2-173.

Tsakopoulos-2-177 through

Tsakopoulos-2-181 *The comments state that the DEIR used the Teichert Quarry Draft EIR as the basis of the quarry truck traffic analysis, even though the SPA landowners criticized the study as insufficiently detailed and lacking support for its assumptions regarding the volume of materials produced, the number of truck trips and the destination of the trucks. The comments further state that the DEIR acknowledges the trip generation and distribution methods used for the quarry trucks were unacceptable to the City. The comments reference Sacramento County's comment letter to the NOP, stating that the City proposes to preclude all truck traffic through the SPA along Prairie City Road, Oak Avenue Parkway, Scott Road/East Bidwell Street, and Empire Ranch Road; however, the DEIR shows traffic distributed through the SPA Oak Avenue Parkway and Scott Road/East Bidwell Street. The comments ask how the trip generation and distribution figures for this analysis have any validity, given their disapproval by the City and their conflict with City policy [i.e., proposed truck ban]. The comments state that unrealistic assumptions cannot and do not provide a substantial basis for analysis. The comments suggest that the City revise the TIA and the traffic analysis and re-circulate the DEIR for public review.*

The DEIR/DEIS used the information in the Teichert Quarry EIR because that was the only information available at the time upon which to base an analysis; therefore, the City used the best available information. With regards to the remainder of the commenter's concerns, see Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Tsakopoulos-2-182 *The comment questions the assumption on page 3A.15-30 of the DEIR that there would be no PM peak-hour aggregate quarry truck trips because of night time road construction.*

The ongoing East Sacramento Region Aggregate Mining Truck Management Plan effort compiled data from every hour of every day of the year at three aggregate quarries in the area. This data shows that post-peak hour (i.e., after 7 PM) truck trips occur to supply

nighttime road construction on a number of days, especially from mid-spring to mid-fall; however, the data showed that there are only a few days per year when any aggregate quarry truck trips occur during peak commute hours (i.e., 4 PM to 6 PM).

Tsakopoulos-2-183 *The comment asks why the DEIR does not include mention of the Teichert Grant Line East project.*

The Teichert Grant Line East project is for an existing aggregate quarry. The aggregate quarry truck trips that are associated with this quarry are reflected in the existing traffic counts and, thus, are included in the DEIR/DEIS traffic analysis.

Tsakopoulos-2-184 *The comment states that the absence from the DEIR appendices of the transportation impact analysis (TIA) supporting the conclusions in the DEIR prevented meaningful consideration of whether substantial evidence supports the assertions in the DEIR's traffic analysis.*

See response to comment Tsakopoulos-2-147. The TIA is a voluminous, highly technical document and, for that reason, the decision was made not to include the TIA as an appendix, which would have doubled the size of the DEIR/DEIS, already a voluminous document itself. As noted in the DEIR/DEIS, however, the TIA and all other supporting references were readily available upon request from the City to any member of the public who wished to review them. The City has no record of the commenter seeking a copy of the TIA, or of the commenter being unable to obtain the TIA. No evidence is shown that anyone was precluded from meaningfully evaluating and commenting on the DEIR/DEIS as a result of the TIA not being appended to the document but being separately available on request. Therefore, no justification exists for recirculating the DEIR/DEIS to include the TIA as an appendix.

Tsakopoulos-2-185 *The comment states that although the DEIR lists the goals, objectives and policies from the General Plans of the City of Folsom and surrounding jurisdictions, it does not discuss how they affected the traffic analysis or mitigation measures.*

City of Folsom General Plan policy 17.17 that establishes LOS C was used as the threshold for measuring impacts and provided the goal for mitigation measures. Sacramento County General Plan policy CI-22 that establishes LOS D for rural collectors and LOS E for urban area roads was used as the threshold for measuring impacts and provided the goal for mitigation measures. City of Rancho Cordova General Plan policy C.1.2 that establishes LOS D was used as the threshold for measuring impacts and provided the goal for mitigation measures. El Dorado County General Plan policy CI-22 that establishes LOS E for community regions and LOS D for rural centers was used as the threshold for measuring impacts and provided the goal for mitigation measures. See DEIR/DEIS Section 3A.15, "Traffic and Transportation" pages 3.15-25 through 3.15-27 for a complete discussion thresholds used in the traffic analysis.

Tsakopoulos-2-186 through

Tsakopoulos-2-187 *The comment states that the analysis of construction-related traffic impacts associated with the “Water” alternatives includes only two mitigation measures and fails to discuss to what extent those measures would substantially reduce the impacts, offering only the conclusion that the “Water” portion of the project “would not result in any residual significant and unavoidable impacts to traffic.” The comment states that how notification and mere maintenance of two-way traffic “where possible” during construction would reduce these impacts remains unclear. The comments also suggests that Impact 3B.15-1 should provide additional discussion as to how the prescribed mitigation would substantially reduce the impacts related to access and roadway restrictions because projected delays would still occur.*

The description and evaluation of construction related traffic impacts as provided in Impact 3B.15-1 (beginning on page 3B.15-7 of the DEIR/DEIS) is adequate for disclosing the level of impact. Mitigation Measure 3B.15-1a (beginning on page 3B.15-8) would lessen these impacts by providing alternate routes, warning signage, minimize truck traffic during peak hours, and a flag person to direct traffic flows when needed. Furthermore, Mitigation Measure 3B.15-1a would require the City to acquire and comply with encroachment permits from applicable jurisdictions, which might include, but would not be limited to, conditions limiting construction to certain hours, the provision of two-way traffic, and off-site staging. Based on these considerations, a less-than-significant determination following the application of the prescribed mitigation is appropriate.

Tsakopoulos-2-188 *The comment states that Impact 3B.15-4 acknowledges that emergency vehicles would have “a few minutes” of delay, but dismisses the impact as less than significant without further analysis. The comment provides statistics regarding survival rates correlated with emergency response times and states that this provides substantial evidence that the “Water” alternative could have a significant impact on emergency response.*

The Off-site Water Facility Alternatives would involve no permanent impacts to emergency response and would be conditioned to maintain emergency access during construction via encroachment permits for adjacent jurisdictions. Furthermore, construction of off-site water facilities would generally be restricted to site locations where aboveground facilities were being constructed and incremental sections of roadway as the conveyance pipeline was constructed. As discussed on page 2-95 of the DEIR/DEIS, pipeline construction rates would vary but would progress at a rate of approximately 200 to 600 feet per day. In addition, construction crossings of major roadways (such as Sunrise Boulevard) would be performed at non-peak hours to further lessen any potential impacts to emergency access. Because the diameter of the conveyance pipe would be 30 inches or less and the installation of pipe would be along the roadway shoulder, where feasible, construction activities would be anticipated to allow two lanes of traffic flow, thereby allowing access to emergency response vehicles. This finding is consistent with the less-than-significant determination in Impact 3B.8-6; the “Water” project would not involve any activities that would permanently or substantially interfere with emergency response plans or evacuation plans in place through the California Office of Emergency Services or Sacramento County. For these reasons, a less-than-significant impact determination is appropriate. As described herein, even during the course of temporary construction activities, at least two lanes of traffic flow would be available to emergency vehicles and construction activities on incremental sections of roadways would be conducted during non-peak hours. The commenter’s reference to an external study does not alter this conclusion. Disagreement among experts does not render an EIR inadequate (CEQA Guidelines, Section 15151 and see Master

Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS). As shown in Chapter 5, “Errata” of this FEIR/FEIS, additional text has been added to Impact 3B.15-4 regarding encroachment permits.

Tsakopoulos-2-189 *The comment references Sacramento County’s Notice of Preparation of an EIR for the updated Mather Airport Master Plan and states that the cumulative analysis fails to include a discussion of the potential effects of the Mather Airport Master Plan update on development in the SPA, including cumulative vehicular traffic and air traffic safety.*

With regards to cumulative air traffic safety, see responses to comments Sac Cnty-2-134 through Sac Cnty-2-143.

The proposed Mather Airport Master Plan update was included in the cumulative traffic analysis provided in DEIR/DEIS Section 3A.15, “Traffic and Transportation.”

Tsakopoulos-2-190 through
Tsakopoulos-2-192 *The comments state that the document refers to a “No Federal Action” alternative in Section 3A.18, “Water Supply – Land” of the DEIR, and no discussion of this alternative occurs in Chapter 2, “Alternatives.” The comments further state that the use of the term “No Federal Action” is misleading because a project that requires no permit from the USACE also would constitute no federal action.*

The commenter refers to a typographical error. The name “No Federal Action” refers to the “No USACE Permit” alternative. The No USACE Permit alternative is required by USACE under NEPA requirements. As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on pages 3A.18-8 and 3A.18-10 of the DEIR/DEIS has been revised to correct this typographical error.

Tsakopoulos-2-193 *The comment states that the DEIR acknowledges the City would need to ensure year-round delivery of NCMWC’s “Project” water, which is currently available only during July and August, but is not specific in terms of whether an M&I use of “Project” water would be allowed during the growing season.*

See Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta, which outlines the specific assumptions developed by the City and applied in the DEIR/DEIS. Article 3(e) of NCMWC’s settlement contract with the Bureau of Reclamation contemplates that NCMWC could assign “Project” water to another entity and Article 7(a) of that contract contemplates that “Project” water could be shifted to an M&I use (see Articles 3[e] and 7[a] in Appendix G to Appendix M1 of the DEIR/DEIS). The commenter’s statement that “the analysis appears to rely at least somewhat on the notion that M&I as an allowed use of ‘Project’ water during the growing season bears on the availability of the water year-round” is unclear and states no criticism of the relevant analysis in the DEIR/DEIS. Moreover, under Article 5(a) of NCMWC’s CVP settlement contract, all “Project” water is subject to a 25% reduction in critical years in whatever season that “Project” water is diverted. The City has accounted for this possible reduction by proposing to purchase 8,000 AFY of “Project” water to meet the SPA’s projected demands. See also response to comment Tsakopoulos-2-194.

Tsakopoulos-2-194 *The comment states that Table 3A.18-2 shown that no “Project” water is available at all during any other month than July and August, and that the discussion of supply fails to provide any information regarding how delivery would occur during the other ten months of the year.*

Table 3A.18-2 on page 3A.18-2 of the DEIR/DEIS provides the delivery schedule for NCMWC, based on its current settlement contract with Reclamation. As described on page 2-81 of the DEIR/DEIS, the City is proposing to modify the existing delivery schedule with Reclamation to a year-round M&I schedule, to allow for a more consistent diversion of 6,000 AFY of the 8,000 AFY over the course of a given year. The overall effect of this change in the delivery schedule is provided in Table 3B.9-3 on page 3B.9-29 of the DEIR/DEIS.

Tsakopoulos-2-195 *The comment states that no analysis of engineering feasibility to provide the project’s water supply year-round is provided; rather, the discussion improperly defers the analysis until some unspecified point in the future.*

Table 3B.9-3 on page 3B.9-29 of the DEIR/DEIS shows the effects of the change in delivery schedule for the water supply assigned to the City.

Tsakopoulos-2-196 *The comment states that the DEIR analysis should provide an indication of whether the water supply entities that provide water to NCMWC in July and August would have the ability to provide water to NCMWC during other times of the year.*

Reclamation is responsible for the delivery of NCMWC’s settlement contract water and, under existing conditions, the agency stores NCMWC’s supplies in Shasta Reservoir for delivery in July and August. Based on the analysis provided in the DEIR/DEIS, the change in delivery schedule could entail minor benefits to Reclamation’s operations by adding cold pool storage within Shasta Reservoir.

Tsakopoulos-2-197 *The comment asks whether the lack of availability of “Project” water from September to June indicates the use of all available water during those months or if it reflects the use of all available infrastructure capacity during those months.*

See response to comment Tsakopoulos-2-196.

Tsakopoulos-2-198 *The comment states that an apparent contingency of water availability on future studies—particularly engineering studies—suggests a physical limitation on NCMWC’s ability to deliver the water.*

See responses to comments Tsakopoulos-2-196 and Tsakopoulos-2-197. For the overall operation under the Off-site Water Facility Alternatives, the “Project” water supply would be made available for diversion by Reclamation’s operation of its facilities and would not be delivered to the City by NCMWC.

Tsakopoulos-2-199 *The comment states that insufficient water in the Sacramento River might cause NCMWC to alter the times when it diverted water and, therefore, the analysis of reasonable certainty of water supplies from NCMWC would only apply to NCMWC’s willingness to supply the water and not to the availability of water NCMWC was willing to sell the City.*

See responses to comments Tsakopoulos-2-196 through Tsakopoulos-2-198. A discussion of the reasonable certainty of the assigned water supply is provided on pages

3A.18-12 through 3A.18-14 of the DEIR/DEIS. NCMWC has already signed an agreement with SFP that would support an assignment of water to the City.

- Tsakopoulos-2-200 *The comment suggests that the “Water” alternatives should reflect improvements purportedly necessary to convey NCMWC water to the SPA, but the analysis assumes no need to upgrade NCMWC infrastructure to provide or store the water.*
- See responses to comments Tsakopoulos-2-196 and Tsakopoulos-2-197. As related to project operations (discussed on page 2-81 of the DEIR/DEIS), NCMWC’s settlement contract supplies are stored in the Shasta Reservoir. NCMWC would not deliver water to the City, but rather only would assign rights to a portion of its “Project” water supply to the City.
- Tsakopoulos-2-201 *The comment states that substantial uncertainty remains concerning the project’s water supply because no means of storage or delivery is identified for ten months of the year.*
- See responses to comments Tsakopoulos-2-196 through Tsakopoulos-2-200.
- Tsakopoulos-2-202 *The comment states that “to the extent reasonably possible,” an EIR must analyze the impact of providing water to the entire project. The comment states that the analysis cannot defer discussion of the impacts of providing water to the entire project, as the court ruled in Stanislaus Natural Heritage Project, Sierra Club, v. County of Stanislaus 48 Cal.App.4th 182 (1996), because this would prevent the ability to make an informed decision regarding the environmental consequences of the project.*
- The DEIR/DEIS provides a comprehensive evaluation of the impacts of providing water to the entire project. See responses to comments Tsakopoulos-2-193 through Tsakopoulos-2-201, and Tsakopoulos-2-203.
- Tsakopoulos-2-203 *The comment states that the DEIR defers study of the physical ability of water to reach the SPA because no evidence exists that water could be supplied to the NCMWC on a year-round basis at the level required for the NCMWC to deliver water to the project.*
- The comment mischaracterizes the operation of the Off-site Water Facility Alternatives and the relationship between NCMWC and Reclamation (see Master Response 13 – Relationship of the “Water” Project to the Natomas Central Mutual Water Company and the U.S. Bureau of Reclamation, and response to comment Tsakopoulos-2-196). The City disagrees with the suggestion that the analysis of the water supply and supporting infrastructure has been deferred to future, tiered environmental documentation. Chapter 2 of the DEIR/DEIS describes the existing and proposed facilities that would support the delivery of the water supply to the SPA. Chapters 3 and 4 of the DEIR/DEIS consider the direct, indirect, and cumulative effects of the facilities and associated operations.
- Tsakopoulos-2-204 *The comment states that the DEIR analysis fails to provide basic information regarding the likely availability of water year-round, the improvements necessary to store and/or convey water, and the environmental effects of storing and providing that water.*
- See Master Response 13 – Relationship of the “Water” Project to the Natomas Central Mutual Water Company and the U.S. Bureau of Reclamation, Master Response 14 – Relationship of the “Water” Project to the Freeport Regional Water Project, and Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations; see also responses to comments Tsakopoulos-2-194 and Tsakopoulos-2-203.

Tsakopoulos-2-205 *The comment states that the DEIR fails to include discussions of the physical limitations of the NCMWC infrastructure, the effect of those limitations on water delivery to the SPA, the upgrades necessary to ensure water service to the SPA at buildout, and the environmental impacts of those upgrades. The comment suggests that the analysis should be revised.*

See responses to comments Tsakopoulos-2-196 through Tsakopoulos-2-200, and Tsakopoulos-2-203.

Tsakopoulos-2-206 *The comment suggests that the DEIR should provide an evaluation of the impacts of year-round diversions of project water on existing and future NCMWC customers (such as municipalities and agricultural operations), which could be affected by the water supply being diverted for project use. The comment states that the analysis fails to even acknowledge the potential for this effect.*

As discussed in the 2007 Wagner & Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS), efficiencies within NCMWC's drainage system combined with changes in land use patterns within NCMWC's service area indicate that even an assignment of 10,000 AFY would not significantly impact irrigation within NCMWC's service area.

Tsakopoulos-2-207 through
Tsakopoulos-2-208 *The comments state that the water supply analysis provides very little tolerance for the differences between the calculated and actual demand. The comment references the difference between demand calculations and available water ranges shown in Table 3A.18-7, leading to the conclusion that a 6,000 AFY water supply might not suffice. The comment asks how much error could reside in the estimates of water demand in the water supply assessment, especially because the separate meters for water used for landscape irrigation did not exist in the study area from which the demand values were calculated, and which did not allow disaggregating "inside" and "outside" water uses.*

The City accounted realistic, long-term impacts in its WSA; see Appendix M1 of the DEIR/DEIS. The WSA uses a 10% reduction in water use, as opposed to the statewide 2020 water conservation targets of 20% to provide a conservative basis for determining the project's total water supply needs and to be consistent with CEQA requirements.

Tsakopoulos-2-209 *The comment suggests that Mitigation Measure 3A.18-2a should be revised to state that the City shall not issue occupancy permits for development until the required water infrastructure to serve the development is fully constructed.*

As shown in Chapter 5, "Errata" of the FEIR/FEIS, Mitigation Measure 3A.18-2a on pages 3A.18-21 and 3A.18-22 of the DEIR/DEIS has been revised to state that occupancy permits shall not be issued until the water conveyance facilities and off-site water infrastructure referenced in the mitigation measure are fully constructed (if an off-site water treatment plant is selected).

Tsakopoulos-2-210 *The comment suggests that Mitigation Measure 3A.18-2b should be revised to state that the City shall not issue occupancy permits for development until the required water treatment capacity is fully constructed.*

As shown in Chapter 5, "Errata" of the FEIR/FEIS, Mitigation Measure 3A.18-2b on page 3A.18-22 of the DEIR/DEIS has been revised to state that occupancy permits shall not be issued until the water treatment capacity referenced in the mitigation measure is fully constructed (if an off-site water treatment plant is selected).

Tsakopoulos-2-211 through

Tsakopoulos-2-212 *The comment suggests that the analysis of air quality for the water supply options identified in Section 3A.18.5 of the DEIR should quantify all of the anticipated pollutants and disclose the associated health risks to nearby residents.*

For the assessment of the water supply options described in Section 3A.18.5, the discussion on page 3A.18-24 evaluates both the certainty of optional water supplies and provides a qualitative assessment of the impacts that could result from the use of those supplies, commensurate with the requirements of CEQA. Therefore, Section 3A.18.5 is intended to provide a comparative analysis of the water supply options to the Off-site Water Facility Alternatives.

As discussed on page 3A.18-26 of the DEIR/DEIS, the impact analysis acknowledges that the air quality impacts would be similar to those quantified for Off-site Water Facility Alternative 1 and the application of mitigation prescribed in Section 3B.3, “Biological Resources” of the DEIR/DEIS would be required. However, similar to Off-site Water Facility Alternative 1, construction of Water Supply Option 1 would be expected to generate quantities of NO_x that would be in excess of state standards and, therefore, the impact would be considered significant and unavoidable.

Tsakopoulos-2-213 *The comment states that the analysis of biological impacts for the water supply options fails to quantify that potential well sites under these options could result in direct impacts to tributaries of Laguna Creek and to vernal pools, native trees, and “a long list of sensitive species” or to describe how the mitigation would reduce the identified impacts to a less-than-significant level.*

See response to comment Tsakopoulos-2-212. Unlike the analysis of the Off-site Water Facility Alternatives in Section 3B.3, “Biological Resources” of the DEIR/DEIS, the analysis of potential biological impacts for the water supply options is performed at a qualitative level and is intended to provide a comparative analysis to the Off-site Water Facility Alternatives.

Tsakopoulos-2-214 *The comment states that the climate change analysis for the water supply options offers a standard-less analysis and relies on vague, unenforceable mitigation.*

See response to comment Tsakopoulos-2-212. Unlike the analysis of the Off-site Water Facility Alternatives in Section 3B.4, “Climate Change” of the DEIR/DEIS, the analysis of potential climate change impacts for the water supply options is performed at a qualitative level and is intended to provide a comparative analysis to the Off-site Water Facility Alternatives, which are quantitatively evaluated on pages 3B.4-2 through 3B.4-8 of the DEIR/DEIS.

Tsakopoulos-2-215 *The comment references the analysis statement that groundwater might exhibit odors and taste different from water provided by NCMWC, which would result in a significant impact. The comment questions if concentrations of total dissolved solids (TDS) in groundwater could still adversely affect taste and odors in the NCMWC supply following treatment.*

The referenced discussion is intended to provide a comparative analysis of the potential differences in drinking water quality, both in terms of public health and aesthetics, which could occur if the water supply option is selected in place of the Off-site Water Facility Alternatives. Although treatment of TDS is possible, the removal of TDS to levels

comparable to surface water is often expensive and, in many instances, is not required to meet public drinking water standards.

Tsakopoulos-2-216 *The comment seeks clarification as to the other sources of demand considered in the cumulative discussion on groundwater withdrawal and whether these other sources include the three proposed quarries adjacent to the SPA.*

The cumulative discussion provided on pages 4-42 and 4-43 of the DEIR/DEIS considers groundwater demands within the Sacramento County central groundwater basin through buildout of the not-yet-adopted Sacramento County General Plan Update (draft 2009). Demand estimates included in the County General Plan Update consider groundwater demands for the Desilva-Gates Quarry, Walltown Quarry, and Teichert Quarry. These adjacent quarry projects are identified on pages 4-14 through 4-16 of the DEIR/DEIS as reasonably foreseeable projects, and therefore are included as part of the cumulative impact analysis.

Tsakopoulos-2-217 *The comment states that the analysis of short-term traffic impacts for the water options identified in Section 3A.18 relies on vague mitigation and does not support a less-than-significant determination.*

See responses to comments Tsakopoulos-2-186 and Tsakopoulos-2-187.

Tsakopoulos-2-218 *The comment states that the cumulative analysis fails to discuss the Walltown Quarry and Teichert Quarry projects as part of the baseline for assessment of cumulative impacts, and it fails to include them in Table 4-4.*

The discussion on pages 4-14 through 4-16 of the DEIR/DEIS provides descriptions of the quarry projects, which are included as part of the cumulative impact setting. Table 4-4 provides a summary of the TAC analysis from the modeled quarry truck trips.

Tsakopoulos-2-219 *The comment states that because the DEIR does not properly identify the Walltown project as part of the baseline for cumulative impacts, the DEIR results in incorrect conclusions and incorrectly seeks to identify voluntary mitigation measures for the quarry truck aggregate operators such as Cumulative Mitigation Measure Air-1-Land and Noise-1-Land.*

The environmental analysis sets the baseline at the time the NOP/NOI for the DEIR/DEIS were published, in September 2008, which serves as the focus of the environmental analysis (see page 3-6 of the DEIR/DEIS). The DEIR/DEIS properly identifies the Walltown project in the cumulative analysis as a past, present, or probable future project, which is analyzed in conjunction with this project and other projects (see pages 4-7 and 4-15 through 4-16 of the DEIR/DEIS). The commenter states, on the one hand, that the cumulative analysis is deficient because it purportedly ignores the Walltown quarry, but then contradicts that assertion by stating that the analysis includes mitigation measures for the quarry truck aggregate operators. Mitigation measures were determined by taking into account the potential cumulative impacts of this and other projects. See Cumulative Mitigation Measure AIR-1-Land on pages 4-24 through 4-26, and Cumulative Mitigation Measure NOISE-1-Land on pages 4-51 through 4-53 of the DEIR/DEIS; also see response to comment Tsakopoulos-2-7. Thus, the Walltown project is properly accounted for as part of the cumulative conditions. See also Master Response 7 – Quarry Truck Cumulative Analysis and Mitigation Approach.

Tsakopoulos-2-220

The comment states that an EIR must include a discussion of cumulative impacts and provide a reasonable analysis of the cumulative impacts of the relevant projects. The comment cites State CEQA Guidelines, CRR Section 15355(b). The comment states that the analysis must first determine whether the proposed “alternatives,” in combination with others, would result in a significant impact, and then whether the incremental contribution of any of the proposed “alternatives” would be “cumulatively considerable.” Finally, the comment states that the description and analysis should reflect the severity of the cumulative impacts and the likelihood of their occurrence (citing State CEQA Guidelines, CCR Section 15130[b]).

The DEIR/DEIS contains a 64-page analysis of cumulative impacts that considers the “incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects,” as required by the State CEQA Guidelines, CRR Section 15355(b) (see Section 4.1, “Cumulative Impacts,” on pages 4-1 through 4-64 of the DEIR/DEIS). Section 4.1 provides an introduction and summary of regulations governing the analysis (pages 4-1 and 4-2); describes the geographic context for the cumulative analysis (pages 4-2 through 4-7); provides a list, map, and discussion of the related projects, as well a discussion of the regional planning approach (i.e., the “list” and the “plan” approaches; State CEQA Guidelines, CCR Section 15130[b]) (pages 4-7 through 4-20); and then provides the cumulative analysis of each topic area covered in the DEIR/DEIS (pages 4-20 through 4-64). The analysis of each topic area is organized as follows: (1) the geographic context is summarized; (2) the impacts of the Folsom South of U.S. 50 Specific Plan project are summarized; (3) the potential impacts of the “related projects” (as defined on pages 4-7 through 4-20) are discussed; (4) a determination as to whether the “related projects” could result in cumulative impacts is provided; and (5) a determination is provided as to whether the Folsom South of U.S. 50 Specific Plan project, when considered in combination with the related projects, results in a cumulatively considerable incremental contribution to a cumulatively significant impact. With regards to the alternatives, as stated on page 4-2, “The cumulative impacts of implementing the Proposed Project Alternative or any of the other four action alternatives for ‘Land’ or the Preferred Alternative or any of the other action alternatives for ‘Water’ would be substantially similar; therefore, this cumulative analysis uses the term “project” to refer to the action alternatives under both the ‘Land’ and ‘Water’ components. The cumulative impacts of adopting the No Project Alternative, which could entail construction of up to 44 rural residences under the existing Sacramento County land use and zoning (i.e., Ag-80) without any water conveyance facilities or water treatment plants, have already been analyzed as part of the Sacramento County General Plan EIR (1993), which is incorporated herein by reference.” Therefore, the City believes that the cumulative analysis contained in Chapter 4 of the DEIR/DEIS meets the requirements of CEQA.

Tsakopoulos-2-221

The comment states that the cumulative analysis for each issue area “generally comprises a cursory discussion that often fails either to provide a clear significance discussion regarding the cumulative impact for that resource as a whole, or for each impact threshold addressed.” The comment further states that as a result, the DEIR/DEIS contains confusing significance conclusions with respect to the proposed alternatives, and thus the reader cannot distinguish which impacts are cumulatively considerable and whether or not the proposed alternatives would make a cumulatively considerable contribution.

See response to comment Tsakopoulos-2-220.

Tsakopoulos-2-222 *The comment states that the cumulative discussion does not distinguish the discussions between the “Land” and “Water” alternatives, but instead provides “vanilla” analysis that properly applies to none of the alternatives. The comment states that this renders the document so fundamentally and basically inadequate that public comment with respect to cumulative impacts is essentially meaningless, and therefore the DEIR must be revised and recirculated (citing State CEQA Guidelines, CCR Section 150885[a]).*

See response to comment Tsakopoulos-2-220. See also Master Response 12 – DEIR/DEIS Recirculation is Not Required.

Tsakopoulos-2-223 *The comment states that the cumulative aesthetics analysis does not specify whether the change in visual conditions identified in the DEIR/DEIS would be adverse and would constitute a significant cumulative impact.*

The second full paragraph on page 4-21 of the DEIR/DEIS notes that, as a result of the conversion of the SPA to urban development and the development of the water treatment plant sites, the project would contribute to changes in the regional visual condition. The DEIR/DEIS provides the conclusion in the last sentence of that paragraph that, “the effect of these changes, when considering the related projects, on aesthetic resources from past and planned future projects is a cumulatively significant impact.” The third full paragraph on page 4-21 of the DEIR/DEIS notes that assessment of visual quality is a subjective matter and reasonable people may differ as to the aesthetic value of undeveloped grasslands and oak woodlands, and whether development of urban uses in the SPA would constitute a substantial degradation of (i.e., adverse change to) the existing visual character or quality of the site and its surroundings. It then goes on to state that in order to be conservative, the change of views in the project region to urban land uses are considered cumulatively significant and unavoidable impacts.

Tsakopoulos-2-224 *The comment notes that the cumulative aesthetics analysis does not address daytime glare.*

The cumulative impacts related to both nighttime and daytime glare are the same. As shown in Chapter 5, “Errata” of this DEIR/DEIS, the text on page 4-21 of the DEIR/DEIS has been revised to clarify this fact.

Tsakopoulos-2-225 *The comment states that the analysis of land use compatibility with arterial roadways using TACs as a proxy states that a significant cumulative impact would not occur if the analysis used emissions factors from 2030. The comment questions how much construction would reasonably be expected to occur from 2030 onward.*

The commenter’s alleged connection between TAC emissions from roadways and construction is unclear; emission factors from both 2010 and 2030 were utilized to estimate impacts of quarry truck traffic on sensitive receptors in the SPA, with 2010 providing conservative estimates for emissions and exposures that could occur between 2010 and full buildout in 2030. Because of anticipated changes in technology, emission factors in 2030 are smaller and, therefore, not appropriate when estimating TAC emissions during earlier periods. See Master Response 6 – Quarry Trucks and TAC Exposure.

Tsakopoulos-2-226 *The comment states that the analysis “concedes” that emissions in intermediate years would be greater than in 2030, but appears to simply use the lower emission factors closer to the SPA buildout for this analysis. The comment concludes that, as a result, the analysis understates the impacts of construction emissions prior to 2030.*

The commenter’s alleged connection between TAC emissions from roadways and construction is unclear; the more conservative approach was taken with respect to modeling of construction emissions (2011 emission factors utilized) and roadway emissions (both 2010 and 2030 emission factors utilized), and therefore evaluating the significance of impacts.

Tsakopoulos-2-227 *The comment states that the cumulative analysis fails to address operational odors from such sources as dumpsters.*

Odors are discussed in the cumulative analysis on page 4-29 of the DEIR/DEIS. The City also notes that this DEIR/DEIS analysis is conducted at a program level for a 3,500-acre specific plan; since, at this stage, the City does not know where dumpsters would be located, it would not be possible to conduct a site-specific, project-level analysis of odors from dumpsters. Although dumpsters are not specifically mentioned in the DEIR/DEIS, their existence is not precluded. Odor mitigation measures are included in Section 3A.2, “Air Quality” and were discussed previously (see response to comment Tsakopoulos-2-75). See also Master Response 10 – Programmatic Nature of the DEIR/DEIS.

Tsakopoulos-2-228 *The comment states that the climate change cumulative analysis contains no analysis at all but merely references the project-level GHG analysis. The comment refers to previous comments regarding the GHG analysis.*

As stated on pages 3A.4-1 and 4-34 of the DEIR/DEIS, climate change itself is a cumulative problem, and therefore the 51-page section of the DEIR/DEIS dedicated to an analysis of GHG emissions that would be generated by the project, as well as the potential impacts of climate change on the project, is itself inherently cumulative (see Section 3A.4, “Climate Change”). See also responses to comments Tsakopoulos-2-78 through Tsakopoulos-2-89.

Tsakopoulos-2-229 *The comment states that the analysis of cumulative cultural resources impacts is arbitrarily limited to the Sacramento region. The comment suggests that because the cultural resources in the SPA might have statewide or national significance, the analysis of cumulative impacts should be revised to account for the greater significance of these resources.*

The CRHR and the NRHP both contemplate the potential for resources to be significant at the local, state, or national level. The analysis of cumulative cultural resources impacts identifies the potential for a cumulatively considerable contribution to impacts to historical resources and historic properties in the region. Historical resources and historic properties, by definition, include cultural resources that may be significant at the local, state, or national level. Thus, the discussion of cumulative impacts to cultural resources contemplates the full range of significance that would be associated with these resources. Expansion of the cumulative context beyond the Sacramento region would be speculative. The analysis of cumulative impacts is required to identify reasonably foreseeable projects in the region that might contribute to impacts associated with the project. Identification of projects that might result in cultural resources impacts at the state or national level would be speculative, and thus, they would not be meaningful or necessary.

Tsakopoulos-2-230

The comment states, “as in the geology analysis for ‘Land’ and ‘Water’ alternatives, the cumulative analysis improperly defers study and mitigation of the effect of development of the SPA on the availability of kaolin clay deposits within that area,” and therefore the cumulative analysis provides no meaningful analysis of the impact to this resource.

The commenter references a discussion of kaolin clay deposits in both the “Land” and “Water” portions of the DEIR/DEIS. The “Water” portion of the analysis contains no discussion regarding kaolin clay deposits because no such deposits are present; therefore, it is only evaluated in the “Land” portion of the project analysis (i.e., DEIR/DEIS Section 3A.7, “Geology, Soils, Minerals, and Paleontological Resources”). Furthermore, although the commenter appears to reference previous comments regarding the project-specific analysis of kaolin clay, no such comments are contained in the letter. DEIR/DEIS Impact 3A.7-9 states that based on a review of the known geologic formations at the SPA, there may be a potential for kaolin clay to be present; however, that potential is presently unknown. Therefore, the DEIR/DEIS appropriately provides mitigation to determine whether such resources are present (pages 3A.7-39 and 3A.7-38). If kaolin clay resources are present, they would not be mined, and therefore the DEIR/DEIS properly determines that a significant and unavoidable impact would occur (page 3A.7-38). The commenter provides no specifics as to how this constitutes improper deferral of study and mitigation.

The cumulative analysis on page 4-37 of the DEIR/DEIS provides several paragraphs of discussion regarding kaolin clay, including: (1) the geographic context; (2) a summary of the impacts of the Folsom South of U.S. 50 Specific Plan project related to kaolin clay; (3) the potential impacts of the “related projects” (as defined on pages 4-7 through 4-20) with regards to kaolin clay; (4) a determination as to whether the “related projects” could result in cumulative impacts related to kaolin clay; and (5) a determination as to whether the Folsom South of U.S. 50 Specific Plan project, when considered in combination with the related projects, results in a cumulatively considerable incremental contribution to a cumulatively significant impact related to kaolin clay. Therefore, the DEIR/DEIS provides a meaningful analysis of the impact to this resource.

Tsakopoulos-2-231

The comment states that the DEIR does not, as requested by the County of Sacramento in their letter regarding the NOP, discuss the effect of the City’s existing and proposed policies regarding heavy trucks in the City and the SPA, respectively, on the ability of the quarries to mine and efficiently transport minerals, particularly when these impacts are combined with other development near existing and proposed quarries.

The NOP comment letter from Sacramento County is contained in DEIR/DEIS Appendix B, and was considered during preparation of the DEIR/DEIS. See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

The comment also speculates as to the ability of quarries to mine and efficiently transport material but does not identify a specific environmental impact or provide specific facts or evidence to support any such impact. These speculative claims are not evidence of an environmental impact. See State CEQA Guidelines, CCR Section 15384(b) (argument, speculation, and unsubstantiated opinion are not substantial evidence of an environmental impact). See also responses to comments Sac Cnty-2-35 through Sac Cnty-2-48.

Tsakapolous-2-232 *The comment states that as previously disused in the letter, the mineral resources at the Walltown Quarry site are classified as MRZ-2, therefore the purported lack of the analysis discussed in comment Tsakopoulos-2-231 constitutes an egregious omission of the DEIR/DEIS.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach and responses to comments Sac Cnty-35 through Sac Cnty-2-48.

Tsakapolous-2-233 *The comment states that the discussion of cumulative impacts related to paleontological resources does not state whether a cumulative impact would occur even without the project.*

The issue raised by this comment is addressed on page 4-38 of the DEIR/DEIS, which states that unique, scientifically-important fossil discoveries are relatively rare, and the likelihood of encountering them is site-specific and is based on the type of specific geologic rock formations found underground. These geologic formations vary from location to location. Therefore, a determination as to whether or not each of the related projects actually has the potential to damage or destroy unique, scientifically-important fossils would have to be made on a project-by-project basis, following a site visit and evaluation by a paleontologist.

Tsakapolous-2-234 *The comment states that the conclusion in the DEIR analysis that cumulatively considerable impacts related to paleontological resources would not occur is erroneous, because it assumes that important fossils would be “encountered” and “studied” rather than damaged or destroyed. The comment likens this conclusion to the claim that take of an animal species would not result in a significant impact because the take would add to the knowledge base regarding the species.*

Paleontological resource impacts cannot be considered in the same way as biological resources impacts. Paleontological resources are not living organisms, and they are not governed by the same laws, ordinances, and regulations that apply to extant biological species. Furthermore, “take” of an animal species in the permitting sense implies mortality; paleontological resources consist of the remains of plants and animals that have been dead for millennia. The commenter takes the text of the DEIR/DEIS out of context by stating his view that the analysis would allow fossils to be damaged or destroyed; as stated on page 4-38 of the DEIR/DEIS, the project’s impacts on paleontological resources are evaluated in detail and mitigation measures are recommended (see Sections 3A.7 and 3B.7, “Geology, Soils, Minerals, and Paleontological Resources”) that would avoid damage or destruction of unique scientifically-important fossils. Mitigation Measures 3A.7-10 and 3B.7-5, contained in Sections 3A.7 and 3B.7, respectively, require that training must be provided to construction personnel regarding the types and appearance of fossils that could be present and if scientifically-important fossils are encountered, construction must cease in the vicinity of the find and the fossil(s) must be removed and appropriately curated; therefore, the fossil(s) would not be destroyed, they would be preserved, and removed and curated. The purpose of removal and curation of fossil remains is to provide further opportunities for study and, therefore, to add to the body of scientific knowledge.

Tsakapolous-2-235 *The comment states that the DEIR analysis should be revised to acknowledge the possibility of damage or destruction of paleontological resources, to identify the significance of the cumulative impact, and to substantiate each alternative's cumulative contribution to that impact.*

See responses to comments Tsakapolous-2-233 and Tsakapolous-2-234. The significance of the cumulative impact is stated on page 4-38 of the DEIR/DEIS. Furthermore, as stated on page 4-2 of the DEIR/DEIS, the cumulative impacts of implementing the Proposed Project Alternative or any of the other four action alternatives for "Land" or the Preferred Alternative or any of the other action alternatives for "Water" would be substantially similar; therefore, the cumulative analysis uses the term "project" to refer to the action alternatives under both the "Land" and "Water" components. The cumulative impacts of adopting the No Project Alternative, which could entail construction of up to 44 rural residences under the existing Sacramento County land use and zoning (i.e., Ag-80) without any water conveyance facilities or water treatment plants, have already been analyzed as part of the Sacramento County General Plan EIR (1993), which is incorporated into the DEIR/DEIS by reference (page 4-2).

Tsakopoulos-2-236 through
Tsakopoulos-2-237 *The comments state that the discussion of hazards and hazardous materials does not present substantial evidence that cumulative impacts regarding hazards and hazardous materials would not occur. The comments ask for clarification about the basis for this conclusion. The comments also ask whether multiple projects in a given area that would use hazardous materials would create a higher aggregate risk to nearby facilities or residents, and ask why the discussion does not disclose and evaluate this possibility with respect to the SPA and surrounding areas.*

The DEIR/DEIS evaluates hazards and hazardous materials impacts either based on how they would affect the project (for example, Impact 3A.8-1 on page 3A.18-19), or on how conditions on the project site could affect the project (for example, Impact 3A.8-2 on page 3A.8-20). Some impacts, such as Impact 3A.8-1 and Impact 3A.8-4 (on page 3A.8-29), would occur as a result of urbanization on the SPA, and the impact mechanism reflects this general change in land use and associated increases in transport of hazardous materials and vehicles. Because the increases in hazardous materials that would occur are generally characterized and associated with this change in land use, additional, similar land use changes would affect a larger area related to hazardous materials but would not change the effects. Other, similar land use transitions in the vicinity of the project site would not result in a different cumulative impact related to hazardous materials from that evaluated in the project impact discussions in Impacts 3A.8-1 and 3A.8-4.

The remaining impacts (3A.8-2, 3A.8-3, 3A.8-5, 3A.8-6, and 3A.8-7) pertaining to hazards and hazardous materials would occur as a result of conditions in the SPA. The mechanism for these impacts is directly related to conditions on the project site (i.e., exposure to on-site hazardous materials, development of a site on the Cortese and NPL lists, potential for injuries related to blasting, exposure to electric and magnetic fields, and mosquito hazards related to water features on the SPA). Because these impacts are specifically related to the land area where physical changes are proposed, rather than reflecting general conditions that would affect a wider area, cumulative impacts would not be distinct from the project impacts evaluated in Section 3A.8, "Hazards and Hazardous Materials" of the DEIR/DEIS.

Tsakopoulos-2-238 *The comment states that the cumulative discussion of hydrology and water quality impacts fails to provide a significance conclusion for the cumulative impact without the alternatives.*

The cumulative impact discussions for hydrology, water quality, and groundwater resources topics (beginning on page 4-39 of the DEIR/DEIS) describe the impact and mitigation for the project under each topic; generally, where impacts are significant, these impacts would be reduced to a less-than-significant level by implementation of existing regulations, particularly the SWPPP requirements.

The same mechanism is described and applied to the cumulative impacts; as with project impacts; although cumulative projects could potentially result in significant impacts, these impacts would be reduced to a less-than-significant level through existing regulatory requirements. Based on the rationale provided in the DEIR/DEIS, cumulative impacts, like project impacts, would be less-than-significant for these topics, with the exception of groundwater resources, as described in more detail in the responses to Tsakopoulos-2-240, Tsakopoulos-2-241, and Tsakopoulos-2-242.

Tsakopoulos-2-239 *The comment states that the cumulative analysis acknowledges that the Off-site Water Facility Alternatives would contribute to additional diversions throughout the year, could result in reduced CVP-SWP deliveries in subsequent years, and contribute to further reductions in flow within the Sacramento River.*

The comment references the cumulative impact discussion under “Surface Water” on pages 4-40 and 4-41 of the DEIR/DEIS. See Master Response 14 – Relationship of the “Water” Project to the Freeport Regional Water Project; Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, CVP-SWP Operations, and the Delta; and Master Response 17 – Approach to the Evaluation of Physical Environmental Effects for the “Water” Project. As discussed on page 4-41 of the DEIR/DEIS, the project’s cumulative impacts to flows within the Sacramento River are appropriately concluded to be less than significant because proposed diversion would be relatively minor in terms of the amount of water and the project diversion would occur within the permitted capacity of the Freeport Project. Therefore, no increase in diversion capacity along the Sacramento River would occur.

Tsakopoulos-2-240 *The comment requests clarification as to the threshold criteria applied for the determination of significant cumulative groundwater impacts.*

As discussed on pages 4-42 and 3B.17-9 of the DEIR/DEIS, the analysis applied 273,000 AFY for the groundwater basin’s safe yield as the threshold of significance. The safe yield estimate was developed in conjunction with the WFA and was used in developing the water budget for the 2006 Central Sacramento County Groundwater Management Plan.

Tsakopoulos-2-241 *The comment asks how areas most conducive to groundwater recharge would be "sited and designed to maximize infiltration."*

Soils in the SPA and surrounding area are described on page 4-42 of the DEIR/DEIS as having a poor capacity for groundwater recharge, with most of the substantial recharge occurring along active stream channels. The areas within the SPA that would be most conducive to groundwater recharge, including active stream channels such as the Alder Creek stream and tributary corridors, would generally be maintained as open space. Proposed detention basins and LID features such as surface swales, infiltration trenches,

dry wells, and landscape/buffer strips, described in Mitigation Measure 3A.9-3 on page 3A.9-38 of the DEIR/DEIS would be sited and designed to maximize infiltration.

Tsakopoulos-2-242

The comment asks how seasonal groundwater recharge outside of areas most conducive to recharge would increase because of landscape irrigation. The comment also states that areas with vernal pools are underlain by a layer of hardpan that prevents percolation of surface waters and infiltration into the groundwater table.

Soils in the SPA and surrounding area are described on page 4-42 of the DEIR/DEIS as having a poor capacity for groundwater recharge, with most of the substantial recharge occurring along active stream channels. Groundwater recharge from project-related landscape irrigation would likely be minor; however, landscape irrigation might occur in areas within the SPA that allow for recharge, such as in buffer areas along active stream channels. The existing land uses in the SPA generally include grazing as opposed to irrigation-dependent agriculture, so landscape irrigation associated with the project would likely constitute an increase in recharge from the existing condition, although that increase might be minor.

Tsakopoulos-2-243

The comment states that the DEIR avoids any meaningful analysis by erroneously describing cumulative land use impacts as site-specific. The comment further states that multiple land use impacts could have a cumulative effect, for example through an overall change in regional land use patterns.

The land use impacts evaluated in the DEIR/DEIS were based on the State CEQA Guidelines Appendix G thresholds for Land Use. Under these thresholds, a land use impact would be significant if it would physically divide an existing community, conflict with applicable plans of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with an applicable habitat conservation plan or natural community conservation plan. Therefore, the DEIR/DEIS appropriately considers the cumulative impacts of each of these topics on page 4-44.

The commenter cites use of the term “site-specific” from the DEIR/DEIS out of context. Page 4-44 of the DEIR/DEIS states the following:

Future growth under cumulative conditions may result in a variety of physical impacts related to consistency with adopted land use plans. Impacts involving adopted land use plans or policies and zoning generally would not combine to result in cumulative impacts. The determination of significance for impacts related to these issues, as described by Appendix G of the State CEQA Guidelines, and referenced earlier in Sections 3A.10 and 3B.10, ‘Land Use and Agricultural Resources,’ is whether a project would conflict with any applicable land use plan or policy adopted for the purpose of avoiding or mitigating environmental impacts. Such a conflict is site-specific; it is addressed on a project-by-project basis. Implementing the ‘Land’ and ‘Water’ portions of the project would not result in significant land use planning impacts, and the project’s ultimate consistency with adopted local land use plans, policies, and zoning is provided for through entitlements to revise the City of Folsom General Plan and Zoning Code under the ‘Land’ portion of the project and the Sacramento County General Plan and Zoning Code.

Any land use inconsistencies of future projects, by themselves, are not considered a significant cumulative effect because it is a land use regulation, not an environmental impact. However, implementation of those plans and policies adopted for the purpose of avoiding or mitigating environmental impacts could lead to physical environmental impacts, which are considered in the appropriate sections of this EIR/EIS. Because land use impacts would occur on a project-specific basis rather than a cumulative basis, the project would not contribute to cumulatively considerable land use impacts.

Tsakopoulos-2-244

The comment states that the CEQA guidelines do not require an Important Farmland designation for a significant impact related to agricultural land conversion to occur.

As demonstrated in DEIR/DEIS Section 3A.10 “Land Use and Agricultural Resources,” land east and north of the SPA is already developed with urban uses. Land west of the SPA is already proposed for urban development as part of the Easton and Glenborough developments. Land south of the SPA, south of White Rock Road, is outside the City’s jurisdiction, and is outside of the Sacramento County USB. Policy LU 81 of the County General Plan provides very limited conditions under which the County can expand the USB, which would be necessary if any urban development were to occur south of White Rock Road. When considering such a proposal, the County must make several findings, including a finding that there is insufficient land within the USB to accommodate a proposed project’s demand for urban uses. If all of the criteria are not met, the County Board of Supervisors must approve moving the USB by a 4/5 vote. Since enactment of this policy in 1993, the board has never approved consideration of an application for any project of even a moderate size outside the USB. Furthermore, developing urban land uses south of White Rock Road would place such uses in immediate proximity to the proposed Teichert and Walltown Quarries, where such urban land uses would be subject to significant aesthetics, air quality, noise, and traffic impacts, and potentially significant impacts related to biological and cultural resources, hazards, geology, hydrology and water quality, and provision of public services. Therefore, the City does believe that there would be a cumulatively considerable conversion of agricultural land south of White Rock Road to urban uses in the foreseeable future, and thus, the project would not result in a cumulatively considerable incremental contribution to a conversion of agricultural land to urban uses.

Tsakopoulos-2-245

The comment states that the City improperly accelerated the project through the planning process without a meaningful environmental review and without engaging in a collaborative effort with regional stakeholders to address issues such as traffic and transportation issues. The comment also states that the City did not provide adequate time to review the DEIR in a meaningful manner and that the document contains a “host” of environmental deficiencies.

The City held multiple public meetings and workshops with public and private stakeholders over a period of several years before releasing the DEIR/DEIS, including public meetings before the City’s Planning Commission and City Council, which culminated in the passage of Measure W and subsequent amendment of the City Charter. The City solicited further public comment and participation in the environmental process during the 45-day NOP review period (which included a public hearing on September 25, 2008), and through the extended 74-day public comment period on the DEIR/DEIS, a lengthier time than required by CEQA. (See also response to comment Sac Cnty-1-1.) The City also solicited input from the public at a workshop held during the public comment period on the DEIR/DEIS (August 2, 2010), and at a public hearing held before

the City's Planning Commission and City Council (August 4, 2010). The City also notes that since the commenter submitted a 45-page, single-spaced, detailed comment letter on nearly every section of the DEIR, it appears that contrary to his assertions, the commenter had sufficient time to conduct a meaningful environmental review.