

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

PLANNING COMMISSION AGENDA
February 21, 2018
CITY COUNCIL CHAMBERS
6:30 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER PLANNING COMMISSION: Thomas Scott, Vice Chair John Arnaz, Jennifer Lane, Kevin Mallory, Ross Jackson, Aaron Ralls, Chair Justin Raithel

Any documents produced by the City and distributed to the Planning Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers. The meeting is available to view via webcast on the City's website the day after the meeting.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Planning Commission welcomes and encourages participation in City Planning Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of February 7, 2018 will be presented for approval.

CONTINUED ITEM

1. **PN 17-288, Russell Ranch Lots 24-32 Subdivision - General Plan Amendment, Specific Plan Amendment, Design Guidelines Amendment, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, and Development Agreement Amendment – Continued from the February 7, 2018 Planning Commission Meeting**

A Public Hearing to consider a request from the New Home Company for approval of a General Plan Amendment, Specific Plan Amendment, Design Guidelines Amendment, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, and Development Agreement Amendment for the development of a 389-unit residential subdivision on a 135-acre site located within the Folsom Plan Area. The Specific Plan designations are SP-SF-PD, SP-SFHD-PD, and SP-OS1, and SP-OS2, while the General Plan land use designations are SF, SFHD, and OS. An Environmental Checklist and Addendum to the Folsom Plan Area Specific Plan EIR/EIS and Russell Ranch EIR has been prepared for this project in accordance with the California Environmental Quality Act (CEQA). **(Project Planner: Principal Planner, Steve Banks / Applicant: The New Home Company)**

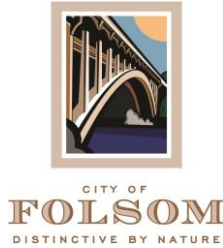
PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for **March 7, 2018**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and FAX number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6203, (916) 355-7274 (fax) or apalmer@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Planning Commission Action: Any appeal of a Planning Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081. Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing



PLANNING COMMISSION MINUTES
February 7, 2018
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Aaron Ralls, Thomas Scott, Vice Chair John Arnaz, Jennifer Lane, Kevin Mallory, Ross Jackson, Chair Justin Raithel

ABSENT: Arnaz, Jackson

CITIZEN COMMUNICATION: None

MINUTES: The minutes of January 17, 2018 were approved as submitted.

NEW BUSINESS

1. PN 17-398, Preserve at the Parkway, Silberhorn Drive – Residential Design Review

A Public Hearing to consider a request from Tim Lewis Communities for approval of a Residential Design Review Application for 16 single-family residential units situated within the Preserve at the Parkway Subdivision (formerly known as the Parkway Village H1 and H2 Subdivision) located on the north side of Silberhorn Drive, slightly southeast of the intersection of Golf Links Drive and Silberhorn Drive. Specifically, the applicant is requesting design review approval for four (4) individual master plans within the subdivision. The zoning classification for the site is SP 93-3 and the General Plan land-use designation is SFHD. A Mitigated Negative Declaration and Mitigation Monitoring Program has previously approved for the Parkway Village H1 and H2 Subdivision project in accordance with the California Environmental Quality Act (CEQA). **(Project Planner: Principal Planner, Steve Banks / Applicant: Tim Lewis Communities)**

COMMISSIONER SCOTT MOVED TO APPROVE THE DESIGN REVIEW APPLICATION FOR 16 SINGLE-FAMILY RESIDENTIAL UNITS AS ILLUSTRATED ON ATTACHMENTS 2 THROUGH 5 FOR THE PRESERVE AT THE PARKWAY SUBDIVISION PROJECTS WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS A & B, CEQA FINDINGS C & D, DESIGN REVIEW FINDINGS E & F, AND CONDITIONS OF APPROVAL 1-14.

COMMISSIONER RALLS SECONDED THE MOTION, WHICH CARRIED THE FOLLOWING VOTE:

AYES: RALLS, SCOTT, LANE, MALLORY, RAITHEL
NOES: NONE
ABSTAIN: NONE
ABSENT: ARNAZ, JACKSON

2. **PN 17-288, Russell Ranch Lots 24-32 Subdivision - General Plan Amendment, Specific Plan Amendment, Design Guidelines Amendment, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, and Development Agreement Amendment**

A Public Hearing to consider a request from the New Home Company for approval of a General Plan Amendment, Specific Plan Amendment, Design Guidelines Amendment, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, and Development Agreement Amendment for the development of a 389-unit residential subdivision on a 135-acre site located within the Folsom Plan Area. The Specific Plan designations are SP-SF-PD, SP-SFHD-PD, and SP-OS1, and SP-OS2, while the General Plan land use designations are SF, SFHD, and OS. An Environmental Checklist and Addendum to the Folsom Plan Area Specific Plan EIR/EIS and Russell Ranch EIR has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).
(Project Planner: Principal Planner, Steve Banks / Applicant: The New Home Company)

COMMISSIONER RAITHEL MOVED TO CONTINUE PN 17-288, RUSSELL RANCH LOTS 24-32 SUBDIVISION - GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, DESIGN GUIDELINES AMENDMENT, LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP, SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, AND DEVELOPMENT AGREEMENT AMENDMENT TO THE FEBRUARY 21, 2018 PLANNING COMMISSION MEETING.

COMMISSIONER SCOTT SECONDED THE MOTION, WHICH CARRIED THE FOLLOWING VOTE:

AYES: RALLS, SCOTT, LANE, MALLORY, RAITHEL
NOES: NONE
ABSTAIN: NONE
ABSENT: ARNAZ, JACKSON

PLANNING MANAGER REPORT

None

RESPECTFULLY SUBMITTED,

Amanda Palmer, SECRETARY

APPROVED:

Justin Raithel, CHAIRMAN

PLANNING COMMISSION STAFF REPORT

| | |
|-----------------------------|--|
| PROJECT TITLE | Russell Ranch Lots 24 through 32 Subdivision |
| PROPOSAL | Request for approval of a General Plan Amendment, Specific Plan Amendment, Design Guidelines Amendment, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, and Development Agreement Amendment for the development of a 389 unit residential subdivision (Russell Ranch Lots 24-32 Subdivision) and approval of an Addendum to the FPASP EIR/EIS and the Russell Ranch EIR |
| RECOMMENDED ACTION | Approve, based upon findings and subject to conditions of approval. |
| OWNER/APPLICANT | The New Home Company, TNHC Russell Ranch LLC Bonnie Chiu, Representative |
| LOCATION | The entire Russell Ranch project site is located south of U.S. Highway 50, west of the El Dorado County/eastern city limit line, north of White Rock Road and east of Placerville Road. Lots 24 through 32 are located along the southeastern boundary of the FPASP, immediately south of the Folsom Heights Project and east of Placerville Road. |
| SITE CHARACTERISTICS | The Russell Ranch project site is situated at the base of the Sierra Nevada foothills. The topography is rolling hills ranging from approximately 450 feet above mean sea level to more than 790 feet above mean sea level (some of the highest in the county). A portion of Alder Creek traverses the site. Historically, the site has been used for grazing, farming, and mining and is currently vacant except for the four existing telecommunication facilities. The majority of the site is covered in annual non-native grassland and native flowers. Freshwater wetlands do occur on the site. |

GENERAL PLAN DESIGNATIONS

Existing:
SF (Single Family Residential)
SFHD (Single Family High Density)
OS (Open Space)

SPECIFIC PLAN DESIGNATIONS

Existing:
SF (Single Family)
SFHD (Single Family High Density)
OS Open Space

ADJACENT LAND USES/LAND USE DESIGNATIONS

North:
Undeveloped property and the balance of Russell Ranch. Property is designated Single Family Residential and Open Space.

South:
Undeveloped property designated Agriculture across White Rock Road.

East:
Undeveloped property designated Single Family and Open Space

West:
Undeveloped property designated Single Family High Density Residential, Public, and Public/Quasi-Public and Open Space

PREVIOUS ACTIONS

- Local Agency Formation Commission approval of Sphere of Influence Amendment in 2001
- Measure W approved by the Voters in 2004
- Local Agency Formation Commission approval of Annexation of 3500 acres to Folsom in 2011
- Approval of Folsom Plan Area Specific Plan in 2011
- May 12, 2015 Certification of EIR for the Russell Ranch Project
- May 12, 2015 approval of GPA, SPA, PD and Large and Small Lot Subdivision Maps (for Phases 1-3), Inclusionary Housing Agreement, and Development Agreement for 878 lots (Russell Ranch)
- June 28, 2016 approval of Amended Large and Small Lot Tentative Subdivision Maps for 852 lots (Russell Ranch, Phases 1-3)

FUTURE ACTIONS

Recordation of Final Subdivision Maps
Approval of Improvement Plans
Issuance of Grading and Building Permits
Approval of Inclusionary Housing Agreement

APPLICABLE CODES

Approval of Inclusionary Housing Agreement
FMC 16.00, Subdivisions
FMC 17.37, Specific Plan District
FMC 17.38, Planned Development District
Folsom Plan Area Specific Plan (FPASP)
California Subdivision Map Act
Resolution No. 2370, Development Agreements

ENVIRONMENTAL REVIEW

An Addendum to the Russell Ranch
Environmental Impact Report and the Folsom
Plan Area Environmental Impact
Report/Environmental Impact Statement has
been prepared for this project in accordance
with the California Environmental Quality Act

ATTACHED REFERENCE MATERIAL

1. Vicinity Map
2. FPASP Development Activity Bar Chart, dated January 17, 2018
3. General Plan Amendment Exhibit, dated January 26, 2018
4. Trail System Modification Exhibit, dated January 26, 2018
5. Specific Plan Amendment Exhibit, dated January 26, 2018
6. Large-Lot Vesting Tentative Subdivision Map, dated January 4, 2018
7. Small-Lot Vesting Tentative Subdivision Map, dated January 24, 2018
8. Preliminary Grading Plan, dated January 24, 2018
9. Preliminary Utility Plan, dated January 24, 2018
10. Village 5 Small-Lot Vesting Tentative Subdivision Map, dated January 24, 2018
11. Village 5 Preliminary Grading Plan, dated January 24, 2018
12. Village 5 Preliminary Utility Plan, dated January 24, 2018
13. Initial Design for Empire Ranch Road/White Rock Road Interchange, dated January 24, 2018
14. Phase 1 of the Capital Southeast Connector, dated January 24, 2018
15. White Rock Road (Future Capital Southeast Connector), dated January 24, 2018
16. Conceptual Phasing Plan, dated January 29, 2018
17. On-Site and Off-Site Infrastructure Phasing Plan, dated January 29, 2018
18. Measure W Open Space Exhibit, dated January 26, 2018
19. Russell Ranch Design Guidelines Addendum, dated December 2017
20. Amendment No. 2 to the First Amended and Restated Development Agreement
21. Capital Southeast Connector Agreement and Confirmation Letter
22. Site Photographs
23. Environmental Checklist and Addendum, dated January 23, 2018

PROJECT PLANNER

Steve Banks, Principal Planner

BACKGROUND

The approved Folsom Plan Area Specific Plan (“FPASP”) currently includes 11,337 residential units at various densities, commercial, industrial and open space designations. The Russell Ranch project is a 437.6-acre portion of the FPASP.

On May 15, 2015, the City Council approved the first entitlements for the Russell Ranch project, which included a General Plan Amendment, a Rezone/Specific Plan Amendment, a Large Lot Vesting Tentative Subdivision Map, a Small-Lot Vesting Tentative Subdivision Map, Planned Development Permit and Design Guidelines, Conditions of Approval, an Affordable Housing Plan and Agreement, and an Amended and Restated Development Agreement (“the 2015 Entitlements”). Along with the 2015 Entitlements, the City Council certified an Environmental Impact Report that analyzed impacts for 879 single-family units. The City Council approved small lot maps only for Phases 1-3 of the Russell Ranch project. At the time of approval of the Small Lot Vesting Tentative Subdivision Map in 2015, the Applicant and the City agreed that the mapping of Phase 4 would be deferred, pending resolution of the final alignment of the Capital Southeast Connector, which would affect the design of Phase 4. The Connector alignment was confirmed in 2016, and the applicant and the Capital Southeast Connector Joint Powers Authority entered into a Right of Way Agreement related to dedication and reservation of right of way for that regional transportation facility. This action allowed the applicant to proceed with design of Phase 4 small lot maps, which is included in this application.

In June of 2016, the City Council approved an Amended Vesting Large Lot and Small Lot Tentative Maps, which included a total of 852 lots, still limited to the first three phases of the project. Since then, the applicant has recorded the Large-Lot Tentative Subdivision Map that was approved in 2016 and created the large parcels that are the subject of this entitlement.

This application completes the entitlements for what has been previously referenced as “Phase 4” (i.e., the portion of the Russell Ranch project affected by the Capital Southeast Connector) and seeks additional amendments to the land use plan approved in 2016.

Additions/Modifications to Conditions of Approval

The proposed project was originally scheduled to be presented to the Planning Commission at its February 7, 2018 meeting. Unfortunately, in the last few days leading up to the Commission meeting, City staff identified a significant number of mitigation measures that were inadvertently omitted from the conditions of approval for the proposed project. In addition, staff identified a few mitigation measures that were incomplete and needed to be clarified within the conditions of approval. Subsequent to the February 7, 2017 Planning Commission meeting, City staff has been working closely with the environmental consultant for the project to validate all of the mitigation measures applicable to the proposed project that were included in the Addendum to the Folsom Plan Area Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and the Russell Ranch Environmental Impact Report (EIR) prepared by Ascent Environmental. Below is a complete list of the project-related mitigation measures that have been added or modified in the Conditions of Approval since the February 7, 2018 Planning Commission meeting (these changes do not affect the conclusions of the Addendum/see summary under the “Environmental Review” section of this report).

Conditions of Approval Added

The Addendum included mitigation measures that were previously established with approval of the Folsom Plan Area EIR/EIS and the Russell Ranch EIR. Unfortunately, a number of mitigation

measures were inadvertently omitted from the conditions of approval for proposed project. As a result, the following mitigation measures need to be added as conditions of approval for consistency with the previous environmental mitigation measures applicable to this project.

- Mitigation Measure 3A.2-2 Air Quality Mitigation Plan (Condition No. 76)
- Mitigation Measure 3A.4-2(b) Urban and Community Forestry Program (Condition No. 101)
- Mitigation Measure 3A.11-3 Groundborne Noise or Vibration (Condition No. 109)
- Mitigation Measure 4.6-3 Noise Barriers (Condition No. 111)
- Mitigation Measure 4.8-6 Scott Road/Easton Valley Parkway Intersection (Condition No. 119)
- Mitigation Measure 3A.16-1 Off-Site Wastewater Conveyance Facilities (Condition No. 120)
- Mitigation Measure 3A.16-3 SRWTP Wastewater Treatment Capacity (Condition No. 121)
- Mitigation Measure 3A.3-1(a) Design Stormwater Drainage Plans (Condition No. 124)

Conditions of Approval Modified

The following mitigation measures were included in the Folsom Plan Area Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and the Russell Ranch Environmental Impact Report (EIR). During preparation of the Addendum to the Folsom Plan Area EIR/EIS and the Russell Ranch EIR for the proposed project, summaries of mitigation measures were utilized instead of the full mitigation measure language. To provide better clarity, staff is recommending that the following conditions of approval be modified to include the full mitigation measure language:

- Mitigation Measure 4.3-1 Special Status Plant Species (Condition No. 78)
- Mitigation Measure 4.3-3(a) Conduct Environmental Awareness Training (Condition No. 79)
- Mitigation Measure 4.3-3(b) Conduct Preconstruction Western Spadefoot Survey (Condition No. 80)
- Mitigation Measure 4.3-4 Western Pond Turtle (Condition No. 81)
- Mitigation Measure 4.3-5(a) Swainson's Hawk Nesting Habitat (Condition No. 82)
- Mitigation Measure 4.3-6(a) Burrowing Owl Preconstruction Survey (Condition No. 84)
- Mitigation Measure 4.3-7 Tricolored Blackbird (Condition No. 86)
- Mitigation Measure 4.3-8(a) Nesting Raptors (Condition No. 87)
- Mitigation Measure 4.3-8(b) Other Nesting Special-Status and Migratory Birds (Condition No. 88)
- Mitigation Measure 4.3-10 American Badger (Condition No. 89)
- Mitigation Measure 4.3-11(b) Master Streambed Alteration Agreement (Condition No. 91)
- Mitigation Measure 4.4-2(a) Construction Worker Awareness Training (Condition No. 94)
- Mitigation Measure 4.4-2(b) Ground-Disturbing Activities/Human Remains (Condition No. 95)
- Mitigation Measure 4.4-1 Comply with Programmatic Agreement (Condition No. 93)

Conditions of Approval Modified

The following mitigation measures were included in the Russell Ranch Environmental Impact Report (EIR). Subsequent to completion of the Russell Ranch EIR, various tasks have been completed which impact three biological resource mitigation measures. Specifically, a Swainson's Hawk Mitigation Plan has been approved by the City, Section 401 and 404 Permits (Federal Clean Water Act) have been obtained by the applicant, and a Valley Needlegrass Mitigation Plan has been approved by the City. As a result, staff recommends that the following mitigation measures be modified to accurately reflect the progress:

- Mitigation Measure 4.3-5 (b) Swainson's Hawk Foraging Habitat (Condition No. 83)
- Mitigation Measure 4.3-11(a) Clean Water Act Sections 401 and 404 (Condition No. 90)
- Mitigation Measure 4.3-11(c) Valley Needlegrass (Condition No. 92)

APPLICANT’S PROPOSAL

The applicant, The New Home Company, is requesting approval of a General Plan Amendment for a portion of the Russell Ranch project to re-designate the land uses for 135.1 acres (otherwise known as Russell Ranch Lots 24 through 32) as follows:

| LAND USE | EXISTING ACRES | PROPOSED ACRES |
|--|----------------|----------------|
| Single Family Residential (1-4 du/ac) | 33.9 | 0.0 |
| Single Family High Density Residential (4-7 du/ac) | 38.2 | 61.8 |
| Multifamily Low Density Residential (7-12 du/ac) | 0.0 | 11.9 |
| Public/Quasi Public | 0.1 | 0.1 |
| Non Measure W Open Space (Slope)* | 11.3 | 0.0 |
| Open Space (Measure W) | 40.9 | 40.9 |
| Open Space (Empire Ranch Road Interchange) | 0.0 | 3.9 |
| Circulation (Road, Streets, Etc.) | 10.7 | 16.5 |
| TOTAL | 135.1 | 135.1 |

* While the acreage of the Open Space (Slope), which is Non-Measure W open space, appears to be eliminated, these slopes still exist where single-loaded streets are still proposed as shown on Small-Lot Vesting Tentative Subdivision Maps. These areas are simply are no longer shown as a separate land use, which is consistent with the City’s more recent approvals in the Folsom Plan Area. In addition, there are 12.8-acres of landscaped area within the project site that are not counted as open space.

The applicant is also seeking approval of a Specific Plan Amendment to re-designate the land uses commensurate with the proposed General Plan land uses (as shown in table above), as well as, an increase in the overall number of permitted dwelling units in the FPASP; a Large-Lot Vesting Tentative Subdivision Map to reconfigure the shape of the parcels in phase 3 and create the parcels in phase 4; and a Small-Lot Vesting Tentative Subdivision Map that will create the following residential lots as shown in the following table;

| Large Lot/Village No. | Land Use | Proposed Number of Lots | Proposed/Allowable Density |
|-----------------------|--|-------------------------|----------------------------|
| 1 | Single Family High Density Residential (55’ x 105’/Active Adult) | 33 | 5.1/4-7 |
| 2 | Single Family High Density Residential (55’ x 105’/Active Adult) | 79 | 4.6/4-7 |
| 3 | Single Family High Density Residential (50’ x 105’) | 63 | 4.7/4-7 |
| 4 | Single Family High Density Residential (50’ x 90’/Active Adult) | 96 | 6.4/4-7 |
| 5 | Multifamily/Townhouses Low Density Residential | 118 | 9.5/7-12 |
| TOTAL | | 389 | |

The applicant is also seeking approval of an Amendment to the Development Agreement between The New Home Company and the City of Folsom (Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement). In addition, the applicant is requesting approval of an Amendment to the previously approved Russell Ranch Design Guidelines. It is important to note that an Inclusionary Housing Plan has previously been approved for the overall Russell Ranch Subdivision project, thus and Inclusionary Housing Plan is not included with the subject application.

GENERAL PLAN AMENDMENT/SPECIFIC PLAN AMENDMENT

The applicant is seeking approval of a General Plan Amendment and a Specific Plan Amendment to change the land use designations for Phases 3 and 4 of the Russell Ranch subdivision from predominately Single Family Residential, Single Family High Density Residential and Open Space to Single Family High Density, Multifamily Low Density Residential and Open Space. The applicant has performed additional market analysis since the last Russell Ranch entitlement was approved in 2016 and has determined that there is a need for Active Adult (Age Restricted/55+) Detached Single Family Residential units and Multifamily Low Density townhome style product in the Folsom area.

When the initial Folsom Plan Area Specific Plan (FPASP) and its commensurate General Plan Amendment were approved in 2011, each property in the plan area was allocated a portion of the 10,210 planned dwelling units, The Russell Ranch property was allocated 1,143 dwelling units. Subsequently in 2015, a Vesting Tentative Subdivision Map and related entitlements were approved for three of the four phases. Although the full unit count for Russell Ranch was not approved in 2015, the Russell Ranch Environmental Impact Report analyzed impacts for 879 units. Of the 879 units, the 2015 Entitlements included maps for 828 units.

The applicant returned in 2016 for a revised Large-Lot and Small-Lot Tentative Subdivision Map. The approval of the 2016 revised Large Lot and Small Lot Tentative Subdivision Map changed the unit count for Russell Ranch to 903, as follows: 828 approved units, 51 units allocated to "Phase 4", and an addition of 24 units from a boundary line adjustment with another property owner. Currently, the applicant proposes to change the land use configurations and designations resulting in 124 additional dwelling units above the current allocation, making the new proposed total allocation of residential units to Russell Ranch of 1,027. This unit count is still below the original allocation to the Russell Ranch project of 1,143 dwelling units.

When the Folsom Plan Area Specific Plan was originally approved in 2011, it included a policy to cap the number of residential units at 10,210 plan wide. Over the course of the last 7 years, several projects have been entitled resulting in changes to the policy thereby making the current overall residential cap 11,337 (Refer to the Bar Chart on Attachment 2 to see the course of changes). While other developments within the FPASP have increased from the original units designated in the Specific Plan, the Russell Ranch project remains below the original allocation for this portion of the FPASP area. At the same time, there has been a significant reduction in the amount of retail commercial land area within the Plan Area, which has resulted in a decrease of 1,445,710 square feet of commercial building area.

The City of Folsom General Plan outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. State law requires the Folsom Plan Area Specific Plan to be consistent with the General Plan including its goals and policies. The proposed project is consistent with the General Plan goals and policies

as well as the Folsom Plan Area Specific Plan objectives and policies as outlined and discussed below:

RELEVANT GENERAL PLAN GOALS AND POLICIES

GP GOAL 1 (Land Use)

To retain and enhance Folsom's quality of life, separate identity, and sense of community.

GP POLICY 1.1

New development shall preserve and/or enhance to the maximum degree feasible, the existing natural vegetation, landscape features, and open space consistent with the Goals and Policies of this plan.

The Russell Ranch Lots 24 through 32 Subdivision project is consistent with this policy in that 44.8 acres of open space and 1-acre of private parkland area are being provided. The location and amount of open space provided by the proposed project is consistent with the open space requirements of the Folsom Plan Area Specific Plan as well as the open space requirements (30% open space requirement) established by Measure W for the Plan Area. The proposed project also includes 12.8-acres of landscaping interspersed throughout the residential portions of the project site, further ensuring consistency with General Plan Policy 1.1.

GP GOAL 2 (Land Use)

To ensure that the City exercises appropriate controls over the planning process.

GP POLICY 2.3

General Plan Amendments may be approved when the applicant has successfully indicated substantial benefit could be derived from the project.

The Russell Ranch Lots 24 through 32 Subdivision project is consistent with this policy in that the subdivision includes the introduction of two residential product types (age-restricted single-family units and multi-family townhome units) that are generally underrepresented within the community. Specifically, the project includes 208 age-restricted single-family residential units (Villages 1, 2, and 4) and 118 multi-family townhome units (Village 5). The development of the aforementioned unit types represents a substantial benefit to the community in that it will provide additional unique housing opportunities for existing and future residents.

GP GOAL 8 (Land Use)

To allow a variety of housing types which provide living choices for Folsom residents.

GP GOAL 1 (Housing):

To provide an adequate supply of suitable sites for the development of a range of housing types to meet the housing needs of all segments of the population.

GP POLICY 8.2

In order to promote a more diverse housing stock and to allow for a greater mix of compatible densities, two residential density ranges shall be established and applied to various residential areas. Examples of these housing types are defined in Figure 21-5 of the General Plan.

The Russell Ranch Lots 24 through 32 Subdivision project is consistent with this policy in that the subdivision includes development of single-family detached homes, which are one of the five permitted housing types identified within General Plan Figure 21.5. Of particular note, 208 of the units will be designated solely for Active Adults (55+Years Old), providing a unique housing type not prevalent in Folsom. Multifamily Low Density (MLD) will also be provided that will accommodate attached single-family residential units and/or attached multi-family residential units, both of which are permitted housing types.

GP POLICY 8.4

All residential development or residential portions of multi-use developments shall contain a minimum of 30% of the land in natural or improved open space, exclusive of roadways and parking lots.

As part of a master planned community, the Folsom Plan Area Specific Plan (FPASP) has provided 30 percent of the land within the Plan Area as natural open space. While not required on a project-specific basis, the Russell Ranch Lots 24 through 32 Subdivision project includes approximately 44.8-acres of natural or improved open space and landscaped areas, which are allocated towards the 1,067-acres of required open space provided within the Folsom Plan Area. It should be noted that the FPASP has provided 30 percent open space as shown on Table 4.1 of the FPASP.

GP POLICY 8.5

Sufficient off-street parking for residents shall be included in the design of all residential projects.

The Russell Ranch Lots 24 through 32 Subdivision project is consistent with this policy in that two off-street parking spaces will be provided for each single-family residential unit, including the units in the Multifamily Low Density (MLD) designation. In addition, 0.8 on-street parking space will be provided for each MLD residential unit, thereby affording additional parking opportunities for residents and guests, thus meeting the parking requirements previously approved by the Russell Ranch Design Guidelines. Parking consistency for multi-family developments within the project area will be evaluated on a case-by-case basis throughout the development review process.

SPECIFIC PLAN CONSISTENCY

SP OBJECTIVE 4.2 (Land Use)

Locate commercial centers, public buildings, parks, and schools within walking distance of residential neighborhoods.

SP OBJECTIVE 4.3 (Land Use)

Provide open space areas for preservation and conservation of natural features, for limited recreational facilities and to provide visual relief.

SP OBJECTIVE 4.4 (Land Use)

Provide required park sites throughout the Plan Area that are linked by sidewalks, bike paths, and trails to promote pedestrian and bicycle usage.

SP OBJECTIVE 4.5 (Land Use)

Provide required school sites within walking distance of residential neighborhoods in the Plan Area to accommodate the needs of future residents.

SP OBJECTIVE 4.6 (Land Use)

Provide a public transit corridor that connects transit-oriented developments of higher density residential uses to commercial, light industrial/office park, and offices uses and offers opportunities for regional transit connections.

SP POLICY 4.1

Create pedestrian-oriented neighborhoods through the use of a grid system of streets where feasible, sidewalks, bike paths and trails. Residential neighborhoods shall be linked, where appropriate, to encourage pedestrian and bicycle travel.

The Russell Ranch Lots 24 through 32 Subdivision project is based on street system that has been designed to provide optimal connectivity between the residential, open space, park, and school land uses within the project area. The roadway network is interlinked by a combination of arterial streets, urban street, collector streets, and residential streets. Biking and walking with the project area is facilitated by a series of Class I bicycle paths, Class II bicycle lanes, street-separated sidewalks, street-attached sidewalks, open space trails, and pathway connections.

The Russell Ranch Lots 24 through 32 Subdivision project has an extensive planned trail system that is linked to and consistent with the overall trail system within the Folsom Plan Area Specific Plan. At the recommendation of the Parks and Recreation Director, additional enhancements and connections have been made to the Folsom Plan Area Specific Plan Master Trail System that will result in better connectivity around the open space areas. Attachment No. 4 shows the proposed Class I trail additions associated with the project and the connections to the resulting Class I Trail System for the entire Folsom Plan Area Specific Plan.

SP POLICY 4.2

Residential neighborhoods shall include neighborhood focal points such as schools, parks, and trails. Neighborhood parks shall be centrally located and easily accessible, where appropriate.

The Russell Ranch Lots 24 through 32 Subdivision project features one private park, one private recreational facility and trails within the open space areas. The private park is located in the center of the Multifamily Residential project and will provide a recreational opportunity for the residents of the project. The private recreational amenity will serve the Active Adult residents in Phases 1, 2, and 4. The project includes a Class I Trail System

that provides connectivity between the open space areas and the surrounding residential development.

SP POLICY 4.3

Residential neighborhoods that are directly adjacent to open space shall provide at least two defined points of pedestrian access into the open space area.

The Russell Ranch Lots 24 through 32 Subdivision project includes pedestrian access points to the open space areas. A Class One trail will connect Crimson Leaf Drive to Silent Grove Drive. Trails bound the edges of all main arterials and connector streets which border the open space.

SP POLICY 4.4

Provide a variety of housing opportunities for residents to participate in the home-ownership market.

The Folsom Plan Area Specific Plan provides home ownership opportunities within the SFHD (Single-Family High Density) and MLD (Multi-Family Low Density) land use designated areas. Residential development in the MLD (Multi-Family Low Density) land use categories may provide rental opportunities; however home ownership may also be accommodated in 'for sale' condos, townhomes, etc. at the time of development of these particular parcels. The applicant proposes to construct for for-sale units on all of the proposed lots. The Russell Ranch Lots 24 through 32 Subdivision project is consistent with this policy in that it will provide home ownership opportunities within the SFHD and MLD –designated parcels.

SP POLICY 4.6

As established by the Folsom Plan Area Specific Plan, the total number of dwelling units for the Plan Area shall not exceed 11,337. The number of units within individual land use parcels may vary, so long as the number of units falls within the allowable density range for a particular land use designation.

There have been a number of Specific Plan Amendments approved by the City Council within the Folsom Plan Area (Attachment 2), which have led to an increase in residentially zoned land and a decrease in commercially zoned land. As a result, the total number of residential units within the Plan Area has increased from 10,210 to 11,337. This proposal will add an additional 124 units. In addition, there has been a significant reduction in the amount of retail commercial land area within the Folsom Plan Area, which has resulted in a decrease of 1,445,710 square feet of commercial building area.

The various Specific Plan Amendment EIRs/Addendums analyzed impacts from the conversion of the commercial lands to residential lands; impacts and associated mitigations measures can be found in the individual project-specific environmental documents. The increase in population was analyzed and can be accommodated in the excess capacity of the school sites provided in the Plan Area. Where additional units/population created justification, park in-lieu fees are required to be paid by individual project(s), as required by the project(s) conditions of approval in order to help fund construction of parks designated in the Folsom Plan Area Specific Plan. In addition,

the conversion of the commercial acreage to residential land uses caused no impact on the overall residential density of the Plan Area.

With the applicant's proposed land use changes, the new residential dwelling unit cap would be 11,461 residential units and the new policy 4.6 language would read as follows:

Policy 4.6:

As established by the FPASP, the total number of dwelling units for the Plan Area is 11,461 and the total commercial square footage is 2,788,844. The number of units within individual residential land use parcels may vary, so long as the number of dwelling units falls within the allowable density range for a particular land use designation. For purposes of CEQA compliance for discretionary projects, the combination of the total maximum number of residential units and commercial square footage analyzed in the Folsom Plan Area Specific Plan Environmental Report/Environmental Impact Statement (SCH#200092051) shall not be exceeded without requiring further CEQA compliance.

With the increase in the number of residential dwelling units, it could be reasonably assumed that there would be increased population, traffic, and water consumption. As stated earlier, the total increase in units for the proposed Russell Ranch Lots 24 through 32 subdivision is 124 additional units.¹ The unit mix is proposed to change to 118 are townhouse units, 63 market rate single-family units, and 208 active adult single-family units. While the market rate single-family units create the typical and expected impacts as have been previously analyzed, the townhouse style units and the Active Adult units do not.

Population

Over the years, the US census has produced a persons per household figure that has been used by the City for a variety of purposes, most importantly the General Plan. At this time, the average persons per household in Folsom is 2.9. Using this number multiplied by the number of new dwelling units constructed each year is how the total population for Folsom is determined in between census years. Of course, 2.9 persons per household includes households with children. The applicant is proposing a project where the households are limited to adults over the age of 55. Therefore, there are no children or young adults living in that portion of the project resulting in no impacts to schools. The resulting persons per household number Active Adult/age restricted dwelling units is somewhere between 1.8 and 2.0 (based upon the research provided for the addendum, which is consistent with the U.S. Census Data). Therefore, the resulting population in the subdivision is less than that if it were a market rate project (see table below).

| | Resulting Population |
|-----------------------|----------------------|
| 208 Active Adult Lots | 416 |
| 208 Market Rate Lots | 603.2 |

¹ The impacts are derived from the increased units, not the total units in the proposed amendments. This is because there are already units approved for all but "Phase 4" of the Russell Ranch project.

Traffic

Given that there are fewer persons in an Active Adult household, there is also a resultant reduction in the average trips per dwelling unit. The accepted Average Daily Trips (ADT) for a single-family unit is 9.5 trips. Staff and the applicant's traffic consultant (Fehr & Peers) have researched the ADT for active adult households and have determined that the number of trips per household should be 4.3. Therefore, the total number of trips for the 208 lots would be 894. If it were a normal, unrestricted subdivision, the total number of trips would be 1976 (see following table).

| | Resulting Trip Generation |
|-----------------------|---------------------------|
| 208 Active Adult Lots | 894 |
| 208 Market Rate Lots | 1,976 |

An analysis was prepared by Fehr & Peers to determine if the proposed project would result in any new impacts that were not previously analyzed with the prior Russell Ranch project approvals (Attachment 23/Appendix A). The proposed project would result in a change to residential land uses and total number of residential units from that approved in the Russell Ranch EIR. The Russell Ranch EIR evaluated traffic impacts from 903 residential dwelling units, of which 789 were detached single-family units and 114 were multi-family units. The proposed project would result in an increase of the total number of dwelling units to 1,027, of which 587 would be detached single-family units (no age restrictions), 208 would be age-restricted detached single-family units, and 232 would be multi-family units. The proposed project would result in a decrease in trip generation by 231 daily trips, 27 AM peak hour trips, and 52 PM peak hour trips, as compared to the plan analyzed within the Russell Ranch EIR. Thus, in all three key time periods (i.e., daily, AM peak hour, and PM peak hour), the proposed project would generate less traffic than the approved Russell Ranch land use plan. Even though the number of proposed units is higher than currently approved units, the shift of unit type from single family to multi-family and to age-restricted results in a decrease in total trips. As a result, no new traffic-related impacts would result from development of the proposed project.

Water

As the Folsom Plan Area has been entitled, the City has been tracking the potable water demand for each proposed project to ensure that the total demand does not go beyond the total allocation for the entire plan area. The Water Supply Agreement (which has been validated by the courts) allocates a total of 5,600-acre feet per year of water to the plan area. For the proposed amendments to the Russell Ranch development plan, the increase is 2 acre feet per year over the amount entitled in 2016 and anticipated to be entitled in the 2015 Russell Ranch Environmental Impact Report.² It should be noted that the total for the plan area is 5499, which is under the cap for the plan area.

In conclusion, the consultant (Ascent Environmental) and staff have reviewed the impacts of the proposed changes to the land uses and their related changes and found either a minimal increase to the impact resulting in a less than significant finding or no negative impacts. See the attached Russell Ranch Addendum for a more detailed discussion of each impact. Technical studies and memoranda supporting the analysis in the Addendum evaluated traffic, biological resources, cultural resources, noise mitigation, water supply/demand, and storm water/drainage.

² This water usage estimate is based on the high range of the population calculation for Active Adults (i.e., 2 persons per household). If the lower estimate is used, there is no increase in water usage.

SP POLICY 4.9

Subdivisions of 200 dwelling units or more not immediately adjacent to a neighborhood or community park are encouraged to develop one or more local parks as needed to provide convenient resident access to children's play areas, picnic areas, and unprogrammed turf areas. If provided, these local parks shall be maintained by a landscape and lighting district or homeowner's association and shall not receive or provide substitute parkland dedication credit for parks required by the FPASP.

At the time that the FPASP was adopted in 2011, the City Council directed that there be fewer but larger parks in the FPASP so that it would be more efficient for the City to program and maintain these parks (as opposed to smaller parks dispersed throughout the Plan Area). To that end, the FPASP was approved with two (2) large community parks approximately 20-50 acres in size that have a general service radius of 1.0 mile (Community Park West and Community Park East). Additionally, five (5) joint-use neighborhood parks were provided which are approximately 7-10 acres in size and have a service radius of 0.5 miles. The Russell Ranch Lots 24 through 32 Subdivision project does not include any of the planned public parks. However, it does include two private recreation areas for use by their residents and it does not prevent the construction of parks elsewhere in the plan area.

SP POLICY 4.15

Thirty percent (30%) of the Plan Area shall be preserved and maintained as natural open space, consistent with Section 7.08C of the Folsom City Charter.

As noted in Table 1-1 of the Addendum (and replicated at Page No. 4 of this staff report, the proposed entitlements do not change the overall development footprint and there is no reduction in open space. The Folsom Plan Area Specific Plan (FPASP) provides one of the largest natural open space areas in the Sacramento Region with over 1,067-acres of planned open space, which equates to approximately 30.3% of the overall Plan Area. The FPASP open space plan exemplifies the SACOG Smart Growth Principals not only in protecting and preserving natural resources in the Plan Area, but also ensuring that these resources can be used to provide outdoor recreational and educational opportunities for Plan Area residents. The FPASP open space plan preserves wetlands, Alder Creek and its tributaries, oak woodlands, and cultural features for the use and benefit of all Folsom residents. The FPASP includes two distinct open space designations within the open space land use designation. The first designation, preserve open space (SP-OS1), is more restrictive of the two and is intended to preserve and protect wetlands, vernal pools, ponds, and creeks. The second designation, passive open space (SP-OS2), is less restrictive than the first and is intended to provide passive recreational uses including walking, hiking, and bicycling on designated paved and unpaved trails. The Russell Ranch Lots 24 through 32 Subdivision project which includes 44.8-acres of open space area (combination of preserve and passive), is consistent with the FPASP in that the open space areas are located in the appropriate locations as identified on the FPASP Open Space Plan.

SP POLICY 4.22

Land shall be reserved for schools are required by the City of Folsom and the Folsom-Cordova Unified School District in accordance with state law. School sites shall be in the general locations shown in Figure 4.1 of the FPASP.

Based on the current FPASP build-out of approximately 11,337 residential units, the Folsom-Cordova School District has determined that the Plan Area will create the demand for five elementary schools, one middle school, and one high school. The elementary school sites are equally distributed throughout the Plan Area, while the middle/high school is located in the south-central portion of the Plan Area. The first elementary school (Elementary School No. 1), which is located on the west side of Empire Ranch Road across from the project site, is projected to be constructed in 2020. With the proposed changes to the FPASP by the subject application, the Folsom-Cordova School District has found no need to increase the number of planned schools, particularly because approximately half (208 age-restricted units) of the proposed units (389 total units) will not house children.

With the passage of Measure M in March of 2007, the Folsom-Cordova Unified School District created its third School Facilities Improvement District (SFID 3) which encompasses District areas south of U.S. Highway 50 including the Plan Area. The State of California (Government Code Section 65995) establishes the maximum fee that a school district can impose on residential development or construction to address the impacts associated with an increase in student population. In the specific case of the Folsom Cordova Unified School District, the established residential impact fee is approximately \$6.24 per square foot. The District has determined that the Active Adult units will be charged the commercial rate (\$0.56 per square foot). Under state law, the City is prohibited from denying or refusing to approve a residential subdivision based on the adequacy of the existing school facilities as long as the developer agrees to pay the required school impact fees (Government Code Section 65995). The District receives a benefit from this proposed change because although a school impact fee is paid, there will be no children living in this portion of the Russell Ranch project area.

GP and SP OBJECTIVE H-1 (Housing)

To provide an adequate supply of suitable sites for the development of a range of housing types to meet the housing needs of all segments of the population.

GP and SP POLICY H-1.1

The City shall ensure that sufficient land is designated and zoned in a range of residential densities to accommodate the City's regional share of housing.

The City provides residential lands at a variety of residential densities as specified in the General Plan and in the Folsom Municipal Code. The Folsom Plan Area Specific Plan includes specialized zoning (Specific Plan Designations) that are customized to the Plan Area as adopted in 2011 and as Amended over time. The FPASP provides residential lands at densities ranging from 1-4 dwelling unit per acre (SF), 4-7 dwelling units per acre (SFHD), 7-12 dwelling units per acre (MLD), 12-20 dwelling units per acre (MMD), 20-30 dwelling units per acre (MHD), and 9-30 dwelling units per acre (MU). The Russell Ranch Lots 24 through 32 project includes four SFHD designated parcels developed at a density of 4.6 to 6.4 dwelling units per acre, and one MLD designated parcel developed at a density of 9.5 dwelling units per acre. The aforementioned densities are consistent with the residential densities established by the FPASP. Attachment 2 includes a bar chart that shows the Tentative Subdivision Maps that have been approved in the Folsom Plan Area to date with specific unit counts.

SP OBJECTIVE 7.1 (Circulation)

Consistent with the California Complete Streets Act of 2008 and the Sustainable Communities and Climate Protection Act (SB 375), create a safe and efficient circulation system for all modes of travel.

SP POLICY 7.1

The roadway network in the Plan Area shall be organized in a grid like pattern of streets and blocks, except where topography and natural features make it infeasible, for the majority of the Plan Area in order to create neighborhoods that encourage walking, biking, public transit, and other alternative modes of transportation.

Consistent with the requirements of the California Complete Streets Act, the FPASP identified and planned for hierarchy of connect “complete streets” to ensure that pedestrian, bike, bus, and automobile modes of travel are designed to have direct and continuous connections throughout the Plan Area. Every option, from regional connector roadways to arterial and local streets, has been carefully planned and designed. Recent California legislation to reduce greenhouse gas emissions (AB 32 and SB 375) has resulted in an increased market demand for public transit and housing located closer to service needs and employment centers. In response to these changes, the FPASP includes a regional transit corridor that will provide public transportation links between the major commercial, public, and multi-family residential land uses in the Plan Area. As shown in the various exhibits attached to this staff report, the Russell Ranch Lots 24 through 32 Subdivision project has been designed with multiple modes of transportation options consistent with the approved FPASP circulation plan.

As noted in the project description, the applicant is requesting approval of a General Plan Amendment to re-designate and reorganize land uses within the project site. The primary driving force behind the applicant’s General Plan request is the opportunity to provide a greater diversity of housing types within the community. Based on substantial market research, the applicant identified unmet market segments within the Plan Area and the City as a whole including: (1) future homebuyers that at 55 and older, desiring to live in an age-restricted community (“Active-Adult”) and (2) first-time and first move-up homebuyers that prefer, or are more likely to qualify for the purchase of higher density townhome-style product. To address these housing needs, the applicant is proposing to provide 208 age-restricted single-family residential units within Villages 1, 2, and 4 and 118 multi-family townhome units within Village 5.

In evaluating the applicant’s proposal, staff took into consideration the existing housing market within the City and associated demographic trends relative to senior living opportunities. The City currently consists of approximately 27,000 dwelling units comprised of a combination of single family homes, condominiums, apartments, mobile homes, assisted living units, and skilled nursing units. Of the existing 27,000 dwelling units, a total of 1,103 units (3.6%) are dedicated to senior residents including 524 senior apartments (1.9%), 330 assisted living units (1.2%), 150 age-restricted single-family units (0.5%), and 99 skilled nursing units (0.4%). Taking into account the most recently-approved assisted living projects (Countyhouse at Broadstone-45 units and Iron Point Retirement Community-126 units); the number of senior living units within the City would potentially increase from 1,103 units to 1,274 (4.7% of total housing stock). However, of those units, only a small percentage (0.5%) are age-restricted single-family residential units focused towards active adult living.

Utilizing the most recent information from the United States Census Bureau (2010), the City has 72,203 residents, 14,295 (19.8%) of which are over the age of 55. Between the years 2000 and 2010, the number of residents over the age of 55 in Folsom increased from 8,097 (15.6% of population) to 14,295 (19.8% of population), which translates to an increase of 4.2% over a ten year period. As a point of comparison, the number of residents over the age of 55 in Sacramento County increased from 230,536 (18.8%) in 2000 to 314,188 (22.1%) in 2010. Based on the aforementioned demographic information, it is apparent that the number of senior-aged residents within the City is increasing on a consistent basis, thus the need for senior housing opportunities including age-restrictive active adult communities will continue to grow in the future. As a result, staff supports the proposed General Plan Amendment because it provides an opportunity to diversify the housing types in the City, thus meeting the housing needs of existing and future residents.

MEASURE W

In 2004, the City of Folsom electorate voted in favor of Measure W, which was an amendment to the City Charter regarding local control of the Folsom Plan Area south of U.S. Highway 50. Measure W included seven major components including: water supply, transportation, open space, schools, development plan, public notice, and implementation. The Folsom Plan Area Specific Plan complied with each of the aforementioned components through the provision of at least 30% open space, adoption of a transportation infrastructure funding and phasing plan, identification and securing of a water source, submission of a funding and construction plan for school facilities to the FCUSD, adoption of a General Plan Amendment for the Plan Area, conducting a comprehensive series of public meetings and hearings, and adoption of the required documents (including CEQA) to approve the FPASP. The Russell Ranch Lots 24 through 32 Subdivision project is consistent with the FPASP in that the proposed land use amendments have been analyzed for potential negative impacts and none have been found. Therefore, the proposed project in compliance with the requirements of Measure W.

LAND USE COMPATIBILITY

As noted earlier within this report, the 135.1-acre project site is located within the Folsom Plan Area and is generally located south of the Folsom Heights subdivision, north of White Rock Road, generally east of Empire Ranch Road, and west of the Folsom/El Dorado County limit line. The project site is currently surrounded by vacant and undeveloped property. However, as shown on the approved FPASP Land Use Plan and Zoning Diagram (FPASP, Figure 4.1), the project site will eventually be surrounded by residentially-focused development with the exception of the southern boundaries, where agricultural development will likely continue. The proposed project, which is residential in nature, includes a mixture of 389 residential units. Given that the project meets all of the policies and regulations contained of the FPASP, staff has determined that the project is compatible with future planned land uses.

LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP

On May 12, 2015, the City Council approved a Large-Lot Vesting Tentative Subdivision Map to subdivision the overall Russell Ranch project site into 33 large-lot parcels. On September 12, 2017, the City Council approved the Large-Lot Final Map for the aforementioned Russell Ranch project. The applicant is now requesting approval of a Large-Lot Vesting Tentative Subdivision Map (LLVTSM) for the Russell Ranch Lots 24-32 Subdivision project. The LLVTSM creates 15 new parcels out of the 9 previously recorded parcels (9 of the 33 parcels recorded are located within the subject project boundary). Of the new parcels, 6 will be further developed, 5 with

residential projects and 1 as a private recreation project. The remaining parcels will be either open space or future right of way for the Connector.

The purpose of the Large-Lot Vesting Tentative Subdivision Map is to facilitate the development of the parcel into smaller subdivisions. In and of itself, the LLVTSM does not permit any development of any of the parcels it creates. It does, however, create the necessary easements to allow for roads and utilities to be built if someone purchases a Small Lot Tentative Subdivision Map and needs to construct on another portion of the property. No phasing is permitted for the LLVTSM.

PROJECT PHASING

The Russell Ranch Lots 24 through 32 Subdivision project is proposed to be developed in five (5) phases (Attachment 16). Phase 1 includes development of 33 residential units (Village 1), various street and street intersection improvements, a portion of Silent Grove Drive, and the Emergency Vehicle Access (EVA) off of the north end of Parkland Court), street frontage improvements, hydromodification basins on lot E, sewer system improvements, water system improvements, and other related infrastructure. Phase 2 includes development of 76 residential units (Villages 2A and 2B), various street and intersection improvements (Empire Ranch Road, Silent Grove Drive, Crimson Leaf Drive and the EVA off of the southern end of Garden Terrace Court), trail system grading in Lot D and, sewer system improvements, water system improvements, and other related infrastructure. Phase 3 includes development of 63 residential units (Villages 3A and 3B), various street and intersection improvements ((Empire Ranch Road, Rosie Terrace Drive, and an EVA through Village 5), sewer system improvements, water system improvements, and other related infrastructure. Phase 4 includes development of 96 residential units (Villages 4A and 4B), various street and intersection improvements (Empire Ranch Road, Silent Grove Drive, Crimson Leaf Drive and the EVA off of the southern end of Garden Terrace Court, Parkland Court and the Emergency Vehicle Access (EVA) off of the north end of Parkland Court) and, sewer system improvements, water system improvements, and other related infrastructure. Phase 5 includes development of 118 residential units (Village 5), various street and intersection improvements ((Empire Ranch Road, Rosie Terrace Drive, and an EVA through Village 5), sewer system improvements, water system improvements, and other related infrastructure.

SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP

The applicant is also requesting approval a Small-Lot Vesting Tentative Subdivision Map to create 389 residential lots. Of the 389 lots, 118 are proposed to be a gated attached townhome project (Village 5). These lots are proposed to be "Fee Simple" which means a homeowner will own the interior and exterior of the home, and the land beneath including the land in front and behind home. In contrast to a condominium, in which the homeowner would own the interior of a home, but collectively, all unit owners within a condominium development own all the structures and land outside of the individual units. For example, groups of ten units will share a common driveway, which is served by a loop road, which accesses Phase 3 to the north and west via Trumpet Vine Drive. In the center of the loop road is a private park for the residents of the subdivision. This would be the second owner-occupied multi-family residential project in the overall Russell Ranch project. The other multi-family project is located on the west side of Empire Ranch Road within Phase 1, which is approximately .5 miles to the northwest.

All streets within the gated portions of the subdivision will be private streets, and will be owned and maintained by a homeowners association. The gate system is designed to allow vehicles to turn around in front of it if necessary without having to back out onto the street. Staff is recommending a condition requiring pedestrian access gates on each side of the vehicle gate where sidewalks occur.

The proposed project is divided into five separate villages. Villages 1, 2, and 4 include 208 single-family residential lots which are proposed to be sold as age restricted units (persons 55 years and older). All 3 villages will have direct access to Empire Ranch Road and emergency access to Crimson Leaf Drive. The entrance to the project has been designed to potentially include a gate if the applicant chooses to construct the development with private streets. Whether the streets are public or private, the city's minimum standards have been met. Village 3 consists of 63 single-family residential lots. These lots are traditional market rate single family residential with no restrictions. Ultimately, this portion of the subdivision will connect to Empire Ranch Road on the east side, and to the adjoining subdivision in Gragg Ranch on the west side.

DESIGN GUIDELINES

The applicant proposes to amend the approved version of the Russell Ranch and Broadstone Estates Design Guidelines document (Attachment 18). Specifically, the amendments address the the designs of the Active Adult community, the community center, and the townhomes projects. These guidelines are meant to connect the design direction for the multifamily residential projects back to the architecture approved for the single-family projects. It should be noted that all development is required to apply for and receive approval of a Design Review entitlement from the City of Folsom prior to issuance of building permits.

DEVELOPMENT AGREEMENT

The proposed Amendment No. 2 to the First and Amended and Restated Development Agreement ("ARDA") will extend the provisions of the original ARDA to Lots 24-32, consistent with other subdivisions that have been approved for the Folsom South Specific Plan Area. A map depicting the approved small lot maps and associated land use designations and density for the 2016 Entitlements and the proposed small lot maps and associated land use designations and density for Lots 24-32 are attached as Exhibit B-2 and Exhibit B-3 to this proposed agreement, which is Attachment 20.

The City Council imposed new conditions on ARDA's and maps beginning in 2016 to address site locations for the future re-located City Corporation Yard and the future location of the middle school and high school sites south of the freeway. The applicant has agreed to these new conditions and Amendment No. 2 makes those conditions applicable to Lots 24-32. This is, again, consistent with all other ARDA and map amendments approved in 2016 and forward. The revised location for the high school/middle school has recently been approved by the City Council.

The City Council has adopted changes to the Inclusionary Housing Ordinance to eliminate the option for "granny flats." The applicant has agreed to accept this amendment to the Inclusionary Housing Ordinance and this agreement is incorporated into Amendment No. 2. Also related to affordable housing, new state law (Government Code section 65850(g)) allows for an inclusionary housing requirement in rental housing if a City adopts an ordinance to implement this requirement. Folsom has not yet adopted such an ordinance, Amendment No. 2 would allow for this option. The applicant is not currently proposing rental housing in Lots 24-32 and the language negotiated between the applicant and the City would only apply if there is a future residential rental project proposed within the applicant's property and the City Council adopted the appropriate implementing ordinance.

The proposed amendment to the ARDA also incorporates a new provision related to the Capital Southeast Connector. This landowner previously negotiated a Right of Way Agreement (Attachment 21) with the Capital Southeast Connector JPA, which governs the land to be reserved and/or dedicated for that regional improvement. The provisions of that agreement are controlling

and proposed Amendment No. 2 includes the reference to that agreement. The aforementioned Agreement is currently being renegotiated with the Capital Southeast Connector JPA.

ENVIRONMENTAL REVIEW

Altered conditions, changes, or additions to the description of a project that occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish three mechanisms to address these changes: a subsequent EIR, a Supplement to an EIR, and an addendum. Staff has prepared an Addendum that analyzes the proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significant new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. The complete analysis is included in the attached documentation. Technical documentation that supports the conclusions in the Addendum is included in a CD that is attached to the Addendum, or otherwise available from the City on-line at www.folsom.ca.us.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ADDENDUM TO RUSSELL RANCH EIR AND THE FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN AMENDMENT FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENT NO. 6 FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENTS 7 THROUGH 19 FOR THE RUSSELL RANCH SUBDIVISION LOTS 24 THROUGH 32 PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE RUSSELL RANCH DESIGN GUIDELINES AMENDMENT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AMENDMENT NO. 2 TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FOLSOM AND THE NEW HOME COMPANY WITH THE FOLLOWING FINDINGS AND CONDITIONS (LARGE-LOT VTSM NOS. 1-14 AND SMALL-LOT VTSM NOS. 1-124).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY LAW.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE FOLSOM PLAN AREA SPECIFIC PLAN AS AMENDED BY THE RUSSELL RANCH LOTS 24-32 SUBDIVISION GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT.

CEQA FINDINGS

- C. A FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR THE FOLSOM PLAN AREA SPECIFIC PLAN WAS CERTIFIED BY THE CITY ON JUNE 14, 2011, AND THE ENVIRONMENTAL IMPACT REPORT FOR THE RUSSELL RANCH PROJECT WAS CERTIFIED BY THE CITY ON MAY 15, 2015 IN ACCORDANCE WITH CEQA.
- D. NONE OF THE EVENTS IN SECTION 15162 OR 15163 OF THE CEQA GUIDELINES EXISTS WHICH WARRANTS THE PREPARATION OF A SUBSEQUENT EIR OR SUPPLEMENTAL EIR FOR THE PROJECT.

GENERAL PLAN AMENDMENT FINDINGS

- E. THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE GOALS, POLICIES AND OBJECTIVES OF THE CITY OF FOLSOM GENERAL PLAN.
- F. THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE OBJECTIVES OF THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN AND DEVELOPMENT POLICIES.

FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FINDING

- G. THE PROPOSED AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN IS CONSISTENT WITH THE CITY'S GENERAL PLAN (AS AMENDED).

DEVELOPMENT AGREEMENT AMENDMENT FINDINGS

- H. THE PROPOSED AMENDMENT NO. 2 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT IS CONSISTENT WITH THE OBJECTIVES, POLICIES, GENERAL LAND USES AND PROGRAMS SPECIFIED IN THE CITY GENERAL PLAN (AS AMENDED) AND THE FOLSOM PLAN AREA SPECIFIC PLAN (AS AMENDED);
- I. THE PROPOSED AMENDMENT NO. 2 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT IS IN CONFORMITY WITH PUBLIC CONVENIENCE, GENERAL WELFARE, AND GOOD LAND USE PRACTICES;
- J. THE PROPOSED AMENDMENT NO. 2 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF PERSONS RESIDING IN THE IMMEDIATE AREA, NOR BE DETRIMENTAL OR INJURIOUS TO PROPERTY OR PERSONS IN THE GENERAL NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE RESIDENTS OF THE CITY AS A WHOLE;
- K. THE PROPOSED AMENDMENT NO. 2 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT WILL NOT ADVERSELY AFFECT THE ORDERLY DEVELOPMENT OF PROPERTY OR THE PRESERVATION OF PROPERTY VALUES;
- L. THE PROPOSED AMENDMENT NO. 2 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT IS CONSISTENT WITH THE PROVISIONS OF GOVERNMENT CODE SECTIONS 65864 THROUGH 65869.5.

TENTATIVE SUBDIVISION MAP FINDINGS

- M. THE PROPOSED LARGE-LOT VESTING AND SMALL-LOT VESTING TENTATIVE SUBDIVISION MAPS ARE CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- N. THE PROPOSED SUBDIVISION, TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN (AS AMENDED), THE FOLSOM PLAN AREA SPECIFIC PLAN (AS AMENDED), AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- O. THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.
- P. THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF THE DEVELOPMENT.

- Q. AS CONDITIONED, THE DESIGN OF THE LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP AND SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURY FISH OR WILDLIFE OR THEIR HABITAT.
- R. THE DESIGN OF THE LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP AND SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.
- S. THE DESIGN OF THE LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.
- T. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).

Respectfully,



PAM JOHNS
Community Development Director

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|-----------------------------|--|---------------|------------------------|
| GENERAL REQUIREMENTS | | | |
| 1. | <p>90 Day Protest Period The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.</p> <p>The applicant is hereby notified that the 90 day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code Section 66020, the applicant will be legally barred from later challenging such exactions.</p> | M | CD (E)(P) |
| 2. | <p>Large-Lot Vesting Tentative Subdivision Map The applicant shall submit a Large-Lot Vesting Tentative Subdivision Map to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ul style="list-style-type: none"> • Large-Lot Vesting Tentative Subdivision Map, dated January 4, 2018 | M | CD (E)(P) |
| 3. | <p>Development Rights The approval of this Large-Lot Vesting Tentative Subdivision Map does not convey any right to develop. Processing and approval of a Small-Lot Final Map and/or Planned Development Permit applications shall be required prior to construction or development of any of the parcels created by this Large-Lot Vesting Tentative Subdivision Map. As a condition of a Small-Lot Vesting Tentative Subdivision Map, the City shall identify improvements necessary to develop the subject parcels. These improvements may include on and off-site roadways, water, sewer, storm drainage, landscaping, sound-walls, and other similar improvements.</p> | M | CD (E)(P) |

| CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288) WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP | | | |
|--|---|---------------|-----------------------------------|
| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
| 4. | <p>Indemnity The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p> | OG | CD (P)(E)(B) PW, PR, FD, PD |
| 5. | <p>Street Names The street names identified below shall be used for the Final Large-Lot Map: Empire Ranch Road, White Rock Road, Crimson Leaf (to be changed to Folsom Heights), Silent Grove.</p> | M | CD (E)(P) |
| 6. | <p>Public Right of Way Dedication As provided for in the Tier 1 Amended and Restated Development Agreement and the Second Amendment thereto, the owner/applicant shall dedicate all necessary public rights-of way (Empire Ranch Road, Crimson Leaf (to be changed to Folsom Heights), and Silent Grove) and corresponding public utility easements such that public access is provided to each and every lot as shown on the Large-Lot Vesting Tentative Subdivision Map.</p> | M | CD (E)(P) |
| 7. | <p>FMC Compliance The Final Large-Lot Map shall comply with the Folsom Municipal Code and the Subdivision Map Act.</p> | M | CD (E) |

| CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288) WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP | | | |
|--|--|---------------|------------------------|
| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
| 8. | <p>Single Phase The Final Large-Lot Map shall be recorded in one phase.</p> | M | CD(E) |
| 9. | <p>White Rock Road Widening Dedication The owner/applicant shall grant to the City in fee Lot 15 as shown on the Large-Lot Vesting Tentative Subdivision Map (subject to the JPA Connector Right-of-Way Agreement, dated February 11, 2016 as may be amended) to accommodate the future widening and alignment of White Road Road (JPA Connector/Green Alignment). In accordance with the same JPA Connector Right-of-Way Agreement noted herein, the owner/applicant shall dedicate Lot 13 and Lot 14 to the City in fee title for the future White Rock Road JPA Connector/Empire Ranch Road Interchange subject to compensation provided by the JPA Connector.</p> | M | CD (E), PW |
| DEVELOPMENT COSTS AND FEE REQUIREMENTS | | | |
| 10. | <p>Development Taxes and Fees The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and the Amended and Restated Development Agreement.</p> | M | CD (P)(E) |
| 11. | <p>Assessments If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p> | M | CD (E) |
| 12. | <p>Consultants If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the building plans, improvement plans, or beginning inspection, whichever is applicable.</p> | M | CD (P)(E) |

| CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288) WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP | | | | |
|--|--------------------|---|---------------|------------------------|
| | Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
| 13. | | <p>Outside Legal Counsel The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p> | M | CD (P)(E) |
| 14. | | <p>Validity The approval of the Large-Lot Vesting Tentative Subdivision Map shall be valid for a minimum term equal to the remaining term of the Development Agreement for the project, or for a period of sixty months, whichever is longer, but in no event for a shorter period than the maximum period of time permitted by the Subdivision Map Act.</p> | M | CD(E) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--|---------------|------------------------|
| 1. | <p>Final Development Plans The owner/applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. Vicinity Map 2. FPASP Development Activity Bar Chart, dated January 17, 2018 3. General Plan Amendment Exhibit, dated January 26, 2018 4. Trail System Modification Exhibit, dated January 26, 2018 5. Specific Plan Amendment Exhibit, dated January 26, 2018 6. Large-Lot Vesting Tentative Subdivision Map, dated January 4, 2018 7. Small-Lot Vesting Tentative Subdivision Map, dated January 24, 2018 8. Preliminary Grading Plan dated January 24, 2018 9. Preliminary Utility Plan dated January 24, 2018 10. Village 5 Small-Lot Vesting Tentative Subdivision Map, dated January 24, 2018 11. Village 5 Preliminary Grading Plan, dated January 24, 2018 12. Village 5 Preliminary Utility Plan, dated January 24, 2018 13. Initial Design for Empire Ranch Road/White Rock Road Interchange, dated January 24, 2018 14. Phase 1 of the Capital Southeast Connector, dated January 24, 2018 15. White Rock Road (Future Capital Southeast Connector), dated January 24, 2018 16. Conceptual Phasing Plan, dated January 29, 2018 17. On-Site and Off-Site Infrastructure Phasing Plan, dated January 29, 2018 18. Measure W Open Space Exhibit, dated January 26, 2018 19. Russell Ranch Design Guidelines Addendum, dated December 2017 <p>The Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map and Design Guidelines Amendment (Russell Ranch Lots 24 through 32 Subdivision) are approved for the development of a 389-unit residential project Implementation of the project shall be consistent with the above referenced items and these conditions of approval.</p> | G, I, M, B | CD (P)(E) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--------------------------------|---------------|------------------------|
|--------------------|--------------------------------|---------------|------------------------|

| | | | |
|----|--|---------|--------------|
| 2. | <p>Mitigation Monitoring and Reporting Program The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Russell Ranch Lots 24-32 Subdivision Addendum prepared for this project have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. The project is subject to all applicable mitigation measures identified in the Folsom Plan Area EIR/EIS, the Russell Ranch EIR, and the Russell Ranch Lots 24-32 Addendum.</p> | G, I | CD (P) |
| 3. | <p>Plan Submittal All civil engineering, improvement, and landscape and irrigation plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p> | G, I, M | CD (P)(E)(B) |
| 4. | <p>Validity This approval of the Small-Lot Vesting Tentative Subdivision Map shall be valid for a period of sixty months pursuant to Section 16.16.110A of the Folsom Municipal Code and the Subdivision Map Act. The term of the approved Inclusionary Housing Plan shall track the term of the Small-Lot Vesting Tentative Subdivision Map, as may be extended from time to time pursuant to Section 16.16.110.A and 16.16.120 of the Folsom Municipal Code and the Subdivision Map Act. The term of the Project Design Guidelines shall track the term of the Second Amended and Restated Tier 1 Development Agreement.</p> | O, G | CD (P) |
| 5. | <p>Street Names The street names identified below shall be used for the Final Small-Lot Map: Empire Ranch Road, Elm Trail, Rosie Terrace, Highgate Terrace, Parasol, Garden Terrace, Hillgrass, Amaro, Harvest Gate, Crimson Leaf (to be changed to Folsom Heights), Silent Grove, Vidalia, Sky Gardens, Climbing Vine, Via Rancho, Pleasant Hill, Coneflower, Via Verona, Parkland.</p> | M | CD (E)(P) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--|---------------|-----------------------------------|
| 6. | <p>Indemnity for City The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p> | OG | CD (P)(E)(B) PW, PR, FD, PD |
| 7. | <p>Small-Lot Vesting Tentative Subdivision Map The Small-Lot Vesting Tentative Subdivision map is expressly conditioned upon compliance with all environmental mitigation measures in the Folsom Plan Area Specific Plan (FEIR/EIS), the Russell Ranch FEIR, and the Russell Ranch Lots 24 through 32 Subdivision Addendum.</p> | OG | CD |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|---|---------------|------------------------|
| 8. | <p>ARDA and Amendments The owner/applicant shall comply with all provisions of Amendment No. 1 to the Tier 1 Amended and Restated Development Agreement and the Second Amendment thereto, and any approved amendments by and between the City and the owner/applicant of the project.</p> | G, I, M, B | CD (E) |
| 9. | <p>Homeowners Association The owner/applicant shall form one or more Homeowners Associations for the ownership and maintenance of all private streets including the private street storm drainage systems, sewer and water lines within the I Courts in Village 5, and landscaped open spaces and common areas on hillsides, etc. (Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B). The Homeowners Association shall also be responsible for monitoring and ensuring maintenance of the landscaping within the open.</p> <p>The property owners of all created lots within Phases 1, 2 and 4 shall be age restricted communities limited to buyers who are 55 years of age or older as is permitted by law.</p> <p>In addition, CC&R's shall be prepared by the owner/applicant and shall be subject to review and approval by the Community Development Department for compliance with this approval and with the Folsom Municipal Code and adopted policies, prior to the recordation of the Final Map.</p> <p>The owner/applicant shall propose a funding mechanism (including but not limited to Homeowner's Association or a Project Maintenance Community Facilities District) subject to the approval of the Community Development Department of the non-Measure W landscaped open spaces.</p> | M | CD (P), PW |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--------------------------------|---------------|------------------------|
|--------------------|--------------------------------|---------------|------------------------|

| POLICE/SECURITY REQUIREMENT | | | |
|------------------------------------|--|---------|----|
| 10. | <p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be considered:</p> <ul style="list-style-type: none"> • A security guard on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. • Security measures for the safety of all construction equipment and unit appliances. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. | G, I, B | PD |

| DEVELOPMENT COSTS AND FEE REQUIREMENTS | | | |
|---|---|----|-----------|
| 11. | <p>Taxes and Fees The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and Amendment No. 1 to the Tier 1 Amended and Restated Development Agreement.</p> | OG | CD (P)(E) |
| 12. | <p>Assessments If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p> | OG | CD (E) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--|---------------|------------------------|
| 13. | <p><i>FPASP Development Impact Fees</i> The owner/applicant shall be subject to all Folsom Plan Area Specific Plan Area development impact fees in place at the time of approval or subsequently adopted consistent with the Public Facilities Financing Plan (PFFP), Development Agreement and amendments thereto, unless exempt by previous agreement. The owner/applicant shall be subject to all applicable Folsom Plan Area plan-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, the Folsom Plan Area Specific Plan Fee, Specific Plan Infrastructure Fee (SPIF), Solid Waste Fee, Corporation Yard Fee, Transportation Management Fee, Transit Fee, Highway 50 Interchange Fee, General Park Equipment Fee, Housing Trust Fee, etc.</p> <p>Any protest to such for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (February 27, 2018), or otherwise shall be governed by the terms of Amendment No. 1 to ARDA. The fees shall be calculated at the fee rate set forth in the PFFP and the ARDA.</p> | B | CD (P), PW, PK |
| 14. | <p><i>Legal Counsel</i> The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p> | OG | CD (P)(E) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|------------------------------------|--|---------------|------------------------|
| 15. | <p>Consultant Services If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.</p> | G, I, M, B | CD (P)(E) |
| GRADING PERMIT REQUIREMENTS | | | |
| 16. | <p>Phasing Plan The owner/applicant shall prepare a complete and comprehensive phasing plan and shall submit the phasing plan to the City for each proposed phase of development. The phasing plan shall include all required infrastructure for each proposed phase of development. The infrastructure shall include all required on-site and off-site improvements, but not limited to, water system improvements (distribution and transmission mains, booster pump stations, water reservoirs, PRV stations, etc.), recycled water mains and associated infrastructure, sanitary sewer improvements (sewer mains, lift stations, forced mains, etc.) roadway and transportation improvements, storm drainage improvements (detention/water quality basins, outfalls, etc.) and all other necessary improvements required for each phase of development. The phasing plan shall include itemized cost estimates for all required improvements and the phasing plan shall be reviewed and approved by the City prior to approval of grading and/or improvements plans.</p> <p>The City Engineer may condition the phasing to ensure that each phase functions independently and is consistent with the minimum utility and access standards of the City. All maps filed in phases will be required to have two points of access for vehicle access (except as approved by the Fire Department) and/or general traffic purposes for each phase and all off-site utilities deemed necessary as determined by the City Engineer.</p> | G, I, M | CD (E), EWR, PW, FD |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| | Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|-----|--------------------|--|---------------|------------------------|
| 17. | | <p><i>Off-site improvements/Rights of Entry</i> For any improvements constructed on private property that are not under the ownership or control of the owner/applicant, all rights-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City. All rights of entry, construction easements, either permanent or temporary and other easements shall be obtained as set forth in Amendment No. 1 to ARDA, which shall be fully executed by all affected parties and shall be recorded with the Sacramento County Recorder, where applicable, prior to approval of grading and/or improvement plans.</p> <p><i>Grading in Utility Easement</i> The owner/applicant shall obtain a consent agreement, letter of waiver and/or an encroachment permit from Pacific Gas & Electric, SMUD, WAPA, etc. for any proposed grading and/or construction in any existing tower line and/or underground facility easement. The owner/applicant shall provide the approved consent agreement, letter of waiver and/or encroachment permit to the City prior to approval of any grading and/or improvement plans.</p> | G | CD (E) |
| 18. | | <p><i>Grading in Utility Easement</i> The owner/applicant shall obtain a consent agreement, letter of waiver and/or an encroachment permit from Pacific Gas & Electric, SMUD, WAPA, etc. for any proposed grading and/or construction in any existing tower line and/or underground facility easement. The owner/applicant shall provide the approved consent agreement, letter of waiver and/or encroachment permit to the City prior to approval of any grading and/or improvement plans.</p> | G | CD (E) |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|---|---------------|------------------------|
| 19. | <p>Mine Shaft Remediation The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels, and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling, or removal of each that meet all applicable health, safety and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City prior to approval of grading plans.</p> | G | CD (E) |
| 20. | <p>Prepare Traffic Control Plan. Prior to construction, a Traffic Control Plan for roadways and intersections affected by construction shall be prepared. 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 and any other local agencies, including but not limited to the City, if applicable. The Traffic Control Plan to be prepared by the project 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. • 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). • 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. • A phone number and community contact for inquiries about the schedule of the construction 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. | G | CD (E) |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------------------------|--|---------------|------------------------|
| 21. | <p>State and Federal Permits The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review prior to approval of any grading or improvement plan.</p> | G, I | CD (P)(E) |
| 22. | <p>Animal Barrier To discourage the migration of undesirable small animals (including snakes) into adjacent developed properties during the development of the project, the owner/applicant shall install a barrier along all areas adjacent to developed residential properties and parks to the satisfaction of the Community Development Department and consistent with a qualified biologist's recommendations. In general, the barrier may consist of wire-mesh fabric with openings not exceeding ½-inch width. The height of the barrier shall be at least 18 inches (above the ground surface), and may be buried into the ground at least twelve inches. The barrier shall be supported with metal stakes at no more than 10-foot spacing. The barrier shall be installed by the owner/applicant, as approved by the Community Development Department and a qualified biologist, prior to any construction disturbance on the site, including clearing and grading operations.</p> | G | CD (E)(P) |
| 23. | <p>Landslide /Slope Failure The owner/applicant shall retain an appropriately licensed engineer during the grading activities to identify existing landslides and potential slope failure hazards. The said engineer shall be notified a minimum of two days prior to any site clearing or grading to facilitate meetings with the grading contractor in the field.</p> | G | CD (E) PW |
| IMPROVEMENT PLAN REQUIREMENTS | | | |
| 24. | <p>Improvement Plans The improvement plans for the required public and private subdivision improvements necessary to serve any and all phases of development shall be reviewed and approved by the Community Development Department prior to approval of a Final Map.</p> | M | CD (E) |
| 25. | <p>The owner/applicant shall include all record information for rights of entry, easements, temporary and permanent construction easements, slope easements, etc. for all proposed improvements on adjoining properties not owned by the owner/applicant and impacted by the owner/applicants improvements. The record information and the recorded boundaries of all work on adjoining properties shall be included on all grading and/or improvement plans prior to plan approval.</p> | G, I | CD (E) |

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| 26. | <p>Improvements in the PFFP The owner/applicant shall be subject to all thresholds, timelines and deadlines for the construction and final completion of various improvements for the entire Folsom Plan Area. The various improvements are outlined and detailed in the Folsom Plan Area Specific Plan Public Facilities Financing Plan (PFFP) dated January 28, 2014 and adopted by City of Folsom Resolution No. 9298. These improvements in the PFFP include, but are not limited to, the backbone infrastructure water (water reservoirs, water transmission mains, booster pump stations, pressure reducing valve stations, etc.), sanitary sewer (lift stations and forced mains) systems, recycled water mains and associated infrastructure, roadway and transportation (future interchanges, major arterial roadways, etc.) improvements, aquatic center (community pool), parks, fire stations, municipal services center, community library, etc The thresholds and timelines included in the PFFP require facilities to be constructed and completed based on number of building permits issued and in some cases, number of residential units that are occupied. The owner/applicant shall be required to address these thresholds and timelines as the project moves forward through the various development stages and shall be subject to the various fair share requirements, subject to the provisions of the PFFP, the ARDA and any amendment thereto.</p> | G, I | CD(E)(P)(B), PW, FD, EWR, PR |
| 27. | <p>Standard Construction Specifications and Details Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u> and the <u>Design and Procedures Manual and Improvement Standards</u>.</p> | I | CD (P)(E) |

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| 28. | <p>Water and Sewer Infrastructure All City-owned water and sewer infrastructure shall be placed within the street right of way unless otherwise approved by the City. In the event that a City-maintained public water or sewer main needs to be placed in an area other than the public right of way, such as through an open space corridor, landscaped area, etc., the following criteria must be met;</p> <ul style="list-style-type: none"> • The owner/applicant shall provide public sewer and water main easements • An access road shall be designed and constructed to allow for the operations, maintenance and replacement of the public water or sewer line by the City along the entire water and/or sewer line alignment. • In no case shall a City-maintained public water or public sewer line be placed on private residential property. • The domestic water and irrigation system owned and maintained by the City shall be separately metered per City of Folsom <u>Standard Construction Specifications and Details</u>. <p>All publicly owned water and sewer lines and services shall be accessible for operations, maintenance, and repair. Non-accessible situations would include placing mains and services behind retaining walls, placing public mains on private property, etc. In no event shall a public water or public sewer line be placed on private residential property. For example, installing a waterline on the property line between two single family homes.</p> | I | CD (E) |
| 29. | <p>Water and Sewer in I courts The water services and sewer services in the I-Courts within Village 5 shall be privately owned and maintained by the owner/applicant and the owner-applicant shall create a funding mechanism for repair and maintenance of this section of the water and sewer services to the satisfaction of the Community Development Department.</p> | I | CD (E) |

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| 30. | <p>Utility Coordination The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.). The owner/applicant shall provide the City with written confirmation of public utility service prior to approval of all final maps.</p> | I | CD (P)(E) |
| 31. | <p>Replacing Hazardous Facilities The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.</p> | I, OG | CD (E) |
| 32. | <p>Vertical Curb All curbs located adjacent to landscaping, whether natural or manicured, and where parking is allowed shall be vertical.</p> | I | CD (P)(B) |
| 33. | <p>Class II Bike Lanes All Class II bike lane legends shall be striped and painted green. No parking shall be permitted within the Class II bike lanes.</p> | I | CD (E)(P) |

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| 34. | <p>Master Plan Updates The City has approved the Folsom Plan Area Storm Drainage Master Plan, Wastewater Master Plan, and Sewer Master Plan. The owner/applicant shall submit complete updates to the approved master plans, if applicable, for the proposed changes to the master plans as a result of the proposed project. The updates to the master plans for the proposed project shall be reviewed and approved by the City prior to approval of grading and/or improvement plans.</p> <p>The plans shall be accompanied by engineering studies supporting the sizing, location, and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with the approved master plans, including any necessary off-site improvements to support development of a particular phase or phases, subject to prior approval by the City. Off-site improvements may include roadways to provide secondary access, water transmission lines or distribution facilities to provide a looped water system, sewer trunk mains and lift stations, water quality facilities, non-potable water pipelines and infrastructure, and drainage facilities including on or off-site detention. No changes in infrastructure from that shown on the approved master plan shall be permitted unless and until the applicable master plan has been revised and approved by the City. Final lot configurations may need to be modified to accommodate the improvements identified in these studies to the satisfaction of the City.</p> <p>The owner/applicant shall provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u>, and the <u>Design and Procedures Manual and Improvement Standards</u>.</p> <p>The storm drainage design shall provide for no net increase in run-off under post-development conditions.</p> | G, I | CD(E), EWR, PW |

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| 35. | <p>Litter Control During Construction, the owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).</p> | OG | CD (E) |
| ENVIRONMENTAL AND WATER RESOURCES REQUIREMENTS | | | |
| 36. | <p>Water Infrastructure Design The owner/applicant shall design all water reservoirs, water booster pump stations, pressure reducing valve stations, and sewer lift stations, and shall coordinate the design with the Community Development Department and the Environmental and Water Resources Department.</p> <p>The owner owner/applicant shall pay for, furnish and install all infrastructure associated with the water meter fixed network system.</p> | I | CD (E), EWR |
| 37. | <p>Water Meter Fixed Network System The owner owner/applicant shall pay for, furnish and install all infrastructure associated with the water meter fixed network system for any City-owned and maintained water meter within the project.</p> | I | CD (E), EWR |

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| FIRE DEPT REQUIREMENTS | | | |
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| 38. | <p>Prepare fuel modification plan (FMP). If applicable, the owner/applicant shall submit a Fuel Modification Plan to the City for review and preliminary approval from the Fire Code Official prior to any Final and/or Parcel Map. Final approval of the plan by the Fire Code Official shall occur prior to the issuance of a permit for any new construction. A Fuel Modification Plan shall consist of a set of scaled plans showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by one of the following: a California state licensed landscape architect, or state licensed landscape contractor, or a landscape designer, or an individual with expertise acceptable to the Fire Code Official. The owner/applicant shall obtain off-site easements for the required for the fuel modification buffer.</p> <p>The owner/applicant agree to be responsible for the long-term maintenance of the Fuel Modification Plan. Notification of fuel modification requirements are to be made upon sale to new property owners. Proposed changes to the approved Fuel Modification Plan shall be submitted to the Fire Code Official for approval prior to implementation.</p> | G, I, M, B | CD (P), FD |

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| 39. | <p>All-Weather Access and Fire Hydrants</p> <p>The owner/applicant shall provide all-weather access and fire hydrants before combustible materials are allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. (All-weather access is defined as six inches of compacted aggregate base from May 1 to September 30 and two inch asphalt concrete over six inch aggregate base from October to April 30). The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.</p> <ul style="list-style-type: none"> Residential Fire-Flow with Automatic Fire Sprinkler System: The required fire-flow for the residential portion of the project is determined to be 875 GPM for one hour. All public streets shall meet City of Folsom Street Standards unless an alternative is specifically included within this approval. The maximum length of any dead end street shall not exceed 500 feet in accordance with the Folsom Fire Code (unless approved by the Fire Department). Several streets indicated on the plans are dead ends greater than 500 feet. In such cases, a second emergency access will be required. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material storage or vertical construction is allowed. All-weather access is defined as 6" of compacted AB from May 1 to September 30 and 2" AC over 6" AB from October 1 to April 30. The HOA shall be required and have the ability to tow away vehicles parked within fire access lanes. These provisions shall be recorded within the CCR's for the subdivision, and the City shall review the conditions of the CCR's to ensure that the intent is met. Property fence lines along open space boundaries shall be constructed of noncombustible materials. The first Fire Station planned for the Folsom Plan Area shall be completed and operational at the time that the threshold of 1,500 occupied homes within the Folsom Plan Area is met. | G, I, M, B | CD (P), FD |

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| 40. | <p>Private Gated Entries Prior to approval of improvement plans, all private gated entry designs shall be reviewed and approved by the Community Development Department and the Fire Department. Pedestrian gates, which are to remain unlocked, shall be provided on each side of any gated entries where a sidewalk occurs, to facilitate improved pedestrian circulation and to eliminate the requirement for pedestrians to cross the street in order to enter or exit any proposed subdivision. The gates shall be equipped with the "Click to Enter" gate opening system (or some other product) to allow emergency vehicle access by 2-way radio frequency to open the gates. Should vehicle stacking not be sufficient, the Community Development Department may require the gates to remain open during peak hours. The homeowners association whose boundary covers the private gate shall comply with this requirement, and the owner/applicant shall ensure this requirement is in the HOA CC&Rs.</p> | I, OG | CD (E) FD |
| 41. | <p>Utility Lines All future utility lines lower than 69 kv shall be placed underground within and along the perimeter of the project at the developer's cost. The owner/applicant shall dedicate to SMUJD all necessary underground easements for the electrical facilities that will be necessary to service development of the project.</p> | I | CD (E) FD |

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| 42. | <p>Landscaping Plans Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City Arborist and City staff prior to the approval of improvement plans. Said plans shall include all on-site landscape specifications and details, and shall comply with all State and local rules, regulations, Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping shall meet shade requirements as outlined in the Folsom Plan Area Specific Plan where applicable. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period.</p> <p>Landscaping installed in open spaces located between tiers of lots shall be chosen for resistance to fire and limited fuel production. Furthermore, the owner/applicant shall comply with city-wide landscape rules or regulations on water usage. Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Russell Ranch Subdivision project.</p> | I, OG | CD(P), PW |
| 43. | <p>Right of Way Landscaping Landscaping along all road rights of way and in public open space lots shall be installed when the adjoining road or lots are constructed.</p> | I, OG | CD (P), PW |

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| MAP REQUIREMENTS | | | |
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| 44. | <p>Subdivision Improvement Agreement Prior to the approval of any Final Map, the owner/applicant shall enter into a subdivision improvement agreement with the City, identifying all required improvements, if any, to be constructed with each proposed phase of development. The owner/applicant shall provide security acceptable to the City, guaranteeing construction of the improvements.</p> | M | CD (E) |
| 45. | <p>Homeowners Association The owner/applicant shall form one or more Homeowners Associations for the ownership and maintenance of all private streets including the private street storm drainage systems, sewer and water lines within the I Courts in Village 5, and landscaped open spaces and common areas on hillsides, etc. (Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B). The Homeowners Association shall also be responsible for monitoring and ensuring maintenance of the landscaping within the open.</p> <p>The property owners of all created lots within Phases 1, 2 and 4 shall be age restricted communities limited to buyers who are 55 years of age or older as is permitted by law.</p> <p>In addition, CC&R's shall be prepared by the owner/applicant and shall be subject to review and approval by the Community Development Department for compliance with this approval and with the Folsom Municipal Code and adopted policies, prior to the recordation of the Final Map.</p> <p>The owner/applicant shall propose a funding mechanism (including but not limited to Homeowner's Association or a Project Maintenance Community Facilities District) subject to the approval of the Community Development Department for the non-Measure W landscaped open spaces.</p> | M | CD (P), PW |
| 46. | <p>Large Lot Final Map Prior to the recording of any phase of the Vesting Small Lot Tentative Subdivision Map, the Russell Ranch Lots 24 through 32 Vesting Large Lot Tentative Subdivision Map shall be recorded.</p> | M | CD (P), PW |

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| 47. | <p>Centralized Mail Delivery Units All Final Maps shall show easements or other mapped provisions for the placement of centralized mail delivery units. The owner/applicant shall provide a concrete base for the placement of any centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the U. S. Postal Service and the City of Folsom Community Development Department, with due consideration for street light location, traffic safety, security, and consumer convenience.</p> | M | CD (E) |
| 48. | <p>Financing Districts The owner/applicant shall form a Landscape and Lighting Assessment District, a Community Services District, and/ or a Home Owners Association, which shall be responsible for maintenance of all common areas, maintenance of all on-site landscaping, maintenance of storm drainage facilities, maintenance of storm water detention/detention basins and associated channels, maintenance of water quality ponds, and maintenance of any other site facilities in the subdivision (Lots A, B, C, D, E, F and G) throughout the life of the project to the satisfaction of the Community Development Department.</p> | M | CD (P)(E) |
| 49. | <p>Public Utility Easements The owner/applicant shall dedicate public easements for water, sewer, and sidewalks within the private streets, as well as public utility easements for underground public facilities on properties adjacent to the streets. Twelve and one-half-foot (12.5') wide Public Utility Easements for underground public facilities shall be dedicated adjacent to all private and public streets for other public utilities (i.e., SMUD, Pacific Gas and Electric, cable television, telephone). The width of the public utility easements adjacent to public and private streets may be reduced with prior approval from public utility companies. The owner/applicant shall dedicate additional width to accommodate extraordinary facilities as determined by the City. The width of the public utility easements adjacent to public and private right of way may be reduced with prior approval from public utility companies.</p> | M | CD (E) |
| 50. | <p>Final Map Phasing Should multiple Final Maps be filed by the owner/applicant, the phasing of maps shall be to the satisfaction of the Community Development Department.</p> | M | CD (E) |

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| 51. | <p>Backbone Infrastructure As provided for in the ARDA and the Amendment No. 1 thereto, the owner/applicant shall provide fully executed grant deeds, legal descriptions, and plats for all necessary Backbone Infrastructure to serve the project, including but not limited to lands, public rights of way, public utility easements, public water main easements, public sewer easements, irrevocable offers of dedication and temporary construction easements. All required easements as listed necessary for the Backbone Infrastructure shall be reviewed and approved by the City and recorded with the Sacramento County Recorder pursuant to the timing requirements set forth in Section 3.8 of the ARDA, and any amendments thereto.</p> | M | CD (E) |
| 52. | <p>New Permanent Benchmarks The owner/applicant shall provide and establish new permanent benchmarks on the (NAVD 88) datum in various locations within the subdivision or at any other locations as directed by the City Engineer. The type and specifications for the permanent benchmarks shall be provided by the City. The new benchmarks shall be placed by the owner/applicant within 6 months from the date of approval of the vesting tentative subdivision map.</p> | M | CD (E) |

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| 53. | <p>Community Facilities Districts and Financing Plans Prior to approval of the first small lot final map and in accordance with Amendment No. 1 of the ARDA and any further amendments thereto, the owner/applicant is required to complete the following where applicable:</p> <ul style="list-style-type: none"> • Formation and approval by the City Council of the Aquatic Center CFD. • Formation and approval by the City Council of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD. • Formation and approval by the City Council of the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD). • Formation and approval by the City Council of the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD). • Formation and approval by the City Council of the Open Space Management and Financing Plan. • Formation and approval by the City Council of the Drainage Facilities Maintenance and Financing Plan. | M | CD (E) |

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| BUILDING PERMIT REQUIREMENTS | | | |
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| 54. | <p>Master Plans The owner/applicant shall prepare complete and updated change pages to master plans for transportation (including roadway, bikeway, transit and pedestrian facilities), water (including reclaimed), sewer, grading and drainage (including boundaries of the 100-year floodplain) to the extent applicable as a result of the Specific Plan Amendment to the satisfaction of the City prior to the approval of a final map, improvement plans or grading plans. Timelines for approval of specified plans, guidelines, funding mechanisms, community facilities districts and land dedications set forth in Section 2.5.3 of the ARDA and any amendments thereto shall apply. The master plans shall be accompanied by engineering studies supporting the sizing, location and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with these approved master plans and the provisions of Sections 3.7, 3.9 and 3.9.1 of the ARDA and any amendments thereto. These phases may include necessary off-site improvements to support development of a particular phase or phases subject to prior approval of the City. These off-site improvements may include roadways to provide secondary public access, water transmission mains for different pressure zones or distribution mains to provide a looped water system, booster pumps and reservoirs to provide adequate water pressure and flow, sewer trunk mains and temporary and/or permanent lift stations, temporary and/or permanent water quality/detention basins and drainage facilities and/ or outfalls. No changes in infrastructure from those shown in the complete and updated approved master plans shall be permitted unless and until the applicable master plan has been reviewed and approved by the City. Final lot/parcel configurations may need to be modified to accommodate the improvements identified in these studies as determined by the City. Any and all modifications to existing lots/parcels necessary shall be the sole responsibility of the owner/applicant.</p> | B | CD (E, P) |
| 55. | <p>Completion of Infrastructure Improvements All on and off-site subdivision and Backbone Infrastructure improvements required to serve this project and any subsequent phase of the project, including but not limited to, roadway and transportation improvements, sanitary sewer, water, storm drainage, water quality/detention basins, etc. shall be completed to the satisfaction of the City prior to issuance of the first building permit within the project.</p> | B | CD (E) |

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| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--|---------------|------------------------|
| 56. | The Russell Ranch Design Guidelines shall include a provision that all trash bins in residential areas shall be enclosed and screened from view except when they are on the street. Truck access to the bin shall be subject to approval by the City. | B | CD (B) |
| 57. | Recorded Final Map Prior to the issuance of building permits, the owner/applicant shall provide a digital copy of the recorded Final Map (in AutoCAD format) to the Community Development Department. The exception to this requirement are model homes; subject to approval of the Community Development Department, building permits for model homes only may be issued prior to recording of the Final Map. | B | CD (E) |
| 58. | Recorded Final Map Prior to issuance of building permits, the owner/applicant shall provide the Folsom-Cordova Unified School District with a copy of the recorded Final Map. The exception to this requirement are model homes; subject to approval of the Community Development Department, building permits for model homes only may be issued prior to recording of the Final Map. | B | CD (P), FCUSD |
| 59. | Design Review Approval Prior to issuance of a building permit for any residential units or the private recreational facility within the subdivision, the owner/applicant shall obtain Design Review and/or Planned Development approval from the Planning Commission for all buildings to be built within the subdivision. If the architecture is not consistent with the Russell Ranch Design Guidelines, the owner applicant may modify the plans or apply for a modification to the Design Guidelines to be approved by the Planning Commission. | B | CD (P) |
| 60. | Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. The exterior building and site lighting will be required to achieve energy efficient standards by installing high-intensity discharge (mercury vapor, high pressure sodium, or similar) lamps. In addition, lighting shall be equipped with a timer or photo condenser. Lighting shall be designed to be directed downward onto the project site and away from adjacent properties and public rights-of-way. Building-attached light fixtures shall be subject to review and approval by the Community Development Department to ensure that they have an architecturally consistent and appropriate design. | M,B | CD (E) (B) PW |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|---|---------------|------------------------|
| 61. | <p>The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.</p> | M,B | CD (E) (B) PW |

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| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--------------------|--------------------------------|---------------|------------------------|
|--------------------|--------------------------------|---------------|------------------------|

TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS

It should be noted that many of the Transportation, Traffic, and Circulation mitigation measures identified below will be satisfied through the payment of fees. Below is a brief summary of the fee types and their purpose. The acronyms for each fee type noted below are further noted in the Implementation Schedule column of each applicable mitigation measure to clarify how each mitigation measure is anticipated to be satisfied.

Public Facilities Financing Plan (PFFP):

In January of 2014, the City of Folsom adopted the PFFP for the Folsom Plan Area which detailed all the infrastructure components to address full build out of the Plan Area. The PFFP includes various techniques including development fees to fund the necessary infrastructure. The City has prepared and adopted implementing ordinances and a nexus study required by State law to impose the associated development fees.

Included in the PFFP are a number roadway projects including the Highway Interchanges that the Russell Ranch Subdivision project will have cumulative impacts on within the Folsom Plan Area. The PFFP was designed to satisfy the “fair share” financing of all the Plan Area’s backbone roadway system. Participating in this fee program will satisfy numerous roadway mitigation measures as shown in the MMRP table.

Sacramento County Transportation Development Fee (SCTDF) contribution:

The City has established a “fair share” fee to mitigate roadway impacts outside the project boundaries and within unincorporated Sacramento County. This fee will be included in the City Facilities portion of the Public Facilities Financing Plan program and will be collected at the time of building permit issuance. The basis for the calculation of the fee is a report entitled, “Fair Share Cost Allocation Sacramento County & City of Folsom” dated January 2, 2014.

Cal Trans/ City Memorandum of Understanding (Cal Trans MOU):

The City of Folsom and Cal Trans entered into an MOU on December 17, 2014 to establish a fee mechanism to address the “fair share” impacts to Highway 50. The MOU identifies all the highway improvements for which there are mitigation measures and potential construction projects to address them. The City has established a fee in the City Facilities portion of the Public Facilities Financing Plan and it will be collected at the time of building permit issuance.

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| Mitigation Measure | Condition / Mitigation Measure | When Required | Responsible Department |
|--|--|---------------|------------------------|
| 62. | <p>Credit Reimbursement Agreement Prior to the recordation of the first Final Map, the owner/applicant and City shall enter into a credit and reimbursement agreement for constructed improvements that are included in the Folsom Plan Area's Public Facilities Financing Plan.</p> | M | CD (E) |
| ARCHITECTURE/SITE DESIGN REQUIREMENTS | | | |
| 63. | <p>Walls/Fences/Gates The final location, design, height, materials, and colors of the walls, fences, and gates shall be subject to review and approval by the Community Development Department to ensure consistency with the Russell Ranch Design Guidelines.</p> | B | CD (P) (E) |
| 64. | <p>Mechanical Equipment Screening All mechanical equipment shall be concealed from view of public streets, neighboring properties and nearby higher buildings where practicable to the satisfaction of the Community Development Department.</p> | B | CD (P) (E) |
| 65. | <p>Bicycle Trail System Modifications The owner/applicant shall incorporate the design and grading for the proposed Class I bike trails and Class II on-street bike lanes into the improvement plans consistent with the Russell Ranch Proposed Trail System Modification Exhibit dated January 26, 2018.</p> | I | CD (E) |
| 66. | <p>White Rock Road Frontage Improvements The owner/applicant shall construct shoulder improvements along the project's entire frontage of westbound White Rock Road to the satisfaction of the City prior to approval of the Phase 1 Final Map or upon the construction of the future Empire Ranch Road connection to White Rock Road, whichever occurs first. In lieu of constructing the aforementioned interim shoulder improvements, the owner/applicant may enter into a Subdivision Improvement Agreement with the City and post adequate security to the City's satisfaction to ensure construction of said improvements; the security shall be for a minimum period of 10 years. If construction of the Capital Southeast Connector Project between East Bidwell Street and the El Dorado County line has commenced during the term of the Subdivision Improvement Agreement, then the shoulder improvement condition will be deemed satisfied and the security shall be released to the owner/applicant.</p> | M | CD (E) |

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MITIGATION MONITORING

The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Folsom Plan Area Specific Plan FEIR/EIS have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified in the mitigation measure column. Applicant shall fund on a Time and Materials basis all mitigation monitoring (e.g., staff and consultant time).

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- ▲ Mitigation Number – This column provides the identification number of the adopted mitigation measure as well as the source for the mitigation measure; FPASP EIR/EIS or Russell Ranch EIR (RR EIR). If the mitigation was updated in the checklist, that is also indicated.
- ▲ Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure
- ▲ Monitoring Agency – This column identifies the party responsible for enforcing compliance with the requirements of the mitigation measure.
- ▲ Implementation Schedule – This column identifies the time frame in which the mitigation will be implemented.
- ▲ Sign-off – This column is to be dated and signed by the person (either project manager or his/her designee) responsible for verifying compliance with the requirements of the mitigation measure.

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| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|--|---|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| Aesthetics | | | | |
| 67. 3A.1-4 (FPASP EIR/EIS) | <p>Screen Construction Staging Areas</p> <p>The project applicant(s) for any particular discretionary development application 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 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 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, and Caltrans) to reduce to the extent feasible the visual effects of construction activities on adjacent project land uses that have already been developed.</p> | City of Folsom Community Development Department. | Before approval of grading plans and during construction for all project phases. | |
| 68. 4.1-1 (RR EIR) | <p>Material Storage Areas</p> <p>The owner/applicant of all project phases 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 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 visual barriers such as berms or fences. Staging and material storage areas shall be shown on all grading and/or improvement plans prior to plan approval by the City.</p> | City of Folsom Community Development Department. | Before approval of grading plans and during construction for all project phases. | |
| 69. 4.1-2 (RR EIR) | <p>Lighting Plan</p> <p>The owner/applicant of all project phases shall submit a lighting plan for the project to the Community Development Department. The lighting plan shall be consistent with the Design Guidelines:</p> <ul style="list-style-type: none"> ▲ shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties; | City of Folsom Community Development Department. | Before approval of building permits. | |

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|--|--|--|---|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 69. Cont. | <ul style="list-style-type: none"> ▲ place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security so as not to disturb adjacent residential areas and passing motorists; ▲ for public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity 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; and ▲ design exterior on-site lighting as an integral part of the building and landscaping design in the Specific Plan Area. Lighting fixtures shall be architecturally consistent with the overall site design. | | | |
| Air Quality | | | | |
| 70. 3A.2-1a (FPASP EIR/EIS) | <p>Basic Construction Emission Control Practices</p> <p>The owner/applicant shall implement Sacramento Metropolitan Air Quality Management District’s list of Basic Construction Emission Control Practices, Enhanced Fugitive Particulate Matter Dust Control Practices (listed below), and Enhanced Exhaust Control Practices or whatever mitigation measures are recommended by Sacramento Metropolitan Air Quality Management District at the time individual portions of the site undergo construction. In addition to Sacramento Metropolitan Air Quality Management District –recommended measures, construction operations shall comply with all applicable Sacramento Metropolitan Air Quality Management District rules and regulations.</p> <p>The following shall be noted on Grading Plans and building construction plans:</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. The | City of Folsom Community Development Department | Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases. | |

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|--|--|-----------------|-------------------------|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 70. Cont. | <p>owner/applicant shall not be permitted to use potable water from the City of Folsom water system for grading and/or construction while the City is in a stage 3 (water warning), stage 4 (water crisis), or stage 5 (water emergency) conservation stage as determined by the City and in conformance with Chapter 13.26 Water Conservation of the Folsom Municipal Code (FMC). The City may prohibit the use of potable water for grading and/or construction purposes on the project in its sole discretion regardless of the Water Conservation Stage.</p> <ul style="list-style-type: none"> ▲ 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 shall 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 foundations shall be laid as soon as possible after grading unless seeding or soil binders are used. ▲ 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 shall be checked by a certified mechanic and determine to be running in proper condition before it is operated. <p>Enhanced Fugitive Particulate Matter 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. | | | |

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|--|---|-----------------|-------------------------|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 70. Cont. | <ul style="list-style-type: none"> ▲ 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 Particulate Matter 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 Sacramento Metropolitan Air Quality Management District 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 owner/applicant shall provide a plan, for approval by the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District, demonstrating that the heavy-duty (50 horsepower [hp] or more) offroad vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX 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. | | | |

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|--|--|-----------------|-------------------------|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 70. Cont. | <ul style="list-style-type: none"> ▲ The owner/applicant shall submit to the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District 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 Sacramento Metropolitan Air Quality Management District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. ▲ Sacramento Metropolitan Air Quality Management District's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (Sacramento Metropolitan Air Quality Management District 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 Sacramento Metropolitan Air Quality Management District 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 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. Sacramento Metropolitan Air Quality Management District staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other Sacramento Metropolitan Air Quality Management District or state rules or regulations. ▲ If at the time of construction, Sacramento Metropolitan Air Quality Management District has adopted a regulation or new guidance applicable to construction emissions, compliance with | | | |

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|--|----------------------------|--|---|--|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 70. Cont. | | 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 Sacramento Metropolitan Air Quality Management District so permits. Such a determination shall be supported by a project-level analysis and be approved by Sacramento Metropolitan Air Quality Management District. | | | |
| 71. | 3A.2-1b (FPASP EIR/EIS) | <p>Pay Off-Site Mitigation Fee to Sacramento Metropolitan Air Quality Management District to Off-Set NOX Emissions Generated by Construction of Off and On-Site Elements.</p> <p>The owner/applicant(s) shall pay Sacramento Metropolitan Air Quality Management District a mitigation fee for the purpose of reducing NOX 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, the City and the owner/applicants shall establish the phasing by which development would occur, and the owner/applicants shall develop a detailed construction schedule. Calculation of fees associated with each project development phase shall be conducted by the owner/applicant(s) in consultation with Sacramento Metropolitan Air Quality Management District staff before the approval of grading plans by the City. The owner/applicant(s) for all project phases shall pay into Sacramento Metropolitan Air Quality Management District's mitigation fund to further mitigate construction-generated emissions of NOX that exceed Sacramento Metropolitan Air Quality Management District's daily emission threshold of 85 lb/day. The calculation of daily NOX emissions shall be based on the cost rate established by Sacramento Metropolitan Air Quality Management District at the time the calculation and payment are made. The determination of the final mitigation fee shall be conducted in coordination with Sacramento Metropolitan Air Quality Management District before any ground disturbance occurs for any project phase.</p> | 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. | Before the approval of all grading plans by the City and throughout project construction for all project phases. | |
| 72. | 3A.2-1d (FPASP EIR/EIS) | <p>Implement SMAQMD's Basic Construction Emission Control Practices during Construction of all Off-site Elements located in Sacramento County.</p> <p>The applicants responsible for the construction of each off-site element in Sacramento County shall require 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.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be developed by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e.,</p> | City of Folsom Community Development Department | Before the approval of all grading plans by the City. | |

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| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 72. Cont. | | Sacramento County or Caltrans) to implement SMAQMD's Basic Construction Emission Control Practices or comparable feasible measures. | | | |
| 73. | 3A.2-1f (FPASP EIR/EIS) | 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). | 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. | Before the approval of all grading plans from the respective air district (SMAQMD) | |
| 74. | 3A.2-1g (FPASP EIR/EIS) | 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). | 1. For all off-site improvements within Sacramento County: Sacramento County Planning and Community | Before the approval of each grading plan for the off-site elements in Sacramento County. | |

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|--|--|--|-------------------------------------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule Sign-off |
| 74. Cont. | <p>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 NOX 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 NOX that exceed SMAQMD's daily emission threshold of 85 lb/day. The calculation of daily NOx 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 NOX 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 NOX 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 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>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.</p> <p>2. 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> | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|--|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 75. | <p>3A.2-1h (FPASP EIR/EIS)</p> <p>Analyze and Disclose Projected PM10 Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements.</p> <p>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 Sacramento Metropolitan Air Quality Management District guidance that is in place at the time the analysis is performed.</p> <p>Sacramento Metropolitan Air Quality Management District 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 owner/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 Sacramento Metropolitan Air Quality Management District 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. 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 shall be developed by the owner/applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p> | <p>1. For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department.</p> <p>2. For the U.S. 50 interchange improvements: Caltrans.</p> | <p>1. 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</p> <p>2. For the U.S. 50 interchange improvements: Before the approval of construction plans from Caltrans.</p> | |
| 76. | <p>3A.2-2 (FPASP EIR/EIS)</p> <p>Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions.</p> <p>To reduce operational emissions, the project applicant(s) for any particular discretionary development application shall implement all measures prescribed in the SMAQMD-approved Folsom Plan Area Specific</p> | <p>City of Folsom Community Development Department.</p> | <p>Before issuance of subdivision maps or improvement plans.</p> | |

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| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 76. Cont. | | Plan Air Quality Mitigation Plan (AQMP) (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 of 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. | | | |
| 77. | 4.2-3 (RR EIR) | <p>Naturally Occurring Asbestos</p> <p>Prior to the commencement of any site-disturbing activities, the owner/applicant shall demonstrate to the satisfaction of the Sacramento Metropolitan Air Quality Management District that Naturally Occurring Asbestos does not exist on site. To demonstrate the owner/applicant shall obtain the services of a California Certified Geologist to conduct a thorough site investigation of the development area per the protocol outlined in the California Geological Survey Special Report 124 to determine whether and where Naturally Occurring Asbestos is present in the soil and rock on the project site and/or areas that would be disturbed by the project, except for those areas previously explored and sampled for Naturally Occurring Asbestos as part of the Geotechnical Engineering Study for Russell Ranch South prepared by Youndahl Consulting Group, Inc. in December 2013. The site investigation shall include the collection of three soil and rock samples per acre to be analyzed via the California Air Resources Board 435 Method, or other acceptable method agreed upon by Sacramento Metropolitan Air Quality Management District and the City. If the investigation determines that Naturally Occurring Asbestos is not present on the project site, then the owner/applicant shall submit a Geologic Exemption to Sacramento Metropolitan Air Quality Management District as allowed under Title 17, Section 93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining (Asbestos ATCM). The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities.</p> <p>If the site investigation determines that Naturally Occurring Asbestos is present on the project site, or alternatively if the owner/applicant elects to assume presence of trace Naturally Occurring Asbestos, then, prior to commencement of any ground disturbance activity, the owner/applicant shall submit to the Sacramento</p> | City of Folsom Community Development Department. | Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases. | |

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| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 77. Cont. | <p>Metropolitan Air Quality Management District for review and approval an Asbestos Dust Mitigation Plan, including, but not limited to, control measures required by the Asbestos ATCM, such as vehicle speed limitations, application of water prior to and during ground disturbance, keeping storage piles wet or covered, and track-out prevention and removal. The project applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities. Upon approval of the Asbestos Dust Control Plan by the SMAQMD, the applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period.</p> <p>If NOA is determined to be located on the surface of the project site, all surface soil containing NOA shall be replaced with clean soil or capped with another material (e.g. cinder or rubber), subject to review and approval by the City Engineer.</p> | | | |
| Biological Resources | | | | |
| 78. | <p>Special-status plant species.</p> <p>Prior to the initiation of construction activities, the applicant shall retain a qualified biologist/botanist to consult with the appropriate regulatory agencies (CDFW and USFWS) to determine if additional plant surveys are required. Written results of the consultation efforts shall be provided to the Folsom Community Development Department. If the regulatory agencies (CDFW and USFWS) determine additional plant surveys are required, the following shall be implemented:</p> <ul style="list-style-type: none"> ▶ The project applicant shall retain a qualified botanist to conduct protocol-level preconstruction special-status plant surveys for all potentially occurring species in all areas that have not previously been surveyed for special- status plants. If special-status plants are not found during focused surveys, the botanist shall document the findings in a letter report to USFWS, CDFW and, the City of Folsom, and no further mitigation shall be required. ▶ If special-status plant populations are found, the project applicant shall consult with CDFW 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 | <p>City of Folsom Community Development Department CDFW USFWS</p> | <p>Prior to the initiation of construction activities</p> | |

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|--|---|--|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 78. Cont. | <p>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.</p> <p>▲ 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 the City of Folsom for review and approval. It shall be submitted concurrently to CDFW 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.</p> <p>▲ 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 initial effort fail to meet long-term monitoring requirements.</p> <p>▲ 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 of long term viable populations.</p> | | | |
| 79. | <p>4.3-3(a) (RR EIR)</p> <p>Conduct environmental awareness training for construction employees. Prior to initiation of construction activities, the project applicant shall employ a qualified biologist to conduct environmental awareness training for construction employees. The training will describe the importance of on-</p> | City of Folsom Community Development Department | Prior to the initiation of construction activities | |

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|--|--|--|---|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 79. Cont. | <p>site biological resources, including special-status wildlife habitats; potential nests of special-status birds; and roosting habitat for special-status bats. The biologist will also explain the importance of other responsibilities related to the protection of wildlife during construction, such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.</p> <p>A qualified biologist shall conduct environmental awareness training for construction employees prior to construction activity. The training will describe the importance of onsite biological resources, including special-status wildlife habitats; potential nests of special-status birds; and roosting habitat for special-status bats. The biologist will also explain the importance of other responsibilities related to the protection of wildlife during construction, such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.</p> <p>Environmental awareness training will be conducted prior to construction activity.</p> | | | |
| 80. | <p>4.3-3(b) (RR EIR)</p> <p>Conduct preconstruction western spadefoot toad survey.</p> <p>The project applicant shall retain a qualified biologist to conduct a preconstruction survey for Western spadefoot toad within 48 hours of the initiation of construction activities for each phase of development. The preconstruction surveys shall evaluate suitable habitats for this species, as determined by the qualified biologist. If no Western spadefoot toad individuals are found during the preconstruction survey, the biologist shall document the findings in a letter report to CDFW and the City of Folsom, and no further mitigation shall be required.</p> <p>If Western spadefoot toad individuals are found, the qualified biologist shall consult with CDFW to determine appropriate avoidances measures. Mitigation measures may include relocation of aquatic larvae, construction monitoring, or preserving and enhancing existing populations.</p> | City of Folsom Community Development Department | Prior to the initiation of construction activities | |
| 81. | <p>4.3-4 (RR EIR)</p> <p>Western Pond Turtle.</p> <p>The project applicant(s), shall retain a qualified biologist to conduct preconstruction survey for Western pond turtle within 48 hours of the initiation of construction activities for each phase of development. The preconstruction surveys shall evaluate suitable habitats for this species, as determined by the qualified biologist.</p> | City of Folsom Community Development Department | Within 48 hours prior to the initiation of construction activities for each | |

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|--|--|--|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 81. Cont. | | If no western pond turtles are found during the preconstruction survey, the biologist shall document the findings in a letter report to CDFW and the City of Folsom, and no further mitigation shall be required. If western pond turtles are found, the qualified biologist shall capture and relocate the turtles to a suitable preserved location in the vicinity of the project. | CDFW | phase of development | |
| 82. | 4.3-5(a) (RR EIR) | Swainson's hawk nesting habitat. To mitigate impacts on Swainson's hawk a qualified biologist shall be retained to conduct preconstruction surveys and to identify active nests on and within 0.5-mile of the project area. 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. 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. If active nests are found, impacts on nesting Swainson's hawks 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 with CDFW that reducing the buffer would not result in nest abandonment. CDFW 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 CDFW, 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. | City of Folsom Community Development Department CDFW | Prior to approval of Grading or Improvement Plans and not less than 14 days or more than 30 days before the beginning of construction | |
| 83. | 4.3-5(b) (RR EIR, updated per 2018 RR Checklist) | Swainson's hawk foraging habitat. To mitigate for the loss of Swainson's hawk foraging habitat, the project applicant(s) shall identify permanent impacts to foraging habitat and prepare and implement a Swainson's hawk mitigation plan specific to the project. The Swainson's hawk mitigation plan shall be consistent with the Swainson's Hawk Mitigation Plan – Folsom Plan Area Specific Plan (prepared by ECORP Consulting, Inc. and dated May 2, 2017, and any City-approved addenda), including but not limited to the requirements described below. Before the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first, the project applicant shall secure suitable Swainson's hawk foraging habitat to ensure appropriate | City of Folsom Community Development Department CDFW | Prior to approval of Grading and Improvement Plans, or before any ground-disturbing activities, whichever occurs first | |

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| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 83. Cont. | <p>mitigation of habitat value for Swainson's hawk foraging habitat that is permanently lost as a result of the project, as determined by the City after consultation with CDFW and a qualified biologist.</p> <p>The mitigation ratio shall be based on Swainson's hawk nesting distribution and an assessment of habitat quality, availability, and use within the project area and shall be consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Butte swainsoni) in the Central Valley of California. Such mitigation shall be accomplished through purchase of credits at an approved mitigation bank, the transfer of fee title, or perpetual conservation easement. If non-bank mitigation is proposed, the mitigation land shall be located within the known foraging area and within Sacramento County. The City, after consultation with CDFW, will determine the appropriateness of the mitigation land.</p> <p>The project applicant 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 CDFW 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, after consultation with CDFW. After consultation with CDFW and the Conservation Operator, the City shall approve the content and form of the conservation easement. The City, CDFW, 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>After consultation with the City, The project applicant, CDFW, 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 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 CDFW.</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 CDFW. The City Planning Department</p> | | | |

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|--|----------------------------|---|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| 83. Cont. | | 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 ten years after establishment of the easement. | | | |
| 84. | 4.3-6(a) (RR EIR) | Burrowing Owl Preconstruction survey. A qualified biologist shall be retained by the project applicant to conduct a preconstruction survey to identify active burrows within the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development. The preconstruction survey shall follow the protocols outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). | City of Folsom Community Development Department | No less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development | |
| 85. | 4.3-6(b) (RR EIR) | Burrowing Owl Active burrows. 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 CDFW. 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, burrowing 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. | City of Folsom Community Development Department CDFW | Prior to ground disturbing activities if active owl burrows are found | |
| 86. | 4.3-7 (RR EIR) | Tricolored blackbird. A qualified biologist shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird's nesting season (March 1–August 31). The preconstruction survey shall be conducted 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. 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 | City of Folsom Community Development Department CDFW | Prior to the initiation of construction activities during the nesting season (March 1 – August 31) occurring within 500 feet of suitable nesting habitat | |

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| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 86. Cont. | | determined in consultation with CDFW. 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. | | | |
| 87. | 4.3-8(a) (RR EIR) | <p>Nesting raptors. To mitigate impacts on nesting raptors, a qualified biologist shall be retained to conduct a preconstruction survey to identify active nests on and within 0.5 miles of the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development.</p> <p>If active nests are found, impacts on nesting 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 with CDFW that reducing the buffer would not result in nest abandonment. The buffer may be adjusted if a qualified biologist and the City, in consultation with CDFW, 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> | City of Folsom Community Development Department CDFW | No less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development | |
| 88. | 4.3-8(b) (RR EIR) | <p>Other nesting special-status and migratory birds. A qualified biologist shall conduct a preconstruction survey for any project activity that would occur in suitable nesting habitat during the avian nesting season (approximately March 1–August 31). The preconstruction survey shall be conducted within 14 days before any activity occurring within 100 feet of suitable nesting habitat. Suitable habitat includes annual grassland, valley needlegrass grassland, freshwater seep, vernal pool, seasonal wetland, and intermittent drainage habitat within the project site.</p> <p>If no active special-status or other migratory bird nests are present, no further mitigation is required. If an active nest is found, the qualified biologist shall establish a buffer around the nest. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer shall be determined in consultation with CDFW. Buffer size is anticipated to range from 50 to 100 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p> | City of Folsom Community Development Department CDFW | Prior to any construction activities that would occur between approximately March 1 and August 31 | |

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| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 89. | 4.3-10 (RR EIR) | <p>American badger.</p> <p>The project applicant(s) shall retain a qualified biologist to conduct preconstruction American badger burrow surveys within 48 hours of the initiation of construction activity. If no American badger burrows are found during the preconstruction survey, the biologist shall document the findings in a letter report to CDFW and the City of Folsom, and no further mitigation shall be required. If potential American badger burrows are found, the qualified biologist shall consult with CDFW to determine appropriate measures.</p> | <p>City of Folsom Community Development Department CDFW</p> | <p>With 48 hours of the initiation of construction activity</p> | |
| 90. | 4.3-11(a) (RR EIR, updated per 2018 RR Checklist) | <p>Clean Water Act Sections 401 and 404.</p> <p>The project applicant shall comply with permits obtained under Sections 401 and 404 of the CWA or the State's Porter-Cologne Act and implement all permit conditions for the proposed project. All permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured and conditions implemented 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, or within 100 feet of any other Waters of the U.S. or wetland habitats, including Waters of the State. The project applicant shall adhere to all conditions outlined in the permits. The project applicant 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 the project. 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>All mitigation requirements to satisfy the requirements of the City and the Central Valley RWQCB, for impacts on the non-jurisdictional wetlands beyond the jurisdiction of USACE, shall be determined and implemented before grading plans are approved.</p> <p>A water quality certification pursuant to Section 401 of the CWA is required before issuance of the record of decision and before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the project applicant 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>City of Folsom Community Development Department USACE Central Valley RWQCB</p> | <p>Prior to the approval of Grading and Improvement Plans and before any groundbreaking activity associated with each distinct project phase</p> | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|---|--|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 91. | 4.3-11(b) (RR EIR) | <p>Master Streambed Alteration Agreement.</p> <p>The project applicant shall amend, if necessary, and implement the original Section 1602 Master Streambed Alteration Agreement received from CDFW for all construction activities that would occur in the bed and bank of CDFW jurisdictional features within the project site. As outlined in the Master Streambed Alteration Agreement, the project applicant shall submit a Sub-Notification Form (SNF) to CDFW 60 days prior to the commencement of construction to notify CDFW of the project.</p> <p>Any conditions of issuance of the Master Streambed Alteration Agreement shall be implemented as part of those project construction activities that would adversely affect the bed and bank within on-site drainage channels subject to CDFW jurisdiction. The agreement shall be executed by the project applicant and CDFW 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 on-site drainage channels under CDFW jurisdiction.</p> | City of Folsom Community Development Department CDFW | 60 days prior to the commencement of construction | |
| 92. | 4.3-11(c) (RR EIR, updated per 2018 RR Checklist) | <p>Valley Needlegrass.</p> <p>The project applicant will comply with the Conceptual Valley Needlegrass Grassland Mitigation and Monitoring Plan – Folsom Plan Area Specific Plan (prepared by ECORP Consulting, Inc. and dated October 6, 2016, and any City-approved addenda). The following measures shall be implemented to mitigate for losses of valley needlegrass grassland:</p> <ul style="list-style-type: none"> ▶ Valley needlegrass grassland will be established (restored) within the FPASP's Passive Recreation Open Space in areas that are currently characterized by annual grassland (Restoration Areas), at a minimum ratio of 1:1 acres of restored grassland to acres of impacted grassland. ▶ Needlegrass plants may be established via seeding, planting nursery-grown transplants (plugs), or translocating existing needlegrass individuals from impact areas. If practicable, needlegrass populations that will be impacted by the Project should be salvaged by collecting seed from existing plants for use in Restoration Areas, or by translocating existing plants to open space areas. ▶ Valley needlegrass grassland Restoration Areas will be monitored twice during the first year following planting, and annually for the four subsequent years for a total of five years. | City of Folsom Community Development Department CDFW | Prior to any groundbreaking activities | |

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| 92. Cont. | <p>▲ A success criteria of 80 percent of the target acreage (or as otherwise agreed upon in consultation with the California Department of Fish and Wildlife (CDFW) should be established by the fifth year of monitoring.</p> | | | |
| Cultural Resources | | | | |
| 93. | <p>4.4-1 (RR EIR, updated per 2018 RR Checklist)</p> <p>Comply with the Programmatic Agreement and Carry Out Mitigation.</p> <p>The FAPA provides a management framework for identifying historic properties and Historical Resources through inventories and evaluations, determining adverse effects, and resolving those adverse effects with appropriate mitigation. Proof of compliance with the applicable procedures in the FAPA and implementation of applicable HPTP (Westwood and Knapp 2013b and 2013c) with regard to mitigation for the Keefe-McDerby Mine Ditch and Brooks Hotel Site is to be provided to the City’s Community Development Department prior to authorization of any ground-disturbing activities. Proof of compliance is defined as written approval from the USACE of all applicable mitigation documentation generated from implementation of an approved HPTP and includes the following mitigation actions:</p> <ul style="list-style-type: none"> ▲ Historic American Engineering Record (HAER) Documentation of the Keefe-McDerby Mine Ditch (P-34-1475): in consultation with the National Park Service, the USACE shall require the completion of Historic American Engineering Record program documentation. ▲ Data Recovery Excavations of the Brooks Hotel Site (P-34-2166): Data recovery shall follow the standards and guidelines in the HPTP. The results of excavation, laboratory analysis, artifact analysis, and archival research, shall be documented in a confidential data recovery technical report, which shall be submitted to the City’s Community Development Department. ▲ Geoarchaeological Monitoring: Due to a potential for deeply buried archaeological resources down to a depth of 1.5m (approximately five feet) below soil formations known as the T-2 terrace, where colluvial deposits grade onto the T-2 terrace, and along the distal edge of | <p>City of Folsom Community Development Department USACE NPS</p> | <p>Prior to authorization of any ground disturbing activities in any given segment of the project area</p> | |

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| 93. Cont. | | tributary alluvial fans, all ground-disturbing activity in those areas shall be monitored by a qualified professional archaeologist with a specialization in georachaeology. Monitoring is no longer needed once subsurface disturbance extends beyond 1.5m below surface. | | | |
| 94. | 4.4-2(a) (RR EIR, updated per 2018 RR Checklist) | <p>Conduct construction worker awareness training, on-site monitoring if required, stop work if cultural resources are discovered, asses the significance of the find, and perform treatment or avoidance as required.</p> <ul style="list-style-type: none"> ▲ To reduce potential impacts to previously undiscovered cultural resources, the Project applicant(s) shall retain a qualified archaeologist to conduct training for construction supervisors. Construction supervisors shall inform the workers about the possibility of encountering buried cultural resources and inform the workers of the proper procedures should cultural resources be encountered. Proof of the contractor awareness training shall be submitted to the City’s Community Development Department in the form of a copy of training materials and the completed training attendance roster. ▲ Should any cultural resources, such as structural features, bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended within 200 feet of the find and the City of Folsom and USACE shall be notified immediately. The City shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall evaluate 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 would be subject to disturbance or destruction, the actions required by the FAPA and subsequent documentation shall be implemented. The City of Folsom Community Development Department and USACE 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 and seek written approval on mitigation documentation before resuming construction activities at the archaeological site. | City of Folsom Community Development Department USACE | Prior to start of any ground-disturbing activities | |

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| 95. | 4.4-2(b) (RR EIR, updated per 2018 RR Checklist) | <p>Suspend ground-disturbing activities if human remains are encountered and comply with California Health and Safety Code procedures.</p> <p>In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in 3A.5-3 shall be implemented. In addition, the provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and Assembly Bill (AB) 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (§ 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC, which then designates a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).</p> | <p>Sacramento County Coroner</p> <p>Native American Heritage Commission</p> <p>City of Folsom Community Development Department</p> | <p>During construction if human remains are discovered</p> | |
| Geology and Soils | | | | | |
| 96. | VI-1 (FPASP EIS/EIR) | <p>Geotechnical Recommendations</p> <p>The owner/applicant shall submit to the Engineering Division, for review and approval, a grading plan for the project site which ensures that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design.</p> | City of Folsom Engineering Division | Prior to the issuance of a grading permit | |
| 97. | VI-2 (FPASP EIS/EIR) | <p>Foundation Plans</p> <p>All foundation plans shall be reviewed and approved by the Building Safety Division, respectively, prior to issuance of building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design.</p> | City of Folsom Building Safety Division | Prior to issuance of building permits | |

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| 98. | <p>Geotechnical Monitoring Program</p> <p>The owner/applicant shall contract with a geotechnical engineer who shall develop a program to monitor the sites during construction to ensure compliance with the recommendations presented in the geotechnical report(s) and conditions for performing such monitoring. The geotechnical monitoring program shall include a description of the improvements areas where geotechnical monitoring shall be required. The completed program shall be submitted to the City prior to approval of any grading and/or improvement plan.</p> | City of Folsom Community Development Department | Prior to initiation of ground disturbance | |
| Greenhouse Gas Emissions | | | | |
| 99. | <p>3A.4-1 (FPASP EIR/EIS)</p> <p>Implement Additional Measures to Control Construction-Generated GHG Emissions.</p> <p>To further reduce construction-generated GHG emissions, the project applicant(s) 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 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 application may submit to the City and SMAQMD a report that substantiates why 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 the City, in consultation with SMAQMD 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 project. By requiring that the list of</p> | <p>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p> <p>2. For all on- and off-site project-related activities within the City of Folsom and Sacramento County.</p> | <p>Before approval of small-lot final maps and building permits for all discretionary development project, including all on- and off-site elements and implementation throughout project construction.</p> | |

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| 99, Cont. | <p>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; ▶ 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 [NOX] 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). | | | |

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| 99. Cont. | <ul style="list-style-type: none"> ▲ 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 plan in consultation with SMAQMD to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source. <p>In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and ARB.</p> | | | |
| 100. | <p>3A.4-2a (FPASP EIR/EIS)</p> <p>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 or mitigated negative declaration or project-specific EIR) and will require that GHG emissions from operation of each phase of development, including supporting roadway and infrastructure improvements that are part of the selected action alternative, will be reduced by an amount sufficient to achieve the 2020-based threshold of significance of 4.36 CO₂e/SP/year for development that would become operational on or before the year 2020, and the 2030-based threshold of significance of 2.86 CO₂e/SP/year for development that would become operational on or before the year 2030.</p> <p>The above-stated thresholds of significance may be subject to change if SMAQMD approves its own GHG significance thresholds, in which case, SMAQMD-adopted thresholds will be used. The amount of GHG reduction required to achieve the applicable significance thresholds will furthermore depend on existing and future regulatory measures including those developed under AB 32).</p> | City of Folsom Community Development Department. | Before approval of final maps and building permits for all project phases, including all on and off-site elements. | |

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| 100. Cont. | <p>For each increment of new discretionary 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, available incentives, and thresholds of significance that may be developed by SMAQMD, which will evolve under the mandate of AB 32 and Executive Order S-3-05. 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 shall review and ensure inclusion of the design features in the proposed project before applicant(s) can receive the City's discretionary approval for the any 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 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 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; | | | |

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| 100. Cont. | <ul style="list-style-type: none"> ▲ 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, 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 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. | | | |

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| 100. Cont. | <ul style="list-style-type: none"> ▲ 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-dependent 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). | | |

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| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 100. Cont. | <ul style="list-style-type: none"> ▲ 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 style="margin-left: 20px;">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-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. | | | |
| 101. | <p>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 harvestable trees that are subject to removal, the project applicant(s) for any particular discretionary development application shall participate in and provide necessary funding for urban and community forestry program (such as the Urban Wood program managed by the Urban Forest Ecosystems Institute [Urban Forest Ecosystems Institute 2009]) to ensure that wood with an equivalent carbon sequestration value to that of all harvestable 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</p> | City of Folsom Community Development Department. | Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on- and off-site elements. | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|---|---|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 101. Cont. | 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 3.3-5, 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. Reforestation in natural habitat areas outside the City of Folsom would simultaneously mitigate the loss of oak woodland habitat while planting trees within the urban forest canopy would not. 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. | | | |
| Hazards and Hazardous Materials | | | | |
| 102. 3A.7-4 (FPASP EIR/EIS) | <p>Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for All On-Site and Off-site Elements East of Old Placerville Road.</p> <p>Prior to the commencement of grading and construction activities east of Old Placerville Road, the owner/applicant(s) 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 shall be coordinated by the owner/applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> | City of Folsom Engineering Division | Prior to initiation of ground disturbance | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|--|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 103. | <p>3A.8-7 (FPASP EIR/EIS)</p> <p>Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.</p> <p>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 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"> i. BMPs that would implemented on-site; ii. public education and awareness; iii. sanitary methods used (e.g., disposal of garbage); iv. mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); and v. stormwater management (consistent with Stormwater Management Plan). | <p>City of Folsom Community Development Department</p> <p>Sacramento-Yolo Mosquito and Vector Control District</p> | <p>Prior to the issuance of grading permits for the project water features</p> | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|--|-----------------|-------------------------|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 103. Cont. | <p>▲ 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> <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"> i. build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth; ii. perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area; iii. 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; iv. coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations; v. enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality; vi. 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 vii. 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> | | | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|--|--|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| Hydrology and Water Quality | | | | |
| 104. 3A.9-1 (FPASP EIR/EIS) | <p>Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs. The owner/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 State Water Resources Control Board's National Pollution Discharge Elimination System stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Permit at the time the Notice of Intent is filed. The Storm Water Pollution Prevention Permit 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 Storm Water Pollution Prevention Permit; and | City of Folsom Community Development Department | Prior to the issuance of grading permits for all on-site project phases and off-site elements and implementation throughout project construction | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|----------------------------|--|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 104. Cont. | | <p> <ul style="list-style-type: none"> ▲ the appropriate personnel responsible for supervisory duties related to implementation of the Storm Water Pollution Prevention Permit. <p>Where applicable, Best Management Practices identified in the Storm Water Pollution Prevention Permit shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. Best Management Practices 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, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation. ▲ 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 Storm Water Pollution Prevention Permit shall be maintained and available at all times on the construction site.</p> </p> | | | |
| 105. | 3A.9-2 (FPASP EIR/EIS) | <p>Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</p> <p>The owner/applicant(s) shall submit final drainage plans to the City demonstrating that off-site upstream runoff will be appropriately conveyed through the Folsom Plan Area, and that project-related on-site runoff will be appropriately conveyed and contained in detention basins or managed through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts and provide water quality treatment.</p> <p>The plans shall include, but not be limited to, the following items:</p> | City of Folsom Public Works Department | Prior to approval of grading plans and building permits of all project phases | |

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| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|-----------------|-------------------------|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 105. Cont. | <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 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 Best Management Practices will be designed and constructed in accordance with the forthcoming Stormwater Quality Partnership Hydromodification Management Plan (to be adopted by the Regional Water Quality Control Board) and may include, but are not limited to, the following:</p> <ol style="list-style-type: none"> i. 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); ii. Enlarged detention basins to minimize flow changes and changes to flow duration characteristics; iii. 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; iv. Minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow velocity; and v. 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. | | | |

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| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|--|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 105. Cont. | <p>The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments 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 Folsom Plan Area 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).</p> | | | |
| 106. | <p>Develop and Implement a BMP and Water Quality Maintenance Plan.</p> <p>A detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the owner/applicant(s) for the project. 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 post development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom and including details regarding the size, geometry, and functional timing of storage and release pursuant to the latest edition of the “Stormwater Quality Design Manual for Sacramento and South Placer Regions” (the City’s MS4NPDES permit, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004). ▲ Source control programs to control water quality pollutants on the SPA, which may include but are not 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. | <p>City of Folsom Community Development Department City of Folsom Public Works Department</p> | <p>Prior to the issuance of grading permits for all project phases and off-site elements and implementation throughout project construction.</p> | |

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SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|----------------------------|--|-----------------|-------------------------|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 106. Cont. | | <p>▲ LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to:</p> <ul style="list-style-type: none"> i. Surface swales; ii. Replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); iii. Impervious surfaces disconnection; and iv. Trees planted to intercept stormwater. <p>New stormwater facilities shall be placed along the natural drainage courses within the Specific Plan Area (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 the latest edition of the “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes.</p> | | | |

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| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|----------------------------|---|---|--|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 107. | 3A.9-4 (FPASP EIR/EIS) | <p>Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary.</p> <p>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> | City of Folsom Public Works Department. | Prior to submittal to the City of tentative maps or improvement plans. | |
| Noise | | | | | |
| 108. | 3A.11-1 (FPASP EIR/EIS) | <p>Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors.</p> <p>The owner/applicant shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified below. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins and shall be noted on Grading Plans and building construction plans. Grading and construction shall not commence until the construction noise management plan is approved by the City of Folsom.</p> <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 5 p.m. on Saturdays. No construction is allowed on 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. | City of Folsom Community Development Department | During construction | |

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|--|--|---|---|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 108 Cont. | <ul style="list-style-type: none"> ▲ 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). ▲ 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. | | | |
| 109. 3A.11-3 (FPASP EIR/EIS, updated per 2018 Checklist) | <p>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. | 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom | Before and during bulldozing and blasting activities on the SPA and within El Dorado Hills and the County of Sacramento | |

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|--|---|--|--|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule |
| 109. Cont. | <ul style="list-style-type: none"> ▲ 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 groundbournme noise and vibration levels at the nearest sensitive land use and associated recorded submitted to the enforcement agency. ▲ To reduce the potential for annoyance because of blasting and blast-induced air overpressures, the peak value overpressures should not exceed 0.01 psi (equivalent to 110 dB Linear) at the nearest property line, which prevents damage or undue annoyance at neighboring properties. To the extent possible, blasting contractors will design blasts so that a worst-case blast would not exceed 0.01 psi. This generally is done through blast charge and interval delays. | <p>Community Development Department.</p> <p>2. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department.</p> <p>3. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p>4. For the U.S. 50 interchange improvements: Caltrans.</p> | |
| 110. | <p>The project applicant(s) 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:</p> | <p>City of Folsom Community Development Department.</p> | <p>Before submittal of improvement plans for each project phase, and during project operations</p> |

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|--|---|---|---|--|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 110. Cont. | | <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 feasible from noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. ▲ 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. | | for testing of emergency generators. | |
| 111. | 4.6-3(a) (RR EIR, updated per 2018 Checklist) | <p>Noise Barriers</p> <p>In conjunction with the submittal of improvement plans for each proposed development phase where noise barrier locations are recommended, the owner/applicant shall show on the Improvement Plans that sound walls and/or landscaped berms shall be constructed along US 50, White Rock Road, and Empire Ranch Road. The</p> | City of Folsom Community Development Department | In conjunction with submittal of Improvement Plans for the development | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|--|--|---|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 111. Cont. | <p>specific height and locations of the noise barriers shall be confirmed based upon the final approved site and grading plans. All required wall heights shall be relative to finished building pad elevations. Noise barrier walls shall be constructed of concrete masonry units, as required in the Planned Development Guidelines. Abrupt transitions exceeding two feet in height shall be avoided. The Grading and/or Improvement Plans shall be subject to review and approval by the City Engineer.</p> <p>Alternatively, and at the owner/applicant's request and in the City's discretion, the owner/applicant may submit a site-specific acoustical analysis for a specific development phase where noise barrier locations are recommended, that is prepared by an acoustical consultant approved by the City of Folsom to determine and confirm whether sound attenuation is needed, taking into account site-specific conditions (e.g. site design, location of structures, building characteristics, building orientation, etc.) in accordance with adopted noise standards. If sound attenuation is determined by the City to be necessary, the site-specific acoustical analysis shall identify measures to reduce noise impacts to meet the City's noise standards at these locations, including, but not limited to, constructing exterior sound walls, constructing barrier walls and/or berms with vegetation, or other alternative attenuation solution acceptable to the City, provided that the improvement plans are accompanied with the acoustical analysis that confirms whether any proposed alternative solution will meet the adopted City noise standard. The acoustical analysis shall also take into consideration sound attenuation mitigation that may be required of parcels adjacent to the noise barriers.</p> <p>Figure 4.12-1, below, shows where noise barriers are required in response to the site-specific noise analysis done for the Russell Ranch Lots 24-32 Project.</p> | City Engineer | phase where noise barrier locations are recommended | |
| 112. | <p>Mechanical Ventilation</p> <p>In conjunction with submittal of Building Permits, the owner/applicant shall show on the plans that mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation. The building plans shall be subject to review and approval by the City Community Development Department.</p> | City of Folsom Community Development Director | In conjunction with submittal of Building Permits | |
| Public Services | | | | |
| 113. | <p>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.</p> | City of Folsom Fire Department | Prior to the issuance of building permits or prior to final | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|--|---|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 113. Cont. | <p>To reduce impacts related to the provision of new fire services, the owner/applicant shall do the following, as described below:</p> <p>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 of 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.</p> <p>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> <p>The Fire Dept. shall review and approve any improvement plans or building permits for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features. The City shall not authorize the occupancy of any structures until the owner/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> | City of Folsom Community Development Department | inspections for all project phases | |
| 114. | <p>Incorporate Fire Flow Requirements into Project Designs.</p> <p>The owner/applicant(s) shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code and shall verify to the 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> | City of Folsom Fire Department City of Folsom Community Development Department | Prior to the issuance of building permits or prior to final inspections for all project phases | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | |
|--|---|---|--|----------|
| Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| Transportation/Traffic | | | | |
| 115. | <p>4.8-1 (RR EIR)</p> <p>Traffic and Parking Management Plan</p> <p>Prior to the approval of the grading plan and or construction, the owner/applicant shall prepare a construction traffic and parking management plan to the satisfaction of the City Traffic Engineer and subject to review by any affected agencies, if necessary. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include the following:</p> <ul style="list-style-type: none"> ▲ Description of trucks including number and size of trucks per day (i.e., 85 trucks per day), expected arrival/departure times, and truck circulation patterns. ▲ Description of staging area including location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, and specific signage. ▲ Description of street closures and/or bicycle and pedestrian facility closures including duration, advance warning and posted signage, safe and efficient access routes for existing businesses and emergency vehicles, and use of manual traffic control. ▲ Description of driveway access plan including provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses. | City Engineer | Prior to the beginning of construction | |
| 116. | <p>4.8-2(a) (RR EIR)</p> <p>East Bidwell/Iron Point</p> <p>Prior to issuance of a building permit, the owner/applicant shall pay a fair share fee to the City of Folsom towards the modification to the westbound approach to the East Bidwell Street/Iron Point Road intersection to include three left-turn lanes, two through lanes, and one right-turn lane.</p> | City of Folsom Community Development Department | Prior to issuance of a building permit | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|----------------------------|---|---|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 117. | 4.8-2(b) (RR EIR) | White Rock Road / Placerville Road Prior to issuance of a building permit, the owner/applicant shall pay a fair share through the Public Facilities Financing Plan (PFFP) fee to the City of Folsom towards the addition of a westbound right-turn lane to the White Rock Road/Placerville Road intersections. | City of Folsom Community Development Department | Prior to issuance of a building permit | |
| 118. | 4.8-3 (RR EIR) | US 50 from Sunrise Boulevard to East Bidwell Street/Scott Road Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott 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 shall 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 owner/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 owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4). | City of Folsom Community Development Department | Prior to issuance of a building permit MOU | |
| 119. | 4.8-6 (RR EIR) | Scott Road/Easton Valley Parkway Intersection. The owner/applicant shall pay a fair share fee to the City of Folsom towards the addition of a channelized westbound right-turn lane to the Scott Road/Easton Valley Parkway intersection. | City of Folsom Community Development Department | Prior to the issuance of a building permit | |
| Utilities and Service Systems | | | | | |
| 120. | 3A.16-1 (FPASP EIR/EIS) | 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. The owner/applicant shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured through payment 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 | City of Folsom Community Development Department City of Folsom Public Works Department | Prior to approval of final maps and issuance of building permits for any project phases | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|--------------------------------|---|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitory Agency | Implementation Schedule | Sign-off |
| 120. Cont. | | final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. | | | |
| 121. | 3A.16-3 (FPASP EIR/EIS) | Demonstrate Adequate SRWTP Wastewater Treatment Capacity. The owner/applicant shall demonstrate adequate capacity at the Sacramento Regional Water Treatment Plant 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 Sacramento Regional County Sanitation District. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate Sacramento Regional Water Treatment Plant capacity is available for the amount of development identified in the tentative map. The written approval from the Sacramento Regional County Sanitation District shall be provided to the City. | City of Folsom Community Development Department City of Folsom Public Works Department | Prior to approval of final maps and issuance of building permits for any project phases | |
| 122. | 3A.18-1 (FPASP EIR/EIS) | Water Supply Availability The owner/applicant shall submit proof of compliance with Government Code Section 66473.7 (SB 221) by demonstrating 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. 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. The written proof of compliance shall be provided to the City and approved by the City prior to approval of any final map. | City of Folsom Community Development Department City of Folsom Public Works Department | Prior to approval of final maps and issuance of building permits for any project phases | |
| 123. | 3A.18-2a (FPASP EIR/EIS) | Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured 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 a final subdivision map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. A certificate of occupancy shall not be issued for any building within the Specific Plan Area until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place to the satisfaction of the City. | City of Folsom Community Development Department City of Folsom Public Works Department | Prior to approval of final maps and issuance of building permits for any project phases | |

**CONDITIONS OF APPROVAL FOR THE RUSSELL RANCH LOTS 24 THROUGH 32 SUBDIVISION PROJECT (PN 17-288)
WEST OF EL DORADO COUNTY LINE, EAST OF PLACERVILLE ROAD, AND NORTH OF WHITE ROCK ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP**

| MITIGATION MONITORING AND REPORTING PROGRAM – RUSSELL RANCH (LOTS 24 THROUGH 32) PROJECT | | | | | |
|--|----------------------------|---|--|---|----------|
| | Mitigation Number (Source) | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| 124. | 3A.3-1a (FPASP EIR/EIS) | <p>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 owner/ owner/applicant(s) shall include stormwater drainage plans and erosion and sediment control plans in their grading and/or improvement plans and shall submit these plans to the City for review and approval. Prior to approval of grading and/or improvement plans, the owner/applicant(s) for any particular discretionary development application shall obtain a NPDES Construction General Permit and Grading Permit, comply with the City's Grading Ordinance and City 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.</p> <p>The owner/applicant(s) 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. 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>The owner/applicant shall be responsible for all necessary off-site improvements needed to support the Russell Ranch drainage system.</p> | <p>City of Folsom Public Works Department</p> <p>Caltrans</p> <p>USACE</p> <p>Central Valley RWQCB</p> | <p>Prior to the approval of Improvements and Drainage Plans</p> | |



Source: J.C. Brennan & Associates 2017

X17010090 01 007

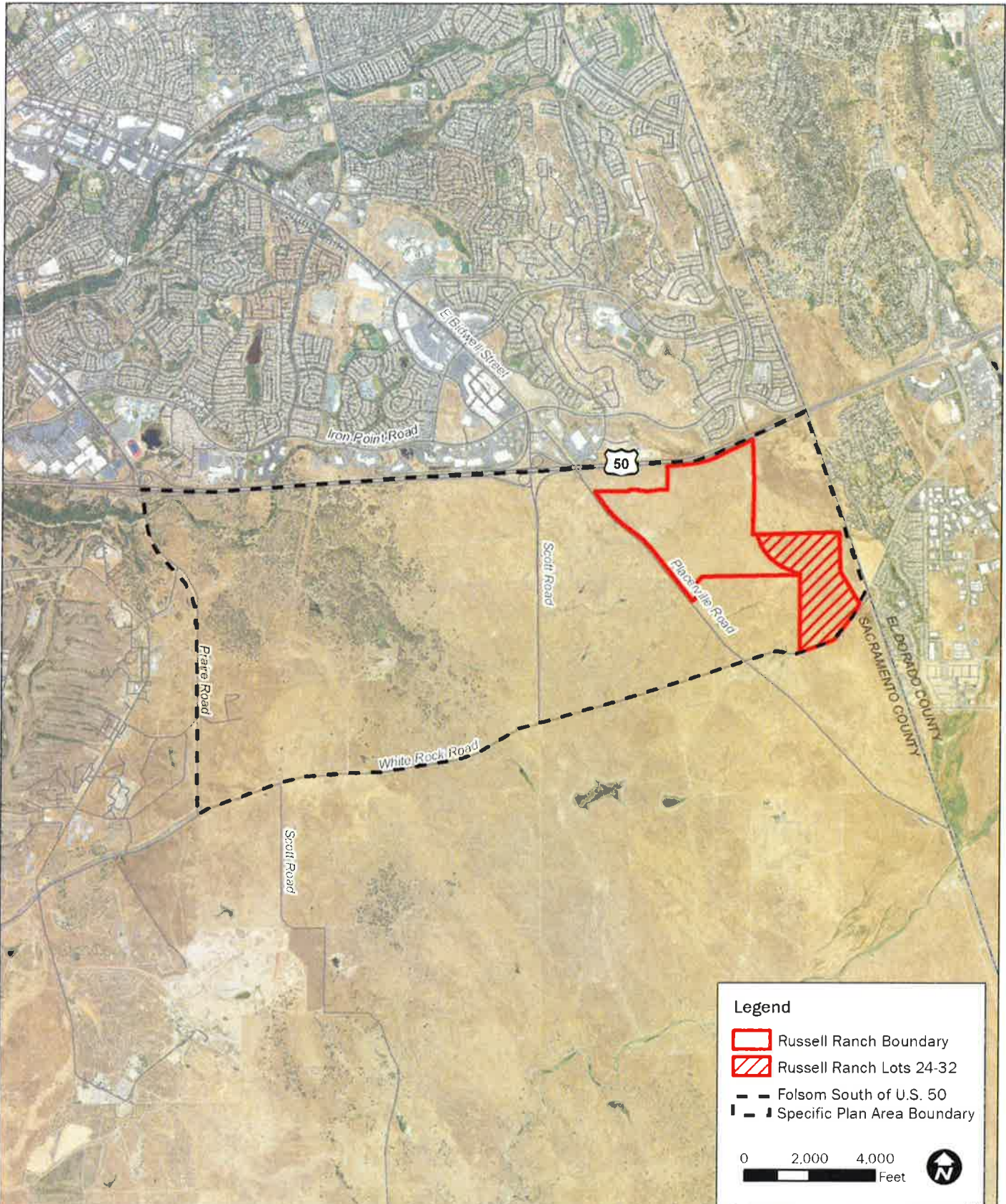
Exhibit 4.12-1

Noise Barrier Locations



Attachment 1

Vicinity Map



Source: Data received from MacKay & Soms in 2017; adapted by Ascent Environmental in 2017

Aerial NAIP 2016 G17010090.01.002

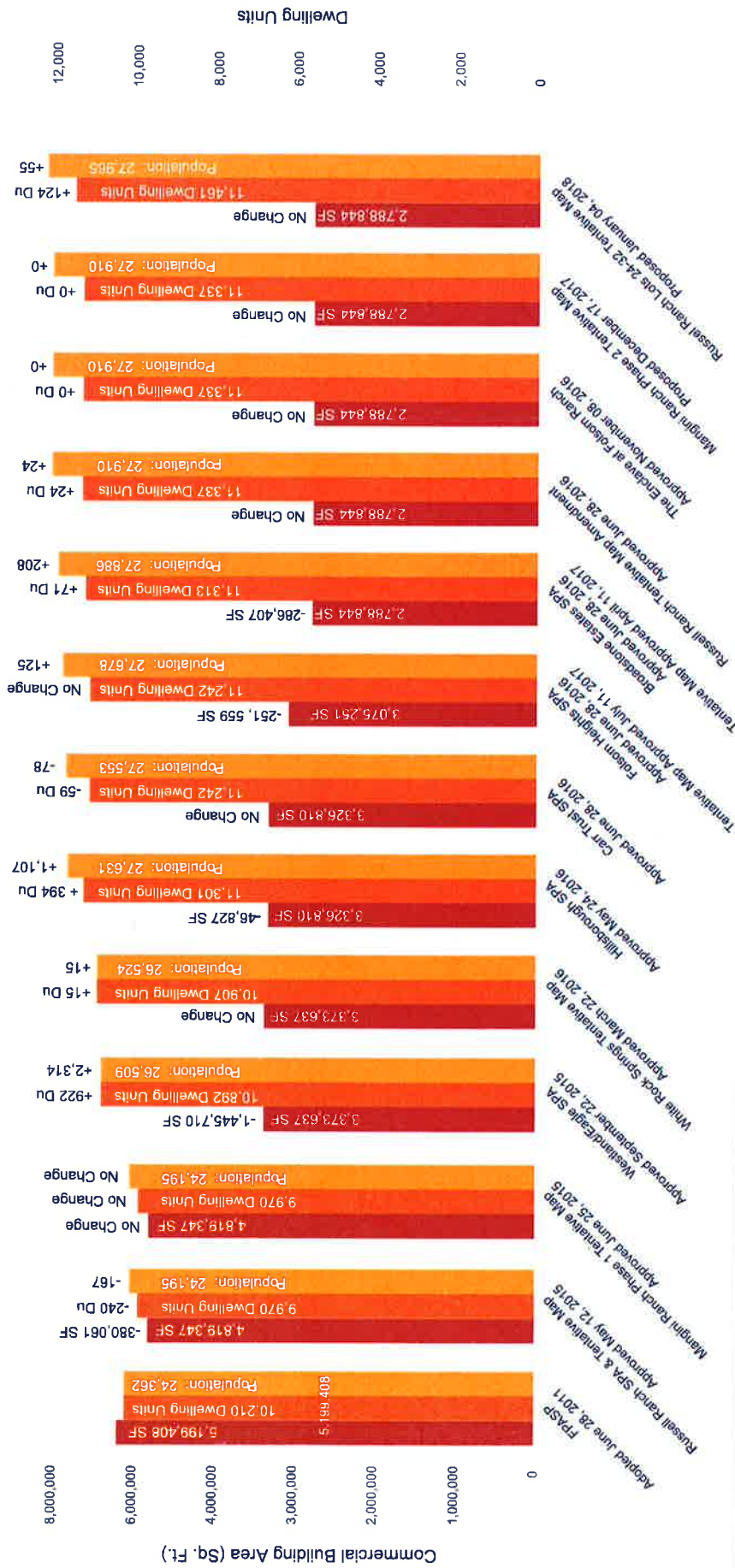


Attachment 2

FPASP Development Activity Bar Chart
Dated January 17, 2018

FPASP Dwelling Units, Population and Commercial Building Area

Commercial Bldg. Area Dwelling Units Population

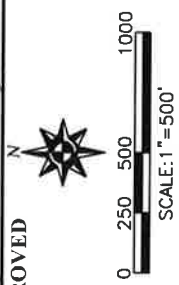


Attachment 3

General Plan Amendment Exhibit
Dated January 26, 2018

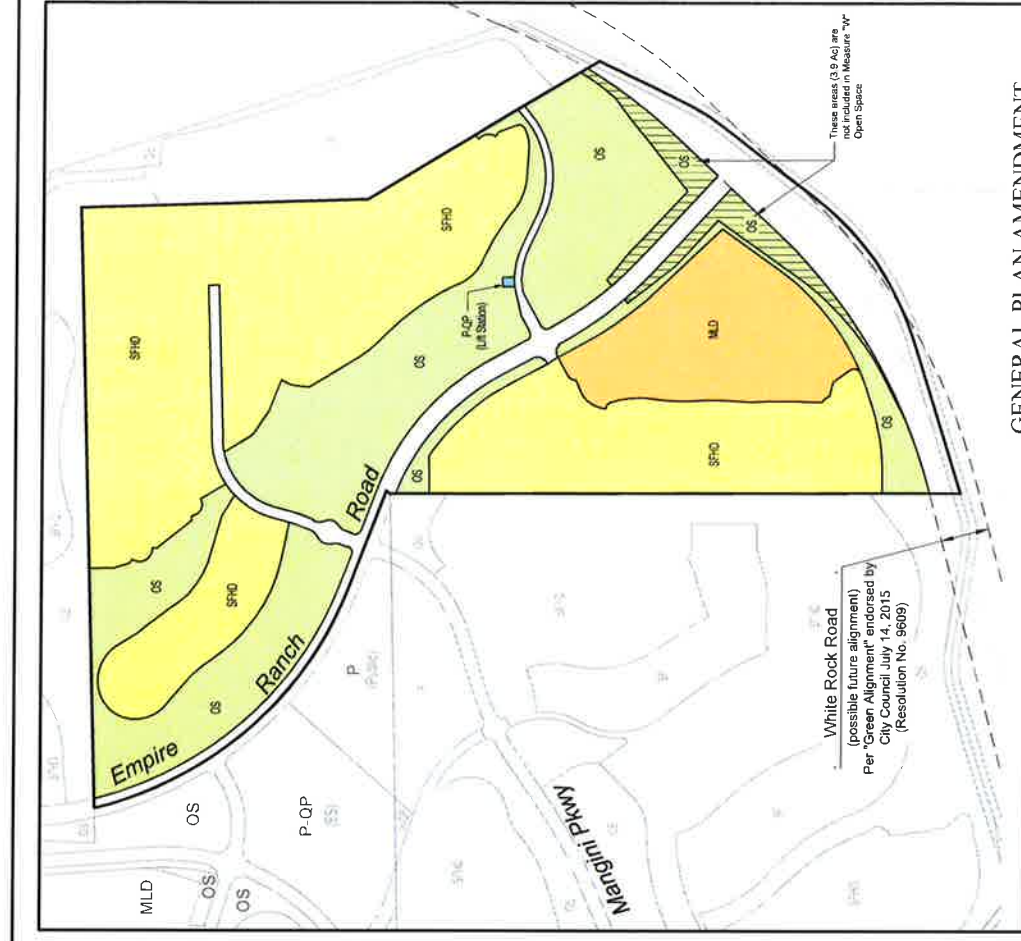


APPROVED



| LEGEND | LAND USE | EXISTING ACRES (GT) | PROPOSED ACRES (GT) |
|---------------|--|---------------------|---------------------|
| SF | Single Family (1-4 du/acre) | 33.9 | 0.0 |
| SFHD | Single Family High Density (4-7 du/acre) | 38.2 | 61.4 |
| OS | Multi-Family Low Density (7-12 du/acre) | 0.0 | 12.4 |
| P | Public/Quasi-Public | 0.1 | 0.1 |
| P-QP | Open Space - Slope * | 11.3 | 0.0 |
| OS | Open Space - Measure "V" | 40.9 | 40.9 |
| OS | Open Space - Other | 0.0 | 3.9 |
| OS | Major Circulation | 10.7 | 16.4 |
| TOTALS | | 135.1 | 135.1 |

Open Space - Slope designation to be removed. Slope areas will be modified and shown as SFHD



PROPOSED

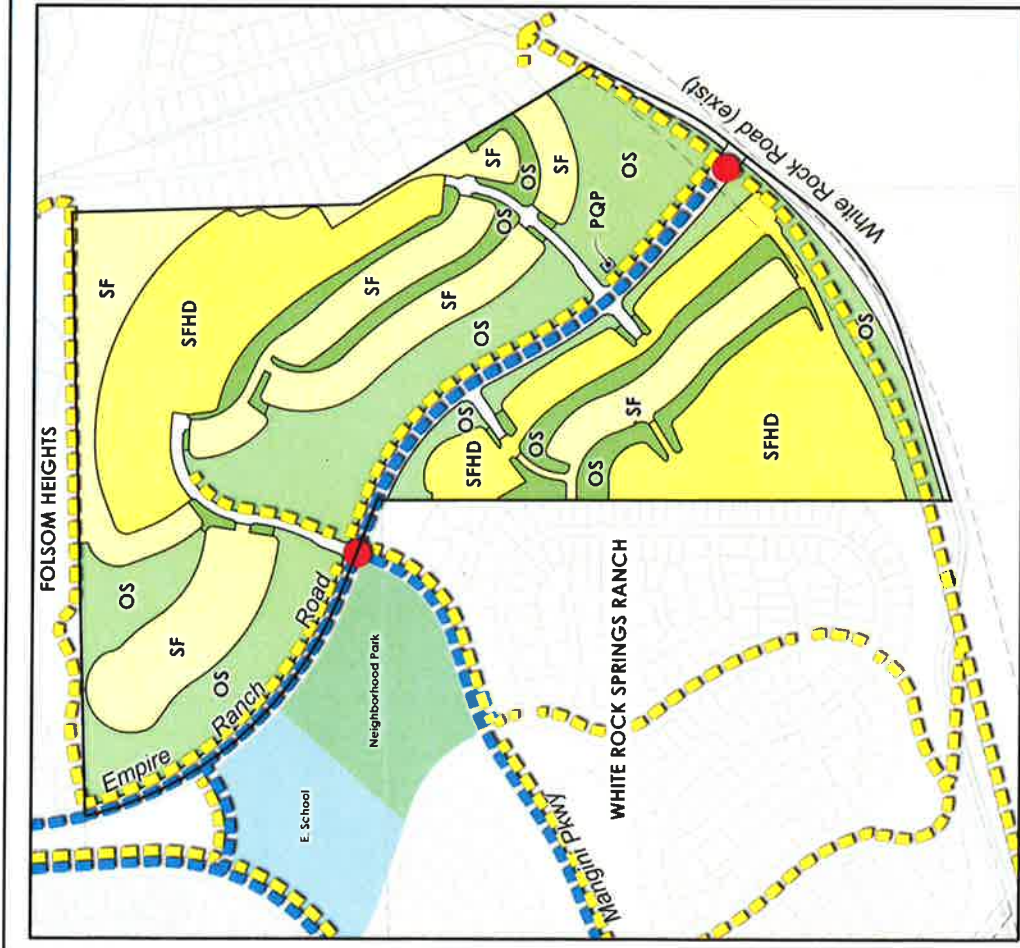
GENERAL PLAN AMENDMENT
Lots 24 thru 32

Russell Ranch

TMIC Russell Ranch, LLC
MacKay & Somps Civil Engineers, Inc.
Folsom, California
November 7, 2017
Revised January 26, 2018
MACKEY & SOMPS
REGISTERED PROFESSIONAL ENGINEERS

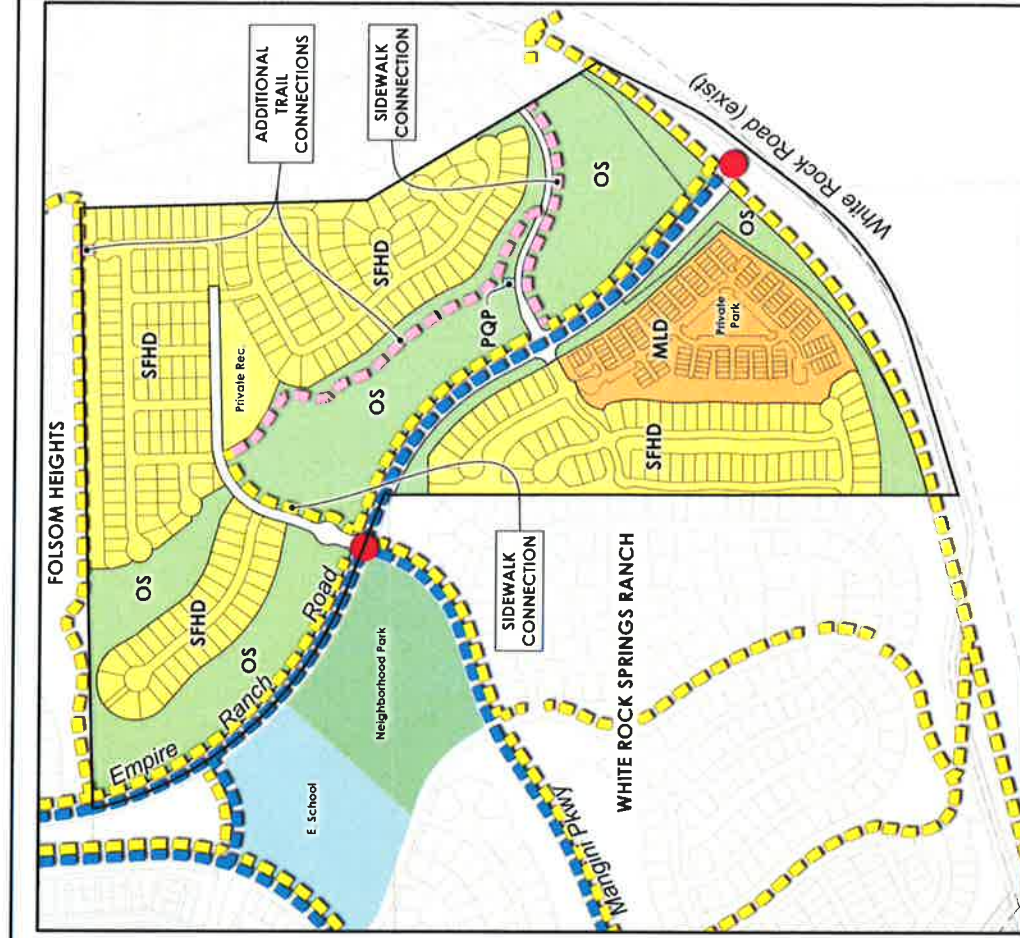
Attachment 4

Trail System Modification Exhibit
Dated January 26, 2018

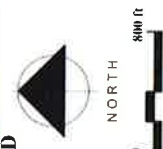


APPROVED

MACKAY & SOMPS
 ENGINEERS & SURVEYORS
 1000 S. GARDEN ST., SUITE 200
 FOLSOM, CA 95630



PROPOSED



Proposed Trail System Modification
Lots 24 thru 32
RUSSELL RANCH
 Folsom, California
 January 26, 2018

Attachment 5

Specific Plan Amendment Exhibit
Dated January 26, 2018

Attachment 6

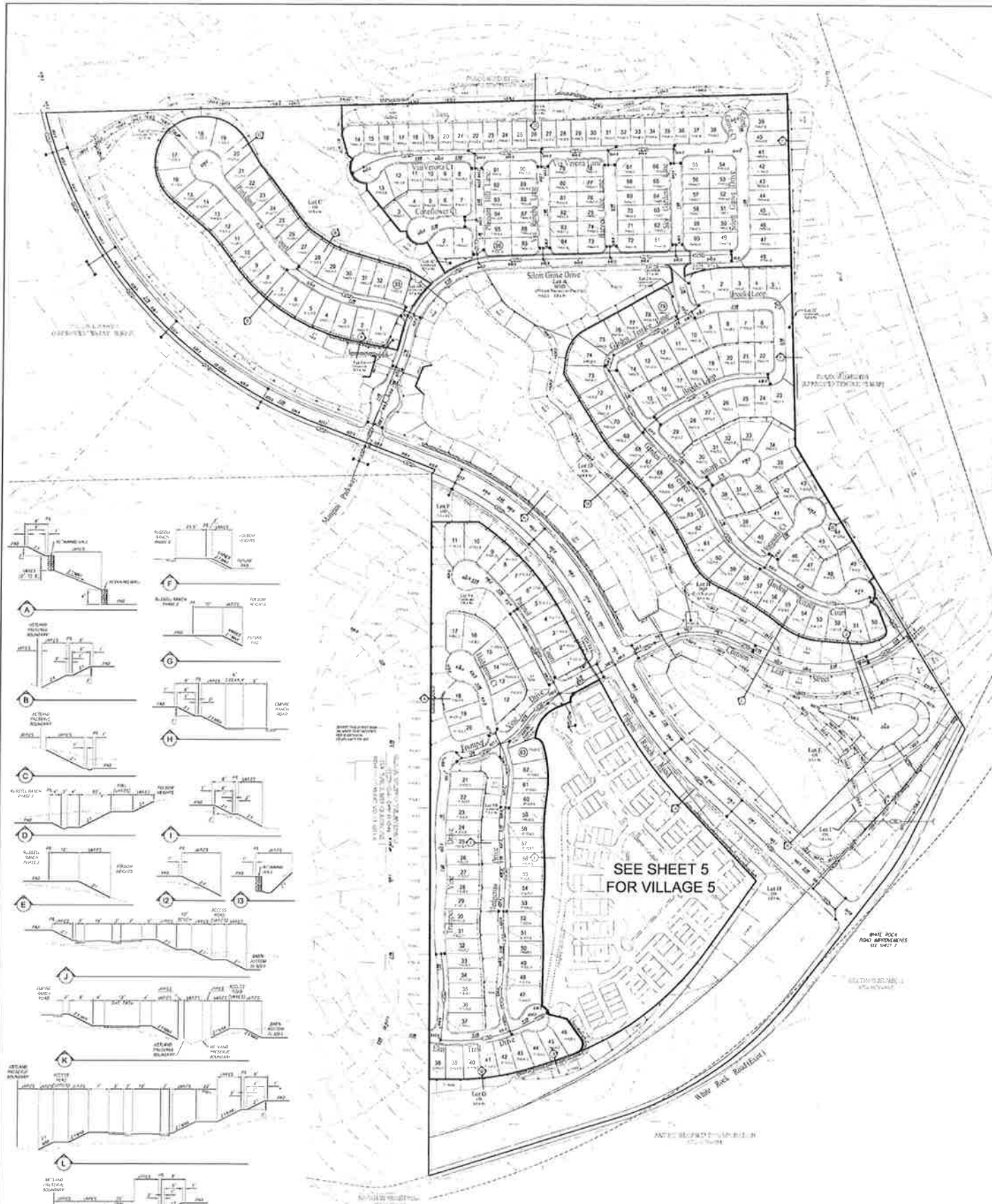
Large-Lot Vesting Tentative Subdivision Map
Dated January 4, 2018

Attachment 7

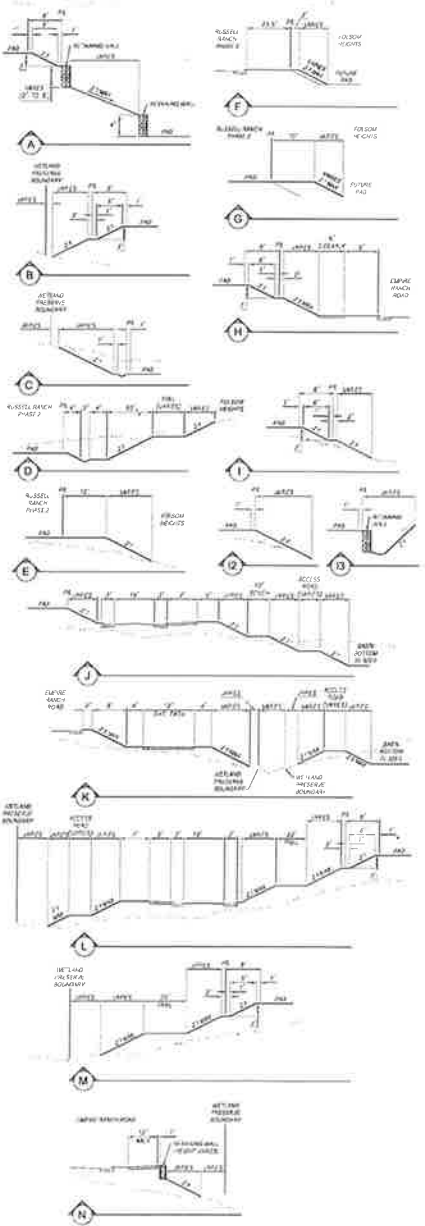
Small-Lot Vesting Tentative Subdivision Map
Dated January 24, 2018

Attachment 8

Preliminary Grading Plan, dated January 24, 2018



SEE SHEET 5
FOR VILLAGE 5



| SYMBOL | DESCRIPTION | EXISTING |
|--------|-----------------------------------|----------|
| — | STORM DRAIN, 18" DIA. (INDICATED) | — |
| — | STORM DRAIN MANHOLE | — |
| — | SEWER INLET | — |
| — | SEWER MANHOLE | — |
| — | SEWER | — |
| — | STREET GRADE | — |
| — | CENTRAL LINE ELEVATION | — |



PRELIMINARY GRADING PLAN

Lots 24 thru 32

Russell Ranch

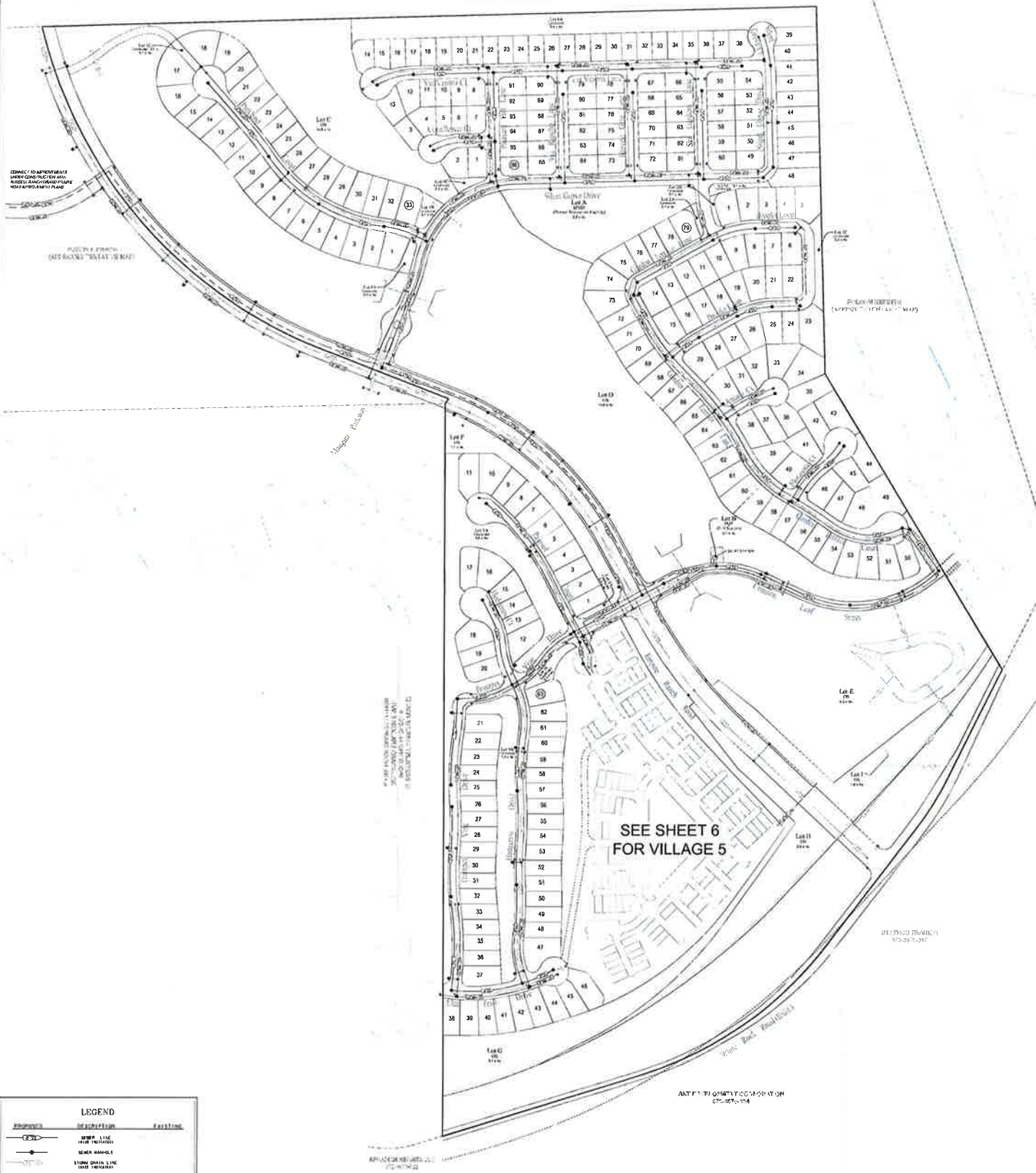
Folsom, California
MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

August 11, 2017
November 7, 2017
January 4, 2018
Revised: January 24, 2018

Attachment 9

Preliminary Utility Plan dated January 24, 2018

PROJECT NUMBER: 17-0001
 DATE: 01/24/2018 (REVISED 01/24/2018)



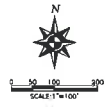
| SYMBOL | DESCRIPTION | EXISTING |
|--------|-----------------------------------|----------|
| | SEWER LINE (12" DIA) | |
| | STORM DRAIN LINE (18" DIA) | |
| | WATER LINE (1/2" DIA) | |
| | NON-POTABLE WATER LINE (1/2" DIA) | |
| | GATE VALVE | |
| | FIRE HYDRANT ASSEMBLY | |
| | AIR RELEASE VALVE | |
| | SEWER LINE (12" DIA) | EXISTING |
| | STORM DRAIN LINE (18" DIA) | EXISTING |
| | WATER LINE (1/2" DIA) | EXISTING |
| | NON-POTABLE WATER LINE (1/2" DIA) | EXISTING |
| | GATE VALVE | EXISTING |
| | FIRE HYDRANT ASSEMBLY | EXISTING |
| | AIR RELEASE VALVE | EXISTING |

SEE SHEET 6
 FOR VILLAGE 5

PRELIMINARY UTILITY PLAN

Lots 24 thru 32

Russell Ranch

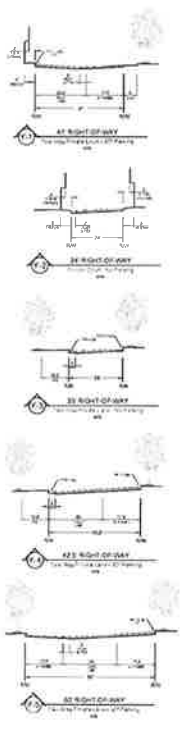
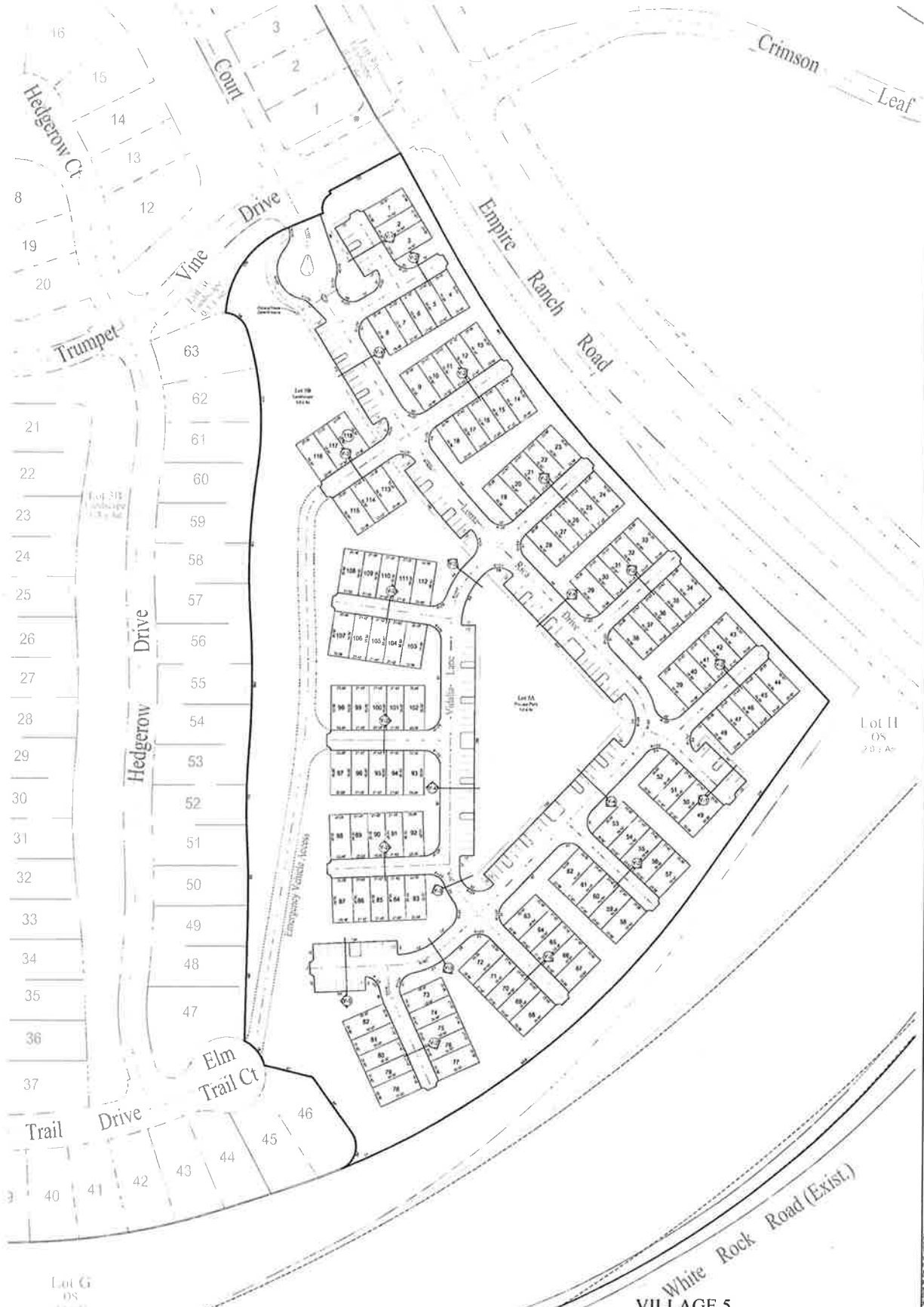


Folsom, California
Mackay & Somps
 ENGINEERS PLANNERS SURVEYORS

August 11, 2017
 November 7, 2016
 January 4, 2018
 Revised: January 24, 2018

Attachment 10

Village 5 Small-Lot Vesting Tentative Subdivision
Map, dated January 24, 2018



| ON-STREET PARKING SUMMARY | |
|---------------------------|-----|
| TRANSFORMED EXISTING LOTS | 118 |
| ON-STREET PARKING SPACES | 118 |



VILLAGE 5
 SMALL LOT
 VESTING TENTATIVE SUBDIVISION MAP

Lots 24 thru 32

Russell Ranch

Folsom, California
MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS

August 11, 2017
 November 7, 2017
 January 4, 2018
 Revised: January 24, 2018

Attachment 11

Village 5 Preliminary Grading Plan
Dated January 24, 2018



| PROPOSED | EXISTING | REMARKS |
|----------|----------|----------------------|
| | | STORM DRAIN LINE |
| | | STORM DRAIN MANHOLE |
| | | DROP INLET |
| | | INLET/OUTLET |
| | | SLOPE |
| | | STAFF GAGE |
| | | CENTERLINE ELEVATION |



VILLAGE 5
PRELIMINARY GRADING PLAN

Lots 24 thru 32

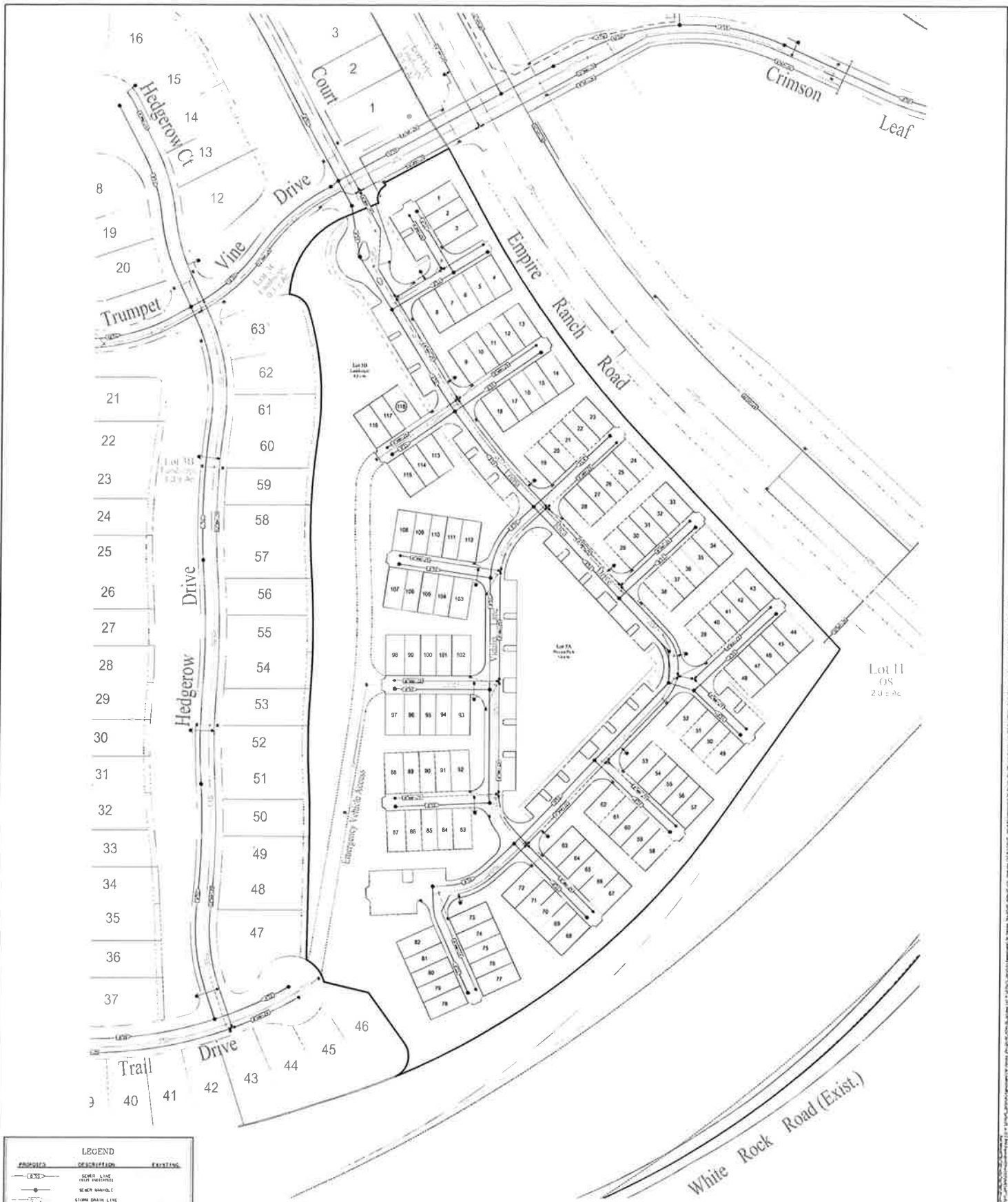
Russell Ranch

Folsom, California
MACKEY & SOMPS
ENGINEERS PLANNERS SURVEYORS

August 11, 2017
November 7, 2016
January 4, 2018
Revised: January 24, 2018

Attachment 12

Village 5 Preliminary Utility Plan
Dated January 24, 2018



| SYMBOLS | DESCRIPTION | EXISTING |
|---------|-------------------------------------|----------|
| —(S)— | SEWER LINE (12" INDICATED) | |
| —(SD)— | SEWER MANHOLE (12" INDICATED) | |
| —(SD)— | STORM DRAIN LINE (18" INDICATED) | |
| —(SD)— | STORM DRAIN MANHOLE (18" INDICATED) | |
| —(S)— | DROP INLET | |
| —(S)— | INLET/POWELL | |
| —(S)— | GIS UNIT | |
| —(W)— | WATER LINE (12" INDICATED) | |
| —(W)— | WATER LINE (18" INDICATED) | |
| —(W)— | WATER MANHOLE (18" INDICATED) | |
| —(G)— | NATURAL GAS LINE (12" INDICATED) | |
| —(G)— | NATURAL GAS MANHOLE (12" INDICATED) | |
| —(V)— | SEWER VALVE | |
| —(V)— | WATER VALVE | |
| —(V)— | FIRE HYDRANT ASSEMBLY | |
| —(V)— | AIR RELEASE VALVE | |



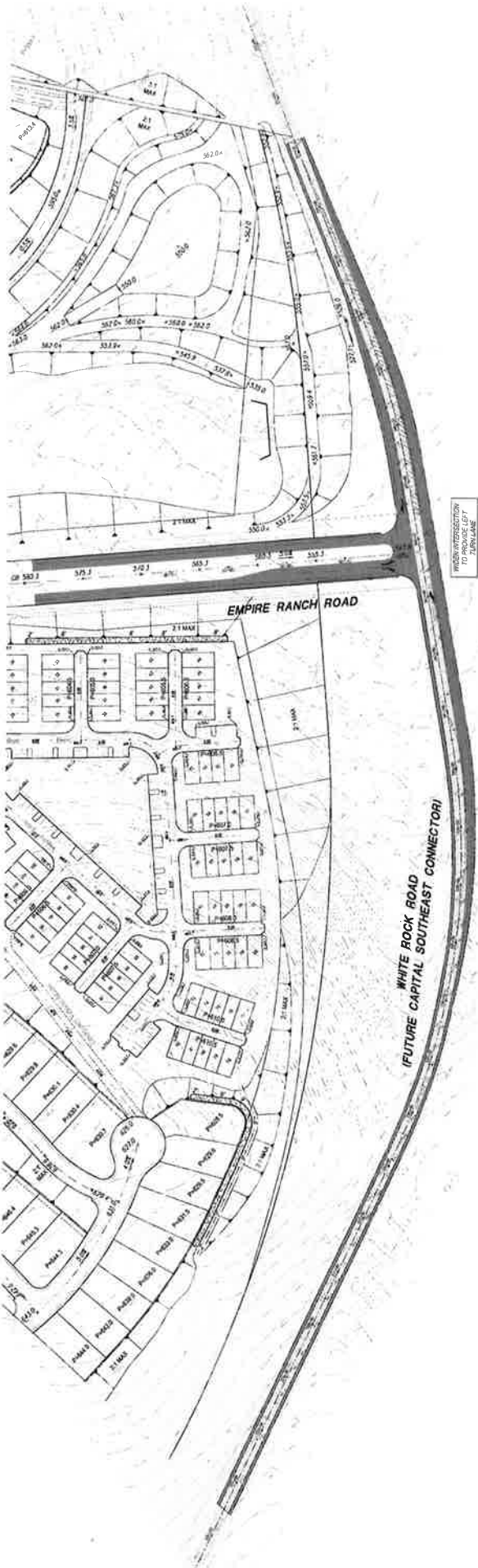
VILLAGE 5
PRELIMINARY UTILITY PLAN
Lots 24 thru 32
Russell Ranch

Folsom, California
MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

August 11, 2017
November 7, 2017
January 4, 2018
Revised: January 24, 2018

Attachment 13

**Initial Design for Empire Ranch Road/White Rock Road
Interchange, dated January 24, 2018**



PROPOSED INTERSECTION
WHITE ROCK ROAD

Lots 24 thru 32

Russell Ranch

Folsom, California
 August 11, 2017
 November 7, 2017
 January 4, 2018
 Revised: January 24, 2018

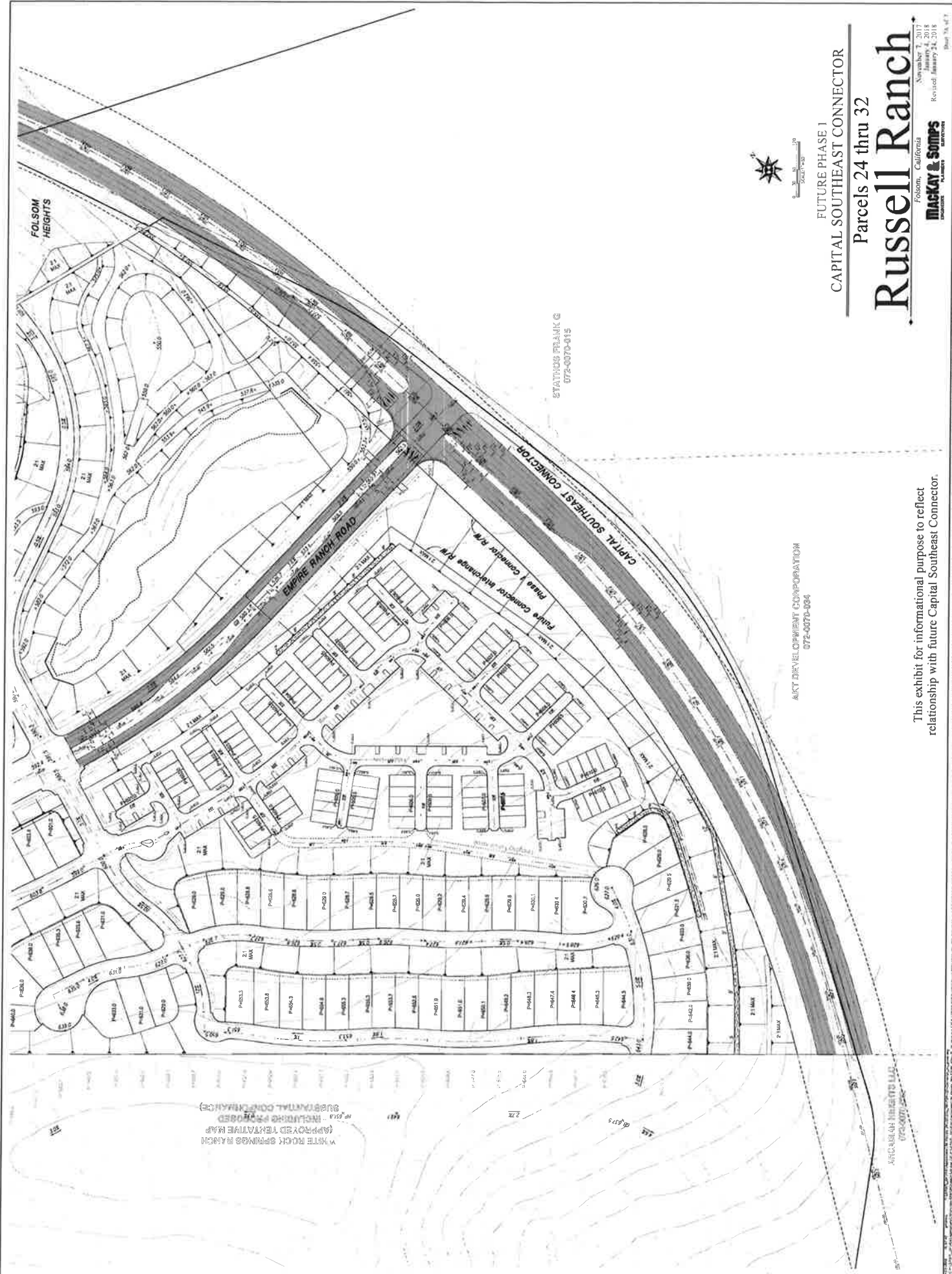
Mackay & Stumps
 CONSULTING PLANNERS & ENGINEERS



THIS PLAN IS THE PROPERTY OF MACKAY & STUMPS CONSULTING PLANNERS & ENGINEERS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF MACKAY & STUMPS CONSULTING PLANNERS & ENGINEERS.

Attachment 14

**Phase 1 of the Capital Southeast Connector
Dated January 24, 2018**



FUTURE PHASE I
 CAPITAL SOUTHEAST CONNECTOR
 Parcels 24 thru 32

Russell Ranch

Folsom, California
 November 7, 2017
 Revised January 24, 2018
Mackay & Somps
 CONSULTANTS

WHITE ROCK SPRINGS RANCH
 (APPROVED TENTATIVE MAP
 RETURNING PROJECT)
 SUBSTANTIAL CONFORMANCE

STATNOS PLANK @
 072-007D-015

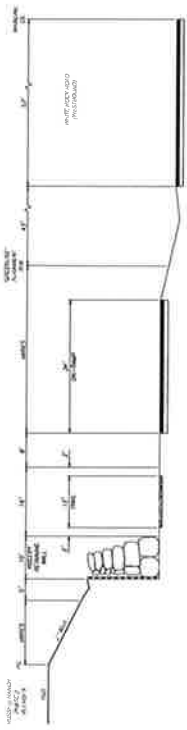
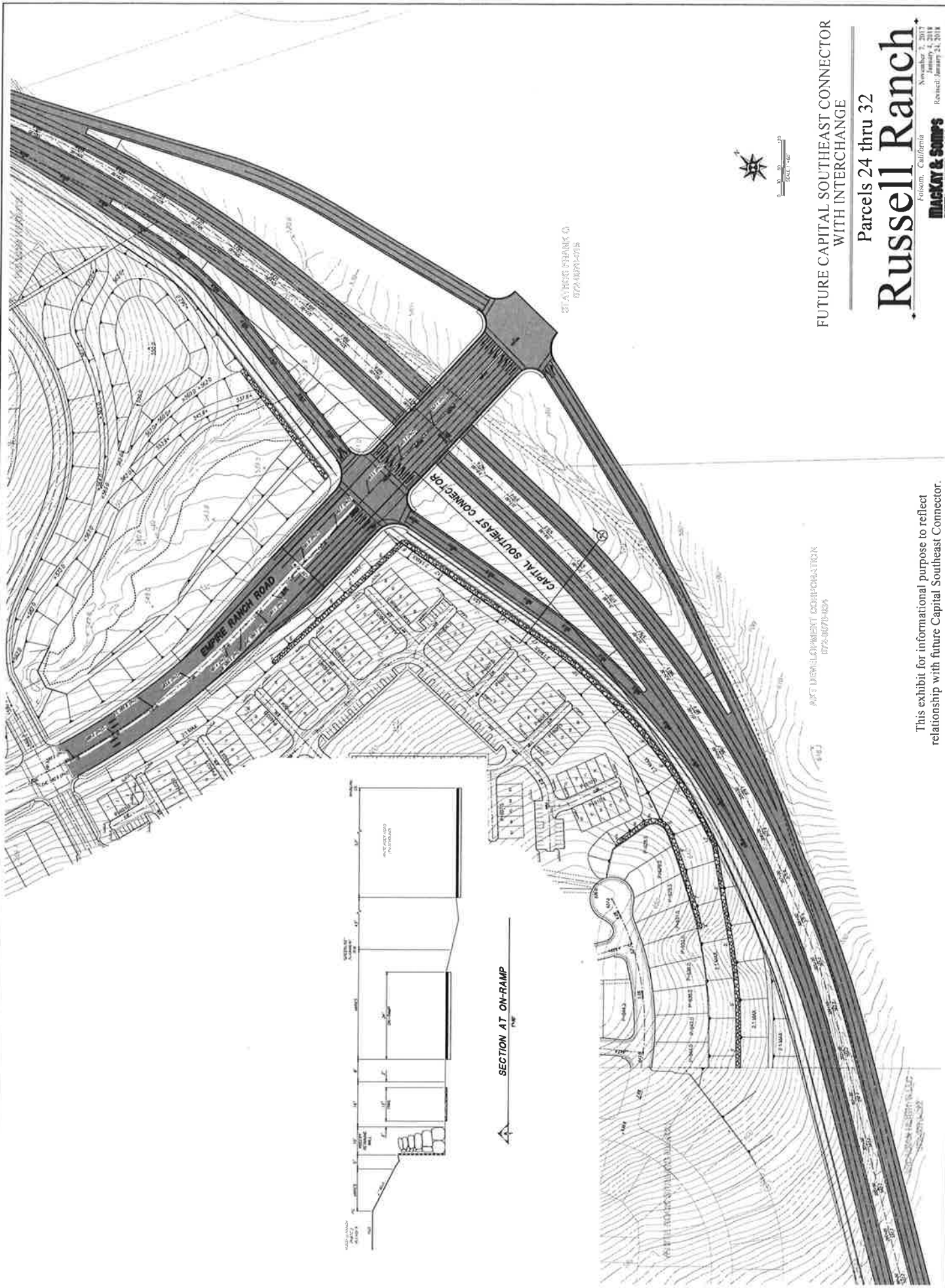
AKT DEVELOPMENT CORPORATION
 072-007D-004

This exhibit for informational purpose to reflect
 relationship with future Capital Southeast Connector.

DATE PLOTTED: 11/27/17 11:58 AM

Attachment 15

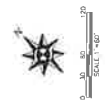
White Rock Road (Future Capital Southeast Connector),
dated January 24, 2018



SECTION AT ON-RAMP

STANTEC ENGINEERING
0779-8070-4075

AUST DEVELOPMENT CORPORATION
0779-8070-8294



FUTURE CAPITAL SOUTHEAST CONNECTOR
WITH INTERCHANGE
Parcels 24 thru 32

Russell Ranch
Folsom, California
November 7, 2017
November 21, 2017
January 24, 2018
January 24, 2018
Mackay & Soms
REGISTERED PROFESSIONAL ENGINEERS
SUNSET BLVD. SUITE 100
DUBLIN, CA 94568
PHONE: 925.835.3300
FAX: 925.835.3301
WWW.MACKAYANDSOMS.COM

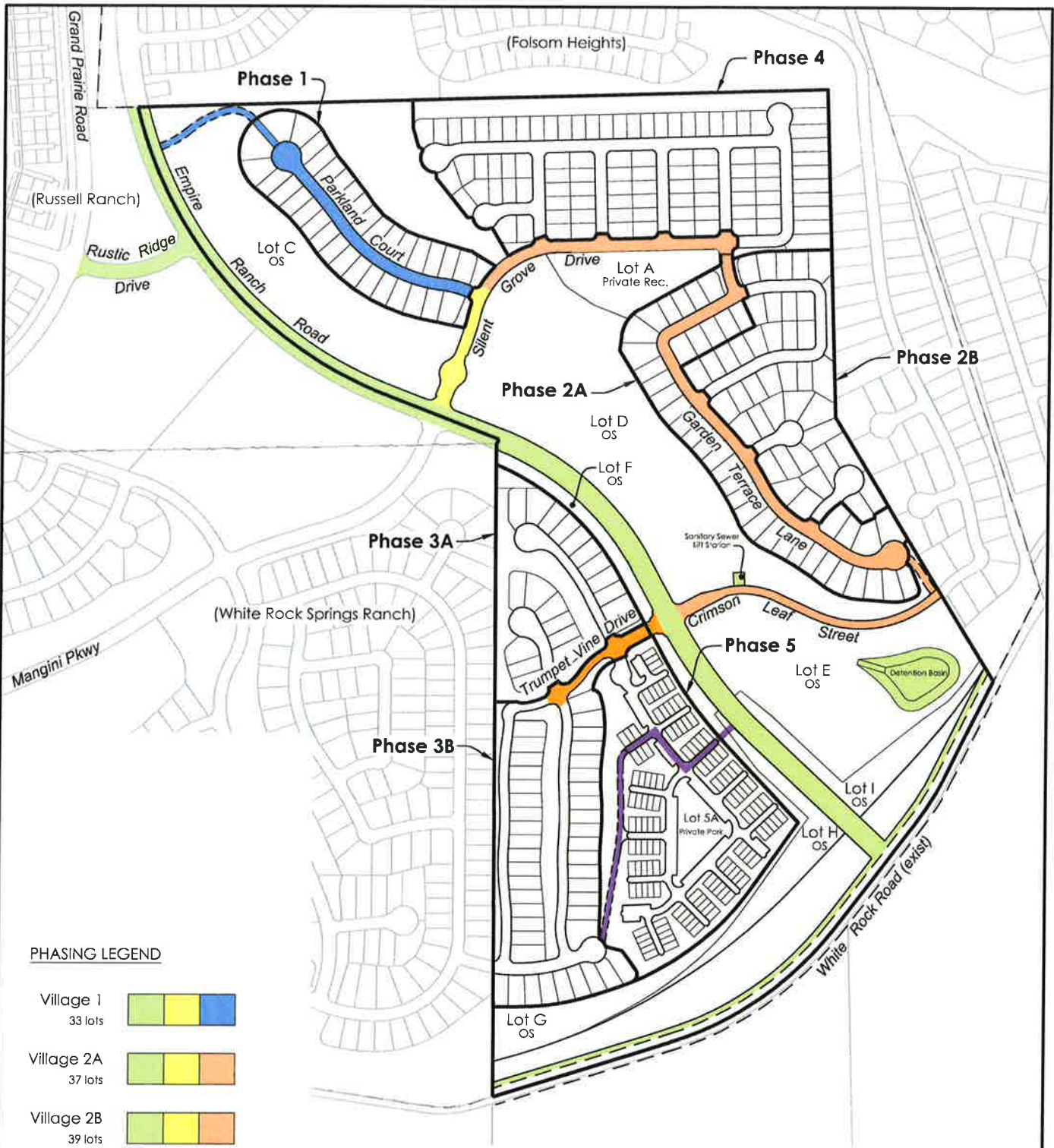
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Attachment 16

Conceptual Phasing Plan, dated January 24, 2018

P:\27107_0A\PM\Applications\IM Parcels 24-32\RR_P24-32_Conceptual Phasing Diagram.dwg
 1-29-2018 10:03:24 amrness



PHASING LEGEND

- Village 1
33 lots
- Village 2A
37 lots
- Village 2B
39 lots
- Village 3A
20 lots
- Village 3B
43 lots
- Village 4
96 lots
- Village 5
118 lots

CONCEPTUAL PHASING DIAGRAM
 LOTS 24 THRU 32

Russell Ranch

Folsom, California

January 29, 2018

MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS

Attachment 17

**On-Site and Off-Site Infrastructure Phasing Plan
Dated January 29, 2018**

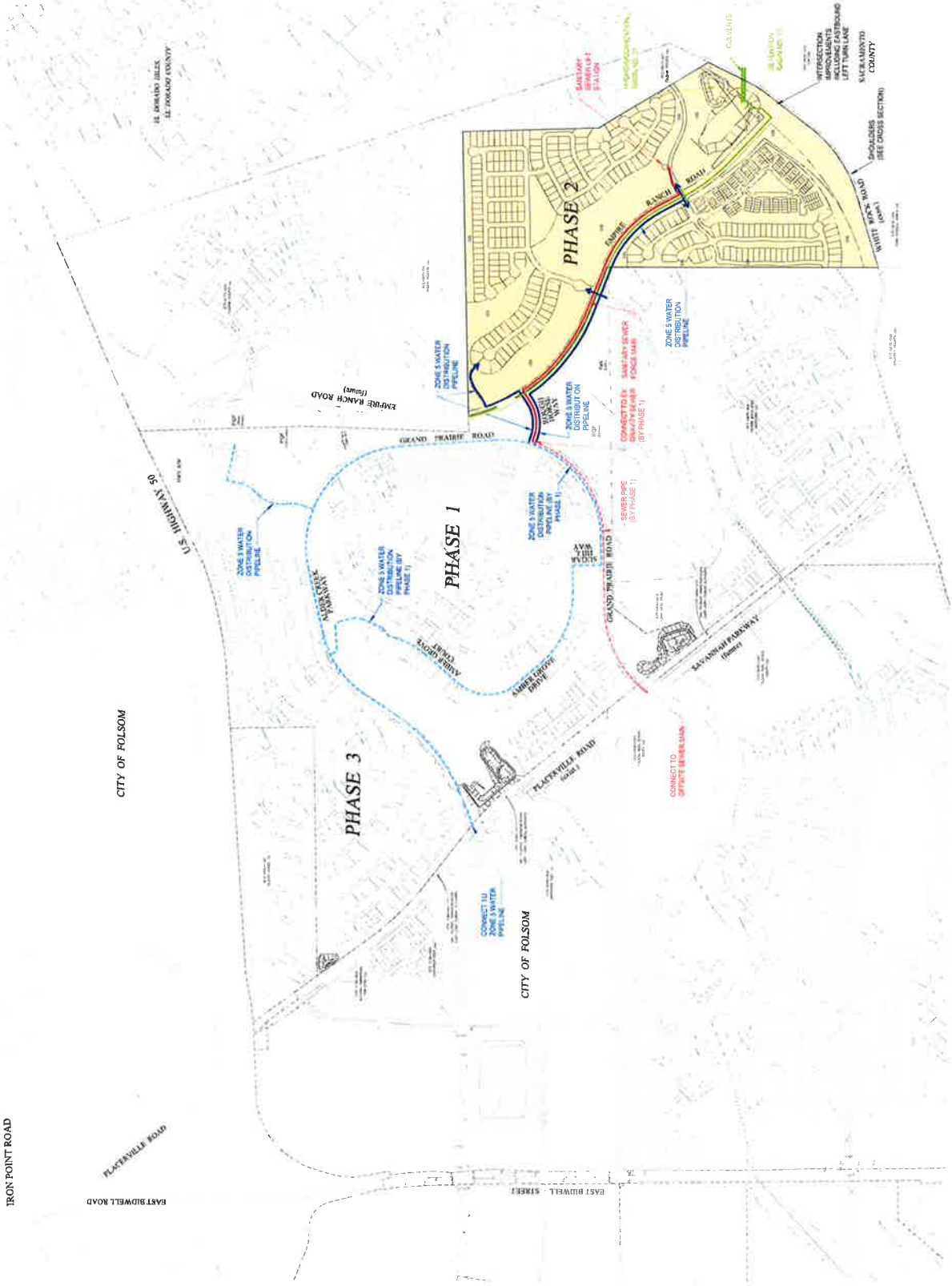
IRON POINT ROAD

PLACERVILLE ROAD
EAST BIDWELL ROAD

EAST BIDWELL STREET

CITY OF FOLSOM

CITY OF FOLSOM



- LEGEND**
- PROPOSED SANITARY SEWER PIPELINE
 - PROPOSED STORM DRAIN PIPELINE
 - PROPOSED WATER PIPELINE
 - UNDER CONSTRUCTION WATER PIPELINE
 - UNDER CONSTRUCTION SANITARY SEWER PIPELINE

BENCHMARK

DATE: 12/15/2017
 PROJECT: RUSSELL RANCH
 DRAWING NO.: 17-0001-01
 SCALE: AS SHOWN
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 APPROVED BY: J. HARRIS

LEGEND

| | |
|----------|-------------------------------|
| SYMBOL | DESCRIPTION |
| (Symbol) | Emergency Vehicle Access Lane |
| (Symbol) | Public Utility easement |
| (Symbol) | Public Utility easement |



ALTERNATIVE STREET NAMES

| | |
|---|---------------|
| 1 | Alternative 1 |
| 2 | Alternative 2 |
| 3 | Alternative 3 |



Onsite Backbone Infrastructure
 Lots 24 thru 32

Russell Ranch

Folsom, California
MACKAY & SOMPS
 PLANNERS

January 29, 2018

Russell Ranch Phase 2 Lots 24-32

Infrastructure Phasing Summary

The infrastructure to serve any portion of Russell Ranch Phase 2 (Lots 24-32) consists of much of the infrastructure under construction to serve Phase 1. The necessary offsite improvements include:

OFFSITE IMPROVEMENTS

SEWER

Alder Creek Parkway (formerly Easton Valley Parkway) Sewer Lift Station and Force main crossing Hwy 50
Outfall sewer from the Lift Station to E. Bidwell Street, north along E. Bidwell Street and east along Alder Creek Parkway and Placerville Road to Grand Prairie Road
Sewer in Grand Prairie Road from Placerville Road to Rough Horse Way

WATER

Water pipelines from Iron Point Road southerly and under Hwy 50 to the Water Booster Pump Station site
Zone 4/5 Water Booster Pump Station
Zone 5 water transmission pipeline from the Booster Pump Station southerly along Placerville Road to Alder Creek Parkway and then easterly to the Zone 5/6 Water Storage Tank
Zone 5 water pipeline in Placerville Road to Grand Prairie Road
Zone 5 water distribution pipeline from the Water Tank along Grand Prairie Road to the intersection with Sugar Hill Way
Zone 5 water distribution pipeline along Sugar Hill Way and Amber Grove Drive and Court to Alder Creek Parkway

ROADWAYS

Alder Creek Parkway (two lanes with median) between E. Bidwell Street and Placerville Road (construction complete)
Placerville Road two lane reconstruction between Grand Prairie Road and Alder Creek Parkway (construction complete)
Grand Prairie Road (two lanes with median) between Placerville Road and Rough Horse Way

The ONSITE IMPROVEMENTS required for any phase of Russell Ranch Lots 24-34 are listed below:

SEWER

Sewer Lift Station located on Crimson Leaf Street east of Empire Ranch Road
Sewer Force main from the Lift Station to Grand Prairie Road

WATER

Two Zone 5 water distribution pipelines in Rough Horse Way to Empire Ranch Road.

Northerly pipeline extends from the Zone 5/6 Water Storage Tank southerly along Grand Prairie Road to Rough Horse Way, easterly to Empire Ranch Road then northerly to Park Land Court through the EVA

Southerly Zone 5 water distribution pipeline extends from Grand Prairie Road at Sugar Hill Way to Rough Horse Way, then easterly to Empire Ranch Road and extends southerly in Empire Ranch Road to Crimson Leaf Street

STORM DRAINAGE

Detention Basin 11 and Water Quality/Hydromodification Basin 27
Storm Drain main in Empire Ranch Road to Detention Basin 11

ROADWAYS

Rough Horse Way two lanes from Grand Prairie Road to Empire Ranch Road
Empire Ranch Road two outside lanes and median from the northerly boundary to White Rock Road
Intersection improvement at Empire Ranch Road and White Rock Road including a left turn lane on White Rock Road with appropriate tapers
Shoulders on White Rock Road across the project frontage

ADDITIONAL IMPROVEMENTS by Phase

Phase 1: Construct Silent Grove Lane to Park Land Court
Construct EVA to Empire Ranch Road

Phase 2A & B:

Construct Silent Grove Lane, Garden Terrace Lane and Crimson Leaf Lane
Construct EVA from Garden Terrace Land to Crimson Leaf Lane

Phase 3A: Construct Trumpet Vine Drive

Phase 3B: Construct Trumpet Vine Drive and an EVA through Phase 5 (MLD product)
Empire Ranch Road

Phase 4: Construct Silent Grove Lane, Garden Terrace Land and Crimson Leaf Street
Construct EVA from Garden Terrace Land to Crimson Leaf Lane

Phase 5 (MLD product): Construct Trumpet Vine Drive to entry roadway
Construct temporary EVA to Empire Ranch Road if Phase 3B
has not been built

Note: Additional Improvements by Phase consist of two lane roadways and associated utilities.

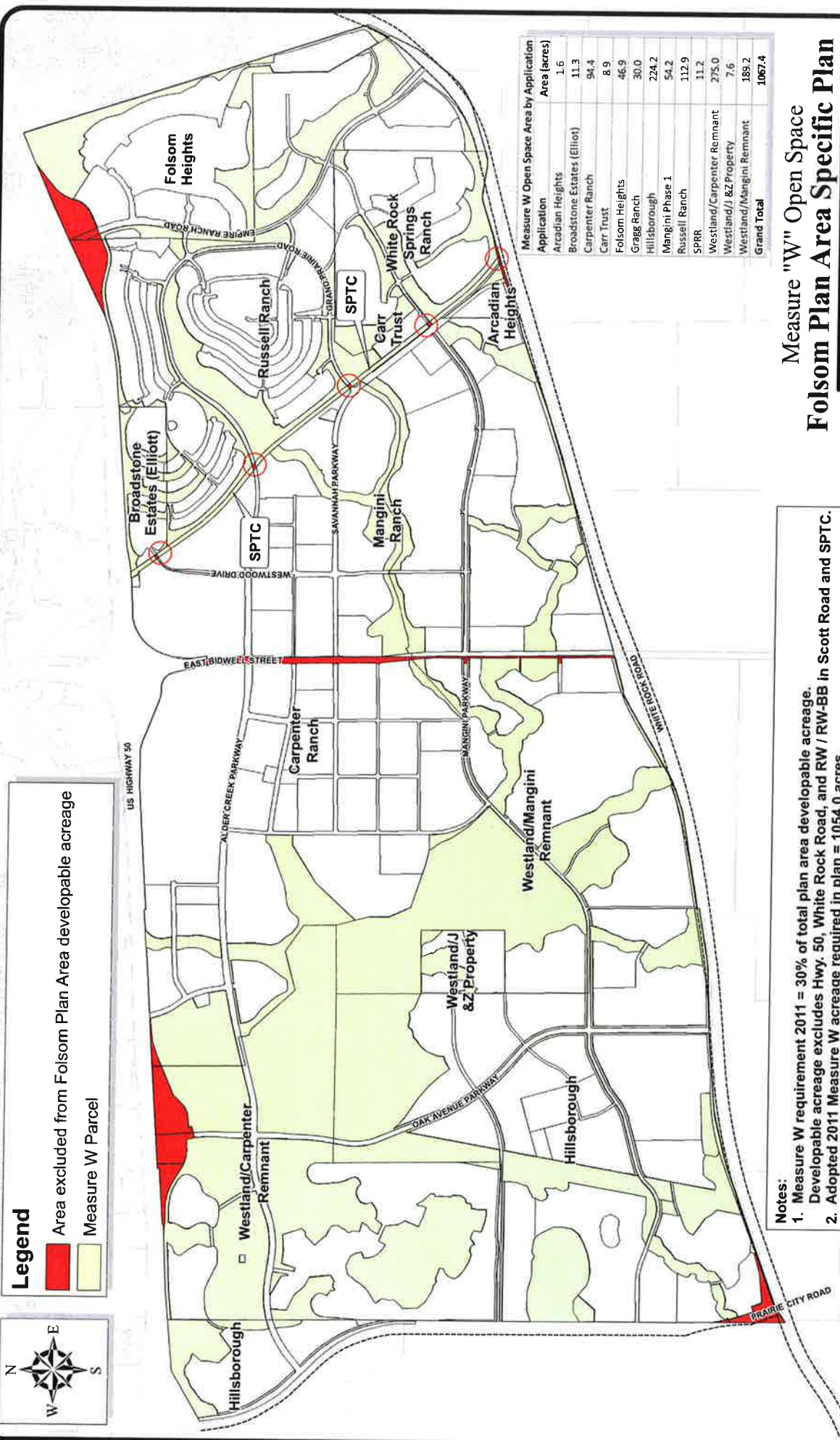
Attachment 18

Measure W Open Space Exhibit
Dated January 26, 2018



Legend

- Area excluded from Folsom Plan Area developable acreage
- Measure W Parcel



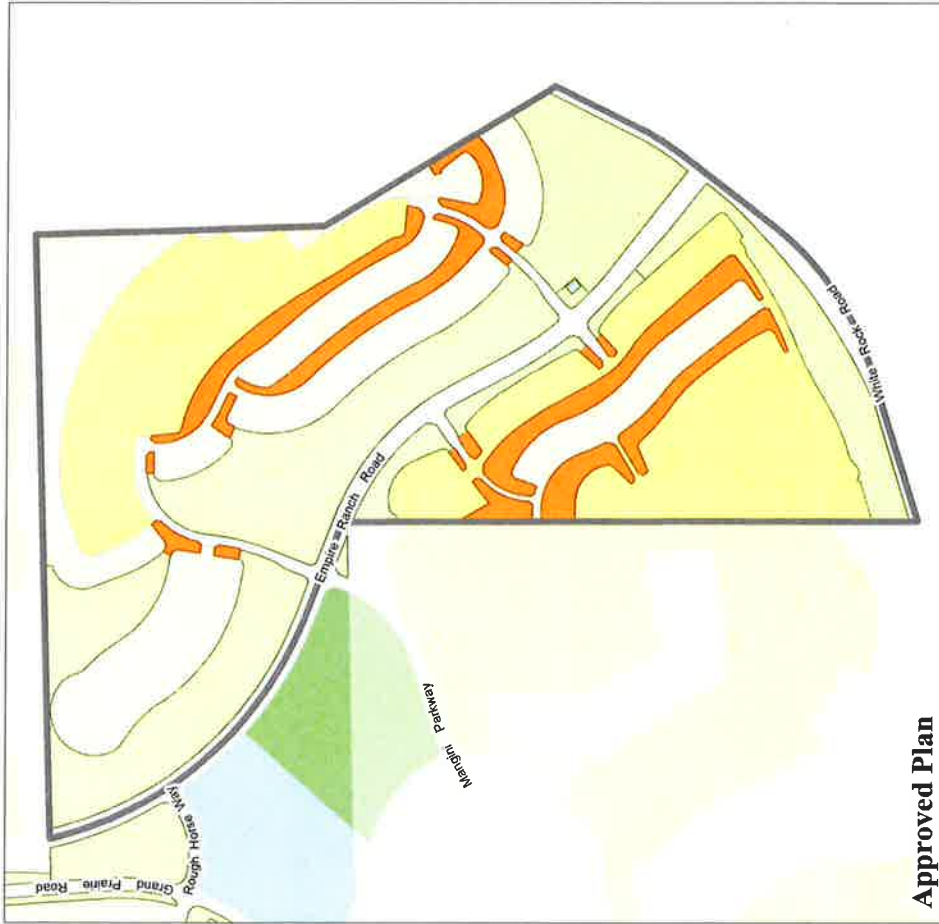
| Application | Area (acres) |
|------------------------------|---------------|
| Arcadian Heights | 1.6 |
| Broadstone Estates (Elliott) | 11.3 |
| Carpenter Ranch | 94.4 |
| Carr Trust | 8.9 |
| Folsom Heights | 46.9 |
| Grage Ranch | 30.0 |
| Hillsborough | 224.2 |
| Mangini Phase 1 | 54.2 |
| Russell Ranch | 112.9 |
| SPRR | 11.2 |
| Westland/Carpenter Remnant | 275.0 |
| Westland/J & Z Property | 7.6 |
| Westland/Mangini Remnant | 189.2 |
| Grand Total | 1067.4 |

Notes:

1. Measure W requirement 2011 = 30% of total plan area developable acreage. Developable acreage excludes Hwy. 50, White Rock Road, and RW / RW-BB in Scott Road and SPTC.
2. Adopted 2011 Measure W acreage required in plan = 1054.0 acres.
3. Actual Measure W acreage in plan = 1067.4 acres.
4. Excess Measure W acreage = 13.4 acres.

**Measure "W" Open Space
Folsom Plan Area Specific Plan**

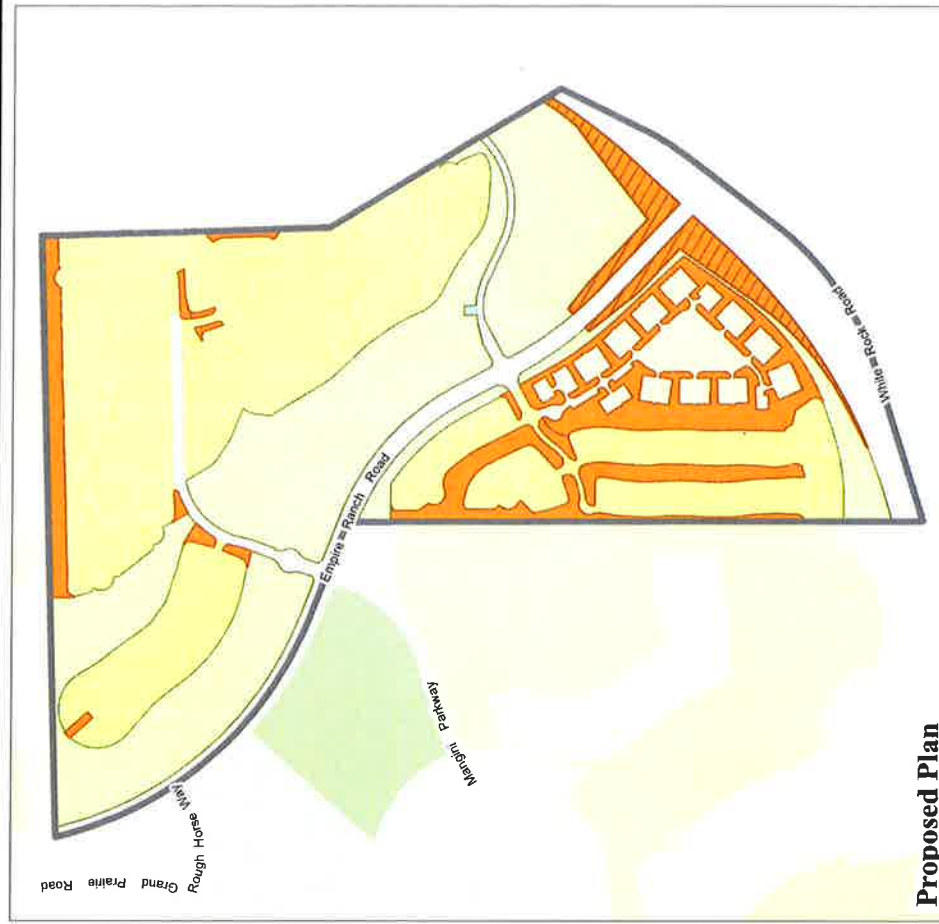
City of Folsom, California
MACKAY & SOMPS
 REGISTERED PROFESSIONAL LAND SURVEYORS AND ENGINEERS
 Revised January 26, 2018
 2018.018



Approved Plan

Approved Plan

| Type | Acres |
|--|-------------|
| Open Space - Measure "W" | 40.9 |
| Open Space - Slope (slope / landscape) | 11.3 |
| Total | 52.2 |



Proposed Plan

Proposed Plan

| Type | Acres |
|---|-------------|
| Open Space - Measure "W" | 40.9 |
| Landscape (slope / landscape) | 12.6 |
| Open Space - Other (future JPA Connector ROW) | 3.9 |
| Total | 57.4 |

Open Space Slope / Landscape Comparison

Lots 24 thru 32

Russell Ranch

January 30, 2018

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

Attachment 19

Russell Ranch Design Guidelines Addendum
Dated December 2017



RUSSELL RANCH
AND BROADSTONE ESTATES AT RUSSELL RANCH
PLANNED DEVELOPMENT DESIGN GUIDELINES

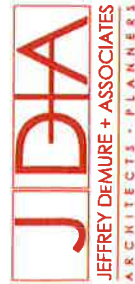
RUSSELL RANCH

AND BROADSTONE ESTATES AT RUSSELL RANCH

PLANNED DEVELOPMENT DESIGN GUIDELINES

DRAFT

DECEMBER 2017



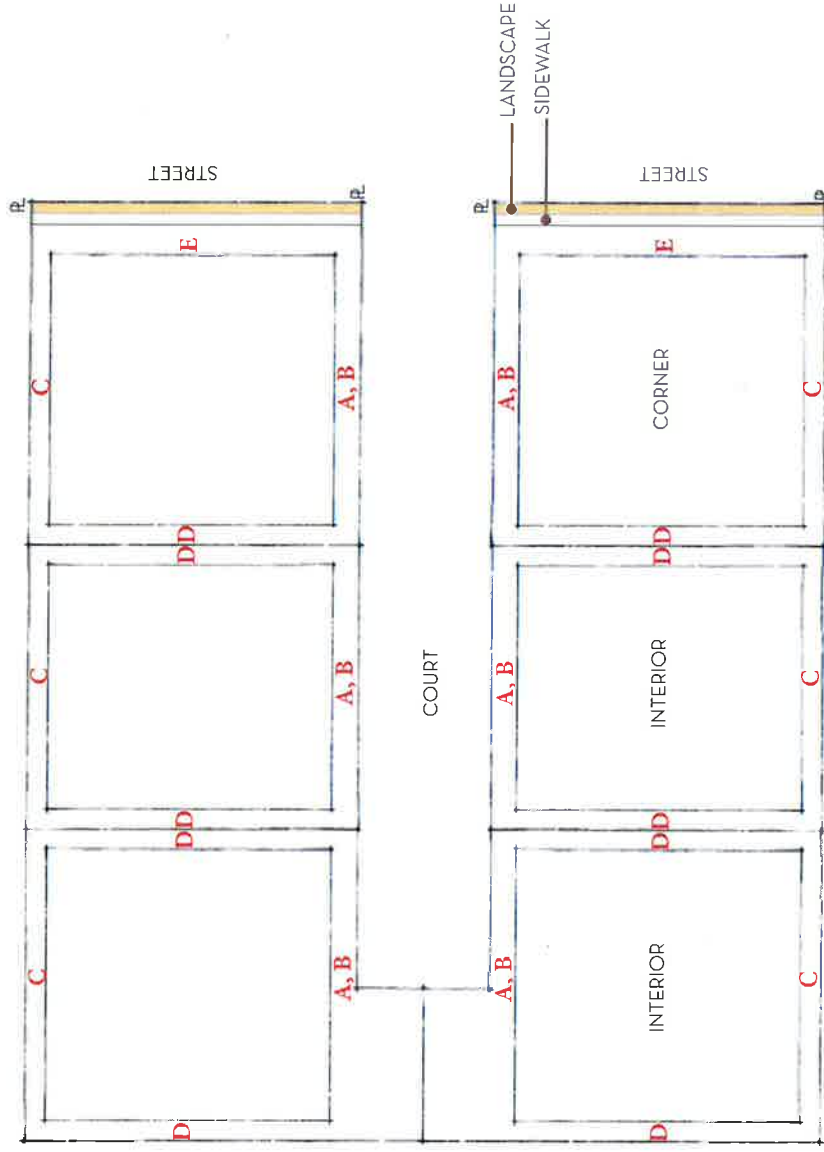
ValleyCrestDesignGroup

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4.3 DEVELOPMENT STANDARDS

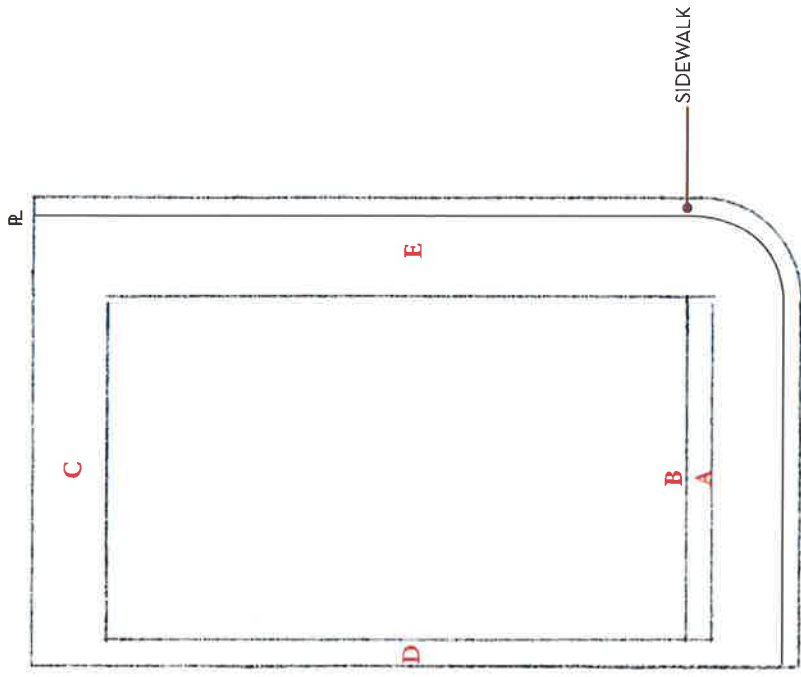
4.3.1 The Court Homes



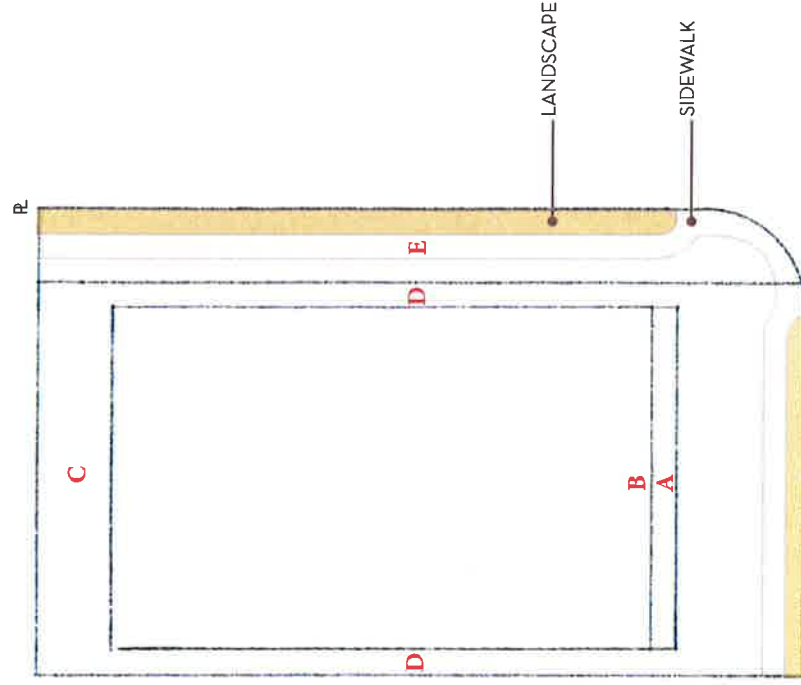
| DESCRIPTION: | Court SFD | CATEGORY: | MLD |
|---|---|---|-----|
| Minimum lot area: | 2,150 Square Feet | A. Minimum front setback at court (to living or covered outdoor space): | 4' |
| Minimum lot width: | 43' | B. Minimum garage setback: | 4' |
| Minimum lot depth: | 50' | C. Minimum rear setback: | 3' |
| Maximum lot coverage (single story / 2-story): ¹ | 60% / 60% | D. Minimum interior side setback: | 3' |
| Maximum height (single story / 2-story): | 28' / 35' | E. Minimum street side setback: | 8' |
| Minimum parking requirement: | 2 covered spaces/unit & 0.8 uncovered guest spaces/unit | | |

Note: Setbacks are measured from property line (P).

4.3.2 Single Family High Density (SFHD)



Attached Sidewalk Condition

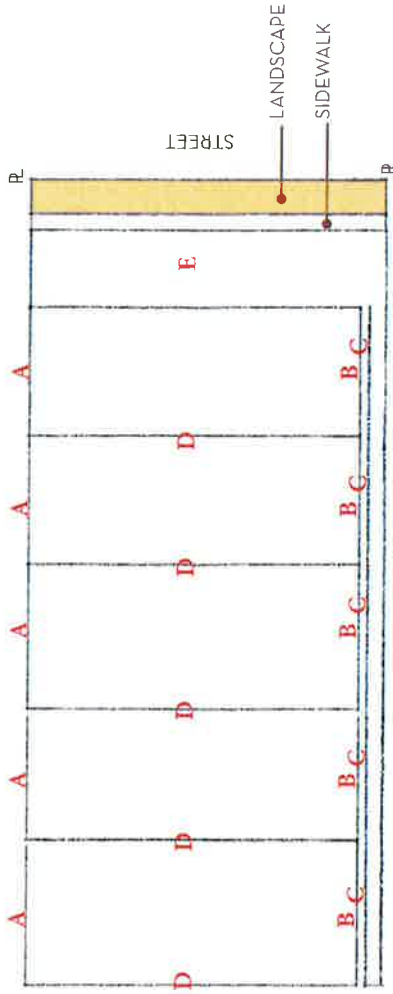


Detached Sidewalk Condition

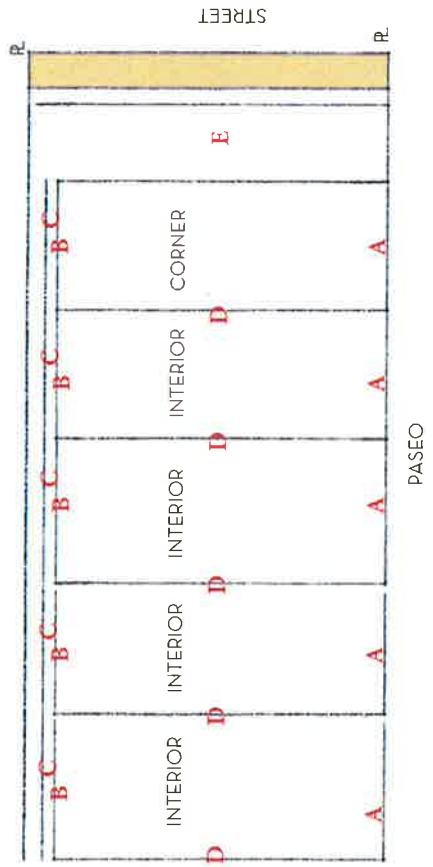
| DESCRIPTION: | SFD traditional lot | CATEGORY: | SFHD |
|--|---------------------|---|-------------|
| Minimum lot area: | 4,500 Square Feet | A. Minimum front setback to living space or covered outdoor space (attached sidewalk/detached sidewalk); ² | 12.5'/24.5' |
| Minimum lot width: | 50' | B. Minimum garage setback (attached sidewalk/detached sidewalk); ² | 18'/30' |
| Minimum lot depth: | 90' | C. Minimum rear setback; ^{2,3} | 15' |
| Maximum lot coverage: ^{1,5} | 50% | D. Minimum interior side setback; ² | 5' |
| Maximum height (single story / 2-story): | 28' / 35' | E. Minimum street side setback; ^{2,4} | 10' |

Note: Setbacks are measured from property line (P).

4.3.3 Townhomes (MLD)



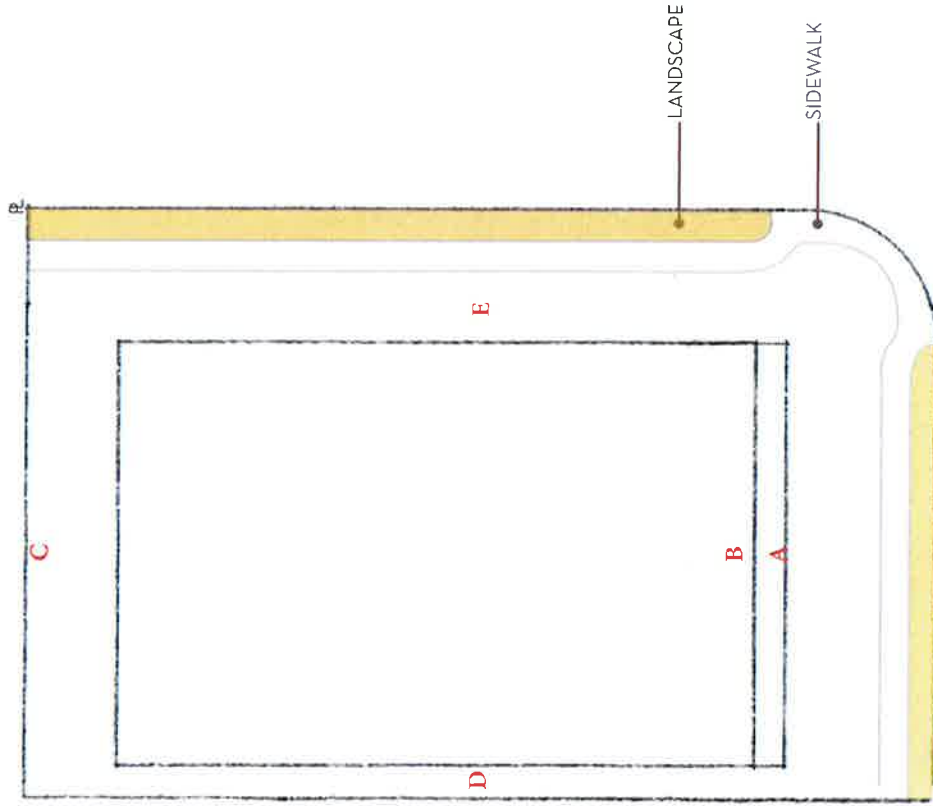
ALLEY



| DESCRIPTION: | MLD lot | CATEGORY: | SFHD |
|--|---|--|-------|
| Minimum lot area: | 1,188.8 Square Feet | A. Minimum front setback at landscape/paseo to living space or covered outdoor space:² | 0' |
| Minimum lot width: | 21.42' | B. Minimum rear garage setback at alley:² | 5' |
| Minimum lot depth: | 55.5' | C. Minimum rear setback at alley (lower floor/upper floor):^{2,3} | 5'3" |
| Maximum lot coverage: ^{1,6} | 90% | D. Minimum interior side setback:² | 0' |
| Maximum height (single story / 2-story): | 35' | E. Minimum street side setback:^{2,4} | 12.5' |
| Minimum parking requirement: | 2 covered spaces / unit & 0.8 uncovered guest spaces / unit | | |

Note: Setbacks are measured from property line (R).

4.3.4 Single Family (SF)



Detached Sidewalk Condition

| DESCRIPTION: | SFD traditional lot | CATEGORY: | SF |
|--|---------------------|---|-------|
| Minimum lot area: | 6,600 Square Feet | A. Minimum front setback to living space or covered outdoor space:² | 24.5' |
| Minimum lot width: | 60' | B. Minimum garage setback:² | 30' |
| Minimum lot depth: | 110' | C. Minimum rear setback:^{2,3} | 15' |
| Maximum lot coverage: ^{1,6} | 50% | D. Minimum interior side setback:² | 5' |
| Maximum height (single story / 2-story): | 28' / 35' | E. Minimum street side setback:^{2,4} | 22' |

Note: Setbacks are measured from property line (PL).

4.3.5 Development Standards Footnotes

1. MLD lot coverage shall be calculated as the percentage of lot area covered by the roof, including covered porches and patios. SFHD and SF lot coverage shall be calculated as the percentage of lot area covered by the roof, including covered porches but excluding outdoor covered unconditioned spaces (i.e., patios) and guest house/pool house/casita (i.e., detached habitable structure with only sleeping, living, and bathroom).
2. Accessory structures shall be consistent with the FPASP standards of 5' side yard (interior lot lines) and 5' rear yard setbacks, notwithstanding provision 3a below.
3. Minimum rear setback (view lots)
 - a. View lots, as identified in Figure 4.3, shall have a rear yard setback measured from the top of slope of the lot (as opposed to the downslope property line).
 - b. A View Lot Easement shall be recorded over the sloping portion of the lot (from the hinge point to the rear property line, see page 25, Rear Yard View Fencing section).
 - c. The easement area landscape shall conform to the slope area landscape treatments described in Chapter 3.
 - d. Monitoring and compliance with slope area requirements shall be the responsibility of Russell Ranch Homeowners Association. Any violations observed by the City of Folsom shall be referred to the Russell Ranch Homeowners Association.

4. Street side setback shall be 5' (measured from back of sidewalk) when adjacent to an open space lot 5' or greater in width.
5. A 5% lot coverage bonus for 3-sided outdoor covered unconditioned spaces (except with fireplace option, then 2-sided permitted) and/or guest house/pool house/casita (i.e., detached habitable structure with only sleeping, living and bathroom) shall be granted. In no case shall the total lot coverage exceed 55%.
6. A 10% lot coverage bonus for 3-sided outdoor covered unconditioned spaces (except with fireplace option, then 2-sided permitted) and/or guest house/pool house/casita (i.e., detached habitable structure with only sleeping, living and bathroom) shall be granted. In no case shall the total lot coverage exceed 60%.
7. For SF and SFHD lots, front yard setbacks shall be measured from property lines. Property lines shall be located as depicted in Figure 4.3. The Public Utility Easement (PUE) shall be located co-terminous with the front property line and extend into the lots as shown in yellow on Figure 4.3.

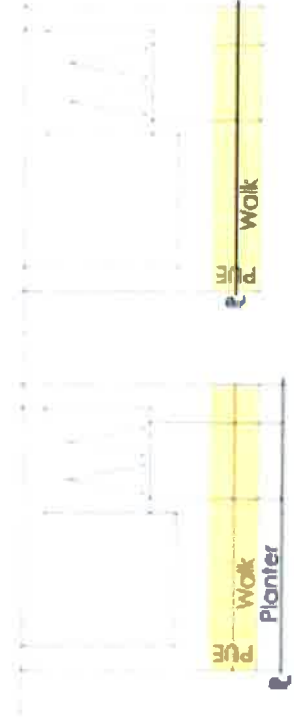


Figure 4.3: SF and SFHD PUE Location

4.5 ACTIVE ADULT

Russell Ranch will feature an active adult neighborhood within the community for residents seeking a living experience designed specifically for residents 55 and better. The active adult neighborhood will feature a private, gated entrance, its own private clubhouse amenity and will share access to the Russell Ranch trail system.

The Active Adult neighborhood will comply with the SFHD-guidelines set forth in the Architecture section of this document.

4.6 THE TOWNHOMES

The Townhomes provide an opportunity to create an eclectic urban micro-neighborhood environment within Russell Ranch and there are certain defining elements that the Townhomes must exhibit. When designing townhomes, which are typically distinguished as being narrow in nature, the quantity, scale, and placement of architectural detail must be judicious to not overwhelm the scale of the building.

- The architectural style must be selected from the permitted architectural styles described in this chapter.
- To avoid dominant unbroken planes and create shadow lines, The Townhomes must provide vertical articulation at the front elevation.
- Varied setbacks for different portions of the home, such as garages, second floors, balconies, etc., are encouraged.
- Massing of forms must be established using the fundamental characteristics of the selected architectural style.

- Contemporary interpretations of the architectural styles permitted for The Townhomes are encouraged through the use of eclectic materials, such as metals (must be anti-reflective) and variations on traditional siding, asymmetrical roof pitches, and playful massing and use of color.



Townhome Concept Imagery

4.7 THE RECREATION CENTER

Russell Ranch will feature two recreation centers: one for the multigenerational portion of the neighborhood and one for the active adult portion of the neighborhood. The recreation centers will provide an opportunity for residents of the neighborhood to gather and enjoy a beautiful indoor-outdoor environment. The Recreation Centers will feature architecture that blends historic with contemporary to create a truly iconic neighborhood building that residents and visitors alike will admire. The design intent is to convey the impression of an historic structure with a contemporary addition.

The following defining characteristics are intended as a kit of parts and set of rules to influence the design of the Recreation Centers. A combination of these elements should be used to inform the design of the building (all of the elements are not required).

- Casual, asymmetrical form with a combination of gable and shed roof forms.

Attachment 20

Amendment No. 2 to the First Amended and Restated Development Agreement

FOR THE BENEFIT OF THE CITY OF FOLSOM
PURSUANT TO GOVERNMENT CODE §6103

RECORDING REQUESTED BY CITY CLERK

WHEN RECORDED MAIL TO:

City Clerk
City of Folsom
50 Natoma Street
Folsom, CA 95630

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**AMENDMENT NO. 2 TO
FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF FOLSOM AND
TNHC RUSSELL RANCH LLC
RELATIVE TO LOTS 24-32 OF THE RUSSELL RANCH PROJECT AND
SECTION 2.2 PERTAINING TO THE ENTIRE RUSSELL RANCH PROJECT**

**AMENDMENT NO. 2 TO
FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
RELATIVE TO LOTS 24-32 OF THE RUSSELL RANCH PROJECT AND
SECTION 2.2 PERTAINING TO THE ENTIRE RUSSELL RANCH PROJECT**

This Amendment No. 2 to First Amended and Restated Tier 1 Development Agreement (“Amendment No. 2”) is entered into this ____ day of _____, 2018, by and between the City of Folsom (“City”) and TNHC Russell Ranch LLC (“Landowner”), pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California. All capitalized terms used herein and not otherwise defined herein shall mean and refer to those terms as defined in Section 1.3 of the First Amended and Restated Tier 1 Development Agreement described below and between the parties hereto, or Section 1.3 of Amendment No. 1 to First Amended and Restated Tier 1 Development Agreement described below and between the parties hereto.

RECITALS

A. Tier 1 Development Agreement, First Amended and Restated Tier 1 Development Agreement, and Amendment No. 1 to First Amended and Restated Tier 1 Development Agreement. The City and Landowner previously entered three development agreements related to the Property: (1) a Tier 1 Development Agreement By and Between the City of Folsom and Michele M. Carr and Melissa A. Barron, Et. Al., Relative to the Folsom South Specific Plan, dated August 2, 2011, and recorded on August 3, 2011 in the Official Records of the County Recorder of Sacramento County in Book 20110803, Page 0422 (the “Tier 1 Development Agreement”); (2) a First Amended and Restated Tier 1 Development Agreement By and Between the City of Folsom and TNHC Russell Ranch LLC Relative to the Folsom South Specific Plan (recorded on July 15, 2014, in the Official Records of the County Recorder of Sacramento County in Book 20140715 on Page 0405 (the “Restated Agreement”), and (3) Amendment No. 1 to Amended and Restated Tier 1 Development Agreement Relative to the Russell Ranch Project (recorded on July 10, 2015, in the Official Records of the County Recorder of Sacramento County in Book 20150710 on Page 10642 (“Amendment No. 1”).

B. Property. The Tier 1 Development Agreement, the Restated Agreement, and Amendment No. 1 each pertained to the Property identified as the “Russell Ranch Project,” as further described in Exhibit A-1 of Amendment No. 1 and depicted in Exhibit A-2 of Amendment No. 1. As used herein, the term “Property” shall have the same meaning and scope as defined in Amendment No. 1 (i.e., the entire Russell Ranch Project). The subject of the Tier 1 Development Agreement, the Restated Agreement and Amendment No. 1 was and is the Development of the Property.

C. Limited Scope of Amendment No. 2. The portion of the Property subject to Amendment No. 2 is identified on **Exhibit A-3**, consists of Lots 24-32 of the Large Lot Final Map for Russell Ranch (recorded on September 21, 2017, in the Official Records

of the County Recorder of Sacramento County in Book 398 of Maps at Page 1, Document No. 201709210431, and is referenced herein as “Lots 24-32 of the Property,” or as “Lots 24-32”). Landowner owns Lots 24-32 of the Property, and represents that all persons holding legal or equitable interests in Lots 24-32 shall be bound by the Restated Agreement, as amended by Amendment No. 1, and now by this Amendment No. 2. City and Landowner further intend to re-confirm and update Section 2.2 (“Vested Rights”) of Amendment No. 1 as related to all portions of the Property, including the 2016 Entitlements and the entitlements related to Lots 24-32 of the Property.

D. Approved Entitlements. The City completed a Russell Ranch Project Environmental Impact Report (the “Project EIR”) to review the potential impacts of the Project. Following consideration of the environmental impacts, the City Council adopted findings of fact and a statement of overriding considerations, and certified the Project EIR by Resolution No. 9564 on May 12, 2015. The City Council thereafter amended provisions of the General Plan and Specific Plan by Resolution No. 9565 and Resolution No. 9566 on May 12, 2015, and approved Subsequent Entitlements (as defined by Recital E of Amendment No. 1, and also referred to herein as the “2015 Entitlements”) by Resolution No. 9567 on May 12, 2015. On June 28, 2016, by Resolution No. 9783, the City Council approved Amended Vesting Large Lot and Small Lot Tentative Subdivision Maps (referenced herein as the “2016 Entitlements”). The City Council found and determined that the 2016 Entitlements did not require additional environmental review, and were within the scope of Amendment No. 1. The amendments approved in the 2016 Entitlements are attached hereto as **Exhibit B-2**.

E. Purpose of Amendment No. 2. Landowner is processing an amendment to the land use plan for Lots 24-32, which requires (1) amendments to the Large Lot and Small Lot Vesting Tentative Subdivision Maps, (2) General Plan Amendment (“GPA”), (3) Specific Plan Amendment (“SPA”), and (4) amendments to Design Guidelines (collectively the “Lot 24-32 Amendments”). The City and Landowner intend to include the Lot 24-32 Amendments identified herein, including the conditions of approval related thereto and as approved by the City, within the scope and the definition of Entitlements and Subsequent Entitlements as provided for in the Restated Agreement and Amendment No. 1. The City and Landowner further intend to amend certain other provisions as stated herein with respect to the terms of the Restated Agreement and Amendment No. 1 as applicable to Lots 24-32. City and Landowner further intend to clarify certain provisions related to identification of sites for a corporation yard and high school/middle school, as provided for in Sections 2.2.3.4 and 2.5.3B of the Restated Development Agreement, and additional provisions related to development of the Lots 24-32. Finally, Landowner and City intend to confirm and update provisions in Section 2.2 of Amendment No. 1 specifying the scope of vested rights as specified herein by attaching all approved maps depicting the Specific Plan as approved by the 2016 Entitlements and the Entitlements for Lots 24-32, and also to update the term of the vesting tentative subdivision large and small lot maps and accompanying conditions of approval.

F. Hearings. On January __, 2018, the City Planning Commission, designated as the planning agency for purposes of development agreement review pursuant to

Government Code Section 65867, in a duly noticed and conducted public hearing, considered this Amendment No. 2 and recommended that the City Council approve this Amendment No. 2 to the Restated Development Agreement.

G. Environmental Review. On January ____, 2018, by Resolution [], the City Council approved an Addendum to the Project EIR in connection with its approval of the Lot 24-32 Amendments (the "Addendum") for development of Lots 24-32 of the Property consistent therewith (the "Project"). Technical Studies prepared in support of the Addendum identified mitigation measures to reduce environmental impacts which have been incorporated into the Project and in the terms and conditions of the approved SPA, as modified, as reflected by the findings adopted by the City Council concurrently with its approval of the Addendum for the SPA.

H. No New Impacts Associated with Approval of Amendment. The City Council has determined that the adoption of this Amendment No. 2 involves no new impacts not considered in the FPASP EIR/IES, Backbone Infrastructure IS/MND, the Project EIR and Addendum; therefore, no further environmental documents relating to the adoption of this Amendment No. 2 are required.

I. Consistency with General Plan and Specific Plan. Having duly examined and considered this Amendment No. 2, the City finds and declares that this Amendment No. 2 is consistent with the General Plan and the Specific Plan, as amended.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, the parties hereto do hereby agree to amend the Restated Agreement and Amendment No. 1 as applied to Lots 24-32 of the Property as follows:

1. Amendments to Existing Sections of Amendment No. 1 to Restated Development Agreement. The definition of "Subsequent Entitlements" in Recital E of Amendment No. 1 and in Section 1.3 Definitions ("Subsequent Entitlements"), the Property Description and Binding Covenants provisions in Section 1.2, the provisions related to affordable housing in Section 1.7, provisions related to consistency of amendments to the ARDA with other applicable developments in Section 1.8, the application of vested rights in Section 2.2, the provisions regarding the Corporation Yard in Sections 2.2.3.4 and 2.2.3.4.1, and Sections 2.5.3, 3.5, 3.6, and 3.7.1 are hereby amended as follows:

a. Recital E and Section 1.3 Definitions ("Subsequent Entitlements") – Subsequent Entitlements. The term "Subsequent Entitlements" set forth in Recital E and also in Section 1.3 Definitions ("Subsequent Entitlements") of Amendment No. 1 is hereby revised to add the following with respect to Lots 24-32 of the Property:

(1)-(6) [No Amendments]

7. the General Plan and Specific Plan, as amended by the GPA

and SPA approved by the City Council by Resolution [];

8. the Vesting Tentative Large-Lot Map and Vesting Tentative Small-Lot Maps for Lots 24-32 of the Property, as approved by the City Council by Resolution [];

9. amendments to the Design Guidelines for development of the Property, as approved by the City Council by Resolution []; and

10. this Amendment No. 2 to the Restated Development Agreement.

b. Section 1.2.2 is hereby added to Section 1.2 with respect to Lots 24-32 of the Property to read as follows: **Section 1.2.2 - Landowner Affirmation of Application of Terms of Restated Agreement and Amendment No. 1.** In consideration of the addition of the aforementioned entitlements to the definition and list of “Subsequent Entitlements” that are within the scope of the protections in the Restated Agreement and Amendment No. 1, and in accordance with the provisions of Section 1.5 of Amendment No. 1, Landowner hereby reaffirms its agreement to abide by the provisions of Amendment No. 1 and those provisions of the Restated Agreement, as modified by Amendment No. 1 and this Amendment No. 2, and the conditions of approval imposed in connection therewith as applicable to the Property with the approved SPA, as modified, and the Vesting Tentative Maps for the Property.

c. Section 1.7 – **Anticipated Changes to the City’s Inclusionary Housing Ordinance** is hereby revised to read as follows with respect to Lots 24-32 of the Property: “The City has amended the Inclusionary Housing Ordinance (i.e., Folsom Municipal Code Chapter 17.104) by Ordinance No. 1243, to eliminate Second Dwelling Units (also referred to as “granny flats”) as an alternative means of meeting the City’s inclusionary housing requirements. Landowner acknowledges there is no vested right to use this alternative means for meeting the City’s inclusionary housing requirements and that this alternative shall not be available to Landowner from and after the date of Ordinance No. 1243. Landowner further acknowledges that the State adopted amendments to Section 65850 of the California Government Code (specifically Section 65850(g)), effective January 1, 2018, to allow for the implementation of inclusionary housing requirements in residential rental units, upon adoption of an ordinance by the City. The Landowner is not currently contemplating any residential rental projects within the Property; however, in the event the City amends its Inclusionary Housing Ordinance with respect to rental housing pursuant to Section 65850(g), Landowner (or a successor in interest) agrees that the Property shall be subject to said City Ordinance, as amended, should any residential rental project be proposed within the Property. Other than the elimination of the “granny flat” option and the possible future application of an inclusionary housing requirement on residential rental properties (upon the conditions stated herein), the Parties agree that all other alternatives for meeting the City’s inclusionary housing requirements remain vested

to the full extent provided for in the Restated Agreement. In particular, City acknowledges that, consistent with Landowner's development plans for Lots 24-32 of the Property, Landowner's right to satisfy its affordable housing requirements through the payment of an affordable housing in-lieu fee, which has been approved by the City Council by Resolution No. XXXX, shall be deemed vested by the Restated Agreement, as amended."

d. Section 1.8 – **Consistency with Other Amendments to Restated Agreements for the Plan Area** is hereby revised to read as follows with respect to Lots 24-32 of the Property: By entering into Tier 1 Development Agreements and Restated Agreements on like terms with other owners of property within the Plan Area, the City intended, and now reaffirms its intention, to apply comparable rules to all property within the Plan Area for vesting of entitlements and exceptions thereto, term of agreement, requirements imposed on development of the property, obligations of landowners and obligations imposed by City upon itself. In light of the intention to maintain equality in terms and provisions among landowners, City agrees to consider, upon request of the Landowner, and approve or deny in its sole and absolute discretion, a subsequent amendment to this Amendment No. 2 to provide like terms that may be included in an amendment to Restated Agreement for another owner within the Plan Area. Furthermore, with respect to the provisions of Sections 1.7, 2.5.3B(9) and 2.5.3B(10) added herein, City intends to impose these conditions equitably throughout the Plan Area as and to each and every Participating Landowner who seeks any future specific plan amendment, tentative subdivision map or ARDA amendment in connection with its proposed development. If City fails to impose either condition, when required, with at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific plan or to a development agreement, or other agreement between the City and a Participating Landowner), the corresponding condition of approval hereunder shall be null and void as to Landowner's Project, and shall not be used as a reason to prevent approval of any final Small-Lot Map for the Project. Except for those projects in the Plan Area that are not subject to the provisions of Sections 1.7, 2.5.3(B)(9) and 2.5.3(B)(10) added herein and which may seek final Small-Lot Maps because the Small-Lot Maps do not require a future specific plan amendment, tentative subdivision map or ARDA amendment, if the City approves any other final Small-Lot Map for a project within the Plan Area and the modifications to Section 1.7 related to rental housing, or the provisions regarding the Corporation Yard or high school/middle school site(s), as applicable, have or has not been approved as provided for in said Section 2.5.3B(9) or 2.5.3B(10), Landowner may seek relief from the terms of the applicable condition by appeal to the City Manager, with the right to review by the City Council. The provisions related to Sections 1.7, 2.5.3B(9) and 2.5.3B(10) do not apply to requests for extensions on the term of a vested tentative subdivision map, where the sole item under consideration is the length of the proposed extension."

e. Section 2.2 – **Vested Rights**. The provisions of Section 2.2 of Amendment No. 1 remain in full force and effect, and are amended to also include specific reference to **Exhibit B-2** of the 2016 Entitlements and **Exhibit B-3** to this Agreement (each of which is attached hereto and incorporated by reference), which reflects uses and approximate acreages as set forth in all of the Subsequent Entitlements identified in the

Recital E and the amendments thereto, and included in the Specific Plan Amendment for the 2016 Entitlements and Lots 24-32. Subsection A of Section 2.2 is further amended to read as follows with respect to the 2016 Entitlements and Lots 24-32:

A. Vesting Tentative Subdivision Large and Small-Lot Maps and accompanying Conditions of Approval – Vested Rights shall be as established by the California Subdivision Map Act, Government Code sections 66452.6 and 66498(b) and (c). For purposes of Government Code Sections 66452.6(a)(1), the phrase “construct, improve or finance” shall include, but not be limited to, the payment of impact fees identified in the PFFP, later adopted SPIF fees or this Amendment to Restated Agreement that are for the express purpose of construction of off-site improvements that otherwise qualify for extension of a map under that statute. The extension of any Vested Tentative Subdivision Small-Lot Map shall apply to all Vested Tentative Subdivision Small-Lot Maps for the Project. City acknowledges that as of the date of approval of this Amendment No. 2, Landowner has expended in excess of the statutory maximum for off-site improvements required under both Government Code Section 66452.6(a)(1) and Folsom Municipal Code Section 16.16.110A, entitling Landowner to an automatic three (3) year extension of the term of all Vested Tentative Small-Lot Maps for the Russell Ranch Project. From and after the date of approval of this Amendment No. 2, the term for any Vested Tentative Small-Lot Maps for the Russell Ranch Project, or any portion or phase thereof, shall be five (5) years from the date of approval of the applicable Vested Tentative Small-Lot Maps, unless otherwise extended by provisions of the Subdivision Map Act, or action by the Planning Commission and City Council as allowed by applicable laws.

Sections B-E – No amendments.

f. Sections 2.2.3.4 and 2.2.3.4.1 - **Corporation Yard**. With respect to Lots 24-32 of the Property, the provisions of Section 2.2.3.4 and 2.2.3.4.1 of the Restated Agreement (as incorporated by reference in Amendment No. 1) continue to apply and the amendment to Section 2.5.3(B)(9), as set forth below, is not intended to alter, amend or enlarge the obligations and rights of Landowner as set forth in Section 2.2.3.4 and 2.2.3.4.1, except as specifically identified in Section 2.5.3(B)(9).

g. Section 2.5.3 – **Requirements for Subsequent Plans**. The provisions of Section 2.5.3 of Amendment No. 1 remain in full force and effect, and new Subsections (B) (9), (10) are hereby added to read as follows with respect to Lots 24-32 of the Property:

“A. [No Amendments]

“B. Prior to Approval of First Final Small Lot Map in the FPA_(or First Building Permit if Development May Occur Without Any Subdivision) or as otherwise specified below:

Subsections (1)-(8), inclusive, no amendments.

Subsections (9) and (10) are added to read as follows:

- (9) A site consistent with the requirements of Section 2.2.3.4, as may be amended or otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site, consistent with the foregoing, as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion; and
- (10) A site or sites identified as suitable by the City, in consultation with the Folsom Cordova Unified School District, for use as the future high school and middle school in the Folsom Plan Area shall be identified and approved by the City in consultation with the Folsom Cordova Unified School District. If a supplemental fee is required to support the development of such site(s), Landowner agrees to support the establishment of such fee in accordance with the Mitigation Fee Act and to pay such fee, so long as such fee is equitably shared by all similar development within the Plan Area. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion."

h. Section 3.5 – **EIR Mitigation Measures**. The provisions of Section 3.5 of Amendment No. 1 remain in full force and effect, but are hereby revised to add the following as related to Lots 24-32, only:

"3.5 **EIR Mitigation Measures**. Notwithstanding any other provision in the Restated Agreement or Amendment No. 1, as amended hereby, to the contrary, as and when Landowner elects to Develop Lots 24 – 32 of the Property, or any portion or phase of Lots 24-32, Landowner shall be bound by, and shall perform, or cause to be performed, all mitigation measures contained in the Project EIR, the Addendum, the Specific Plan

EIR/EIS, the Backbone Infrastructure IS/MND, and the Addendum to the FPASP EIR/EIS, and any additional environmental mitigation measures referenced therein, and any Supplemental Environmental Review(s) related to Development of Lots 24-32 of the Property which are adopted by City and are identified in the Mitigation and Monitoring and Reporting Program as being a responsibility of Landowner for Development of Lots 24- 32 of the Property.”

i. Section 3.6 – **Mitigation Monitoring and Reporting Program**. The provisions of Section 3.6 of Amendment No. 1 remain in full force and effect, but are hereby revised to add the following as related to Lots 24-32, only:

“3.6 **Mitigation Monitoring and Reporting Program**. Separate from and in addition to the requirements in Section 3.5 of Amendment No. 1, as amended hereby, Landowner shall be responsible for all of the costs and expenses associated with the Mitigation Monitoring and Reporting Program under CEQA as part of the FPASP EIR/EIS, the Backbone Infrastructure IS/MND and the Addendum to the FPASP EIR/EIS and any Supplemental Environmental Review(s) that are identified as applicable to this Project and Lots 24-32 in the Project EIR related to the Development. In furtherance of this provision, Landowner shall pay all costs required by the City associated with the Mitigation Monitoring and Reporting Program as set forth in the conditions of approval on the Entitlements and the Subsequent Entitlements.”

j. Section 3.7.1 – **White Rock Road Improvements**. Section 3.7.1 of the Amendment No. 1 is hereby revised to read as follows with respect to Lots 24-32 of the Property:

“On February 11, 2016, Landowner and the Capital SouthEast Connector Joint Powers Authority (the “Connector JPA”) entered into an Agreement for Right of Way Dedication and Acquisition for the Mainline D3 Segment of the Capital Southeast Connector (the “Right of Way Agreement”), which agreement was recorded on February 25, 2016. Pursuant to the terms of the Right of Way Agreement, the Connector JPA and Landowner identified land to be reserved and ultimately dedicated for the construction of what is identified in the Right of Way Agreement as the “Mainline D3.” The Connector JPA and Landowner also negotiated certain improvements that would be constructed by the Connector JPA that would have benefit to Landowner. The Connector JPA and Landowner also identified alternative compensation that would be paid by the Connector JPA to Landowner in the event that the identified improvements were not constructed by the Connector JPA by the timeline set forth in the Right of Way Agreement. Landowner will dedicate the land identified in the Right of Way Agreement (or as that Right of Way Agreement may be amended in the future with the consent of both the Connector JPA and Landowner) upon the terms set forth in the Right of Way Agreement. The Right of Way Agreement expressly excluded any compensation for additional right of way that may be required for other subsequent phases of the Connector project, and any such

compensation shall be subject to the terms set forth in this Section 3.7.1 for limited compensation from other public agencies. If the final Connector alignment results in excess property located between the Connector and south of Landowner's property line, Landowner will cooperate and support the City with any potential annexation of such excess property into the City, but Landowner shall have no rights or obligations associated with that excess property

2. **Additions of New Sections to Restated Development Agreement.** The following new Sections 1.5.1.1, 2.7 and 2.8 are added to the Restated Agreement and Amendment No. 1 as follows with respect to Lots 24-32 of the Property:

a. "Section 1.5.1.1 **Consent to Amend PFFP for Additional Reclaimed/Recycled Water System in Backbone Infrastructure.** Pursuant to Section 1.5.1 of the Restated Agreement, Landowner expressly consents to the City amending the PFFP in connection with an update to the Recycled Water Analysis Appendix to the Folsom Plan Area Water System Master Plan in order to provide funding for additional reclaimed/recycled water system backbone pipeline improvements to serve Zones 4, 5 and 6 of the FPASP east of Placerville Road, including but not limited to conveyance system and related backbone pipeline. An exhibit depicting said additional reclaimed/recycled water system backbone pipeline improvements prepared as part of the Water System Master Plan update and PFFP amendment will be incorporated into the Restated Agreement as **Exhibit 1.5.1.1**. All provisions in the Restated Agreement relating to PFFP shall include the amendment provided herein and the provisions of Section 2.2.4(4) of the Restated Agreement regarding the potential responsibility for Landowner's Project to provide funding for additional off-site transmission, on-site storage and other necessary infrastructure shall apply with respect thereto."

3. **Effect of Amendment.** This Amendment No. 2 amends, but does not replace or supersede, the Restated Agreement and Amendment No. 1. In the event of any conflict, the language of this Amendment No. 2 shall be controlling in all events or circumstances as such agreements pertain to Lots 24-32 and Section 2.2 and 2.2A as to the entire Russell Ranch Project. Except as modified hereby, all other terms and provisions of the Restated Agreement and Amendment No. 1 shall remain in full force and effect.

4. **Form of Amendment; Execution in Counterparts.** This Amendment No. 2 is executed in duplicate originals, each of which is deemed to be an original, and may be executed in counterparts.

IN WITNESS WHEREOF, the City of Folsom has authorized the execution of this Amendment No. 2 in duplicate by its Mayor, and attested to by the City Clerk under the authority of Ordinance No. ____ adopted by the City Council on the ____ day of _____, 2017.

CITY:

CITY OF FOLSOM,

LANDOWNER:

TNHC RUSSELL RANCH, LLC

a municipal corporation

Andrew J. Morin, Mayor

APPROVED AS TO CONTENT:

Evert W. Palmer, City Manager

APPROVED AS TO FORM:

Steven Wang, City Attorney

ATTEST:

Christa Freemantle, City Clerk

a California limited liability company

By: _____
Mark Stacy
Authorized Representative

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____
County of _____

On _____, 201__, before me, _____
(Here insert Name and Title of Officer)

personally appeared _____,
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC SEAL

EXHIBIT A-3
[PROPERTY DESCRIPTION, LOTS 24-32, AND MAP]

EXHIBIT "A-3"

LEGAL DESCRIPTION OF PROPERTY

All that certain real property situated in the County of Sacramento, State of California, described as follows:

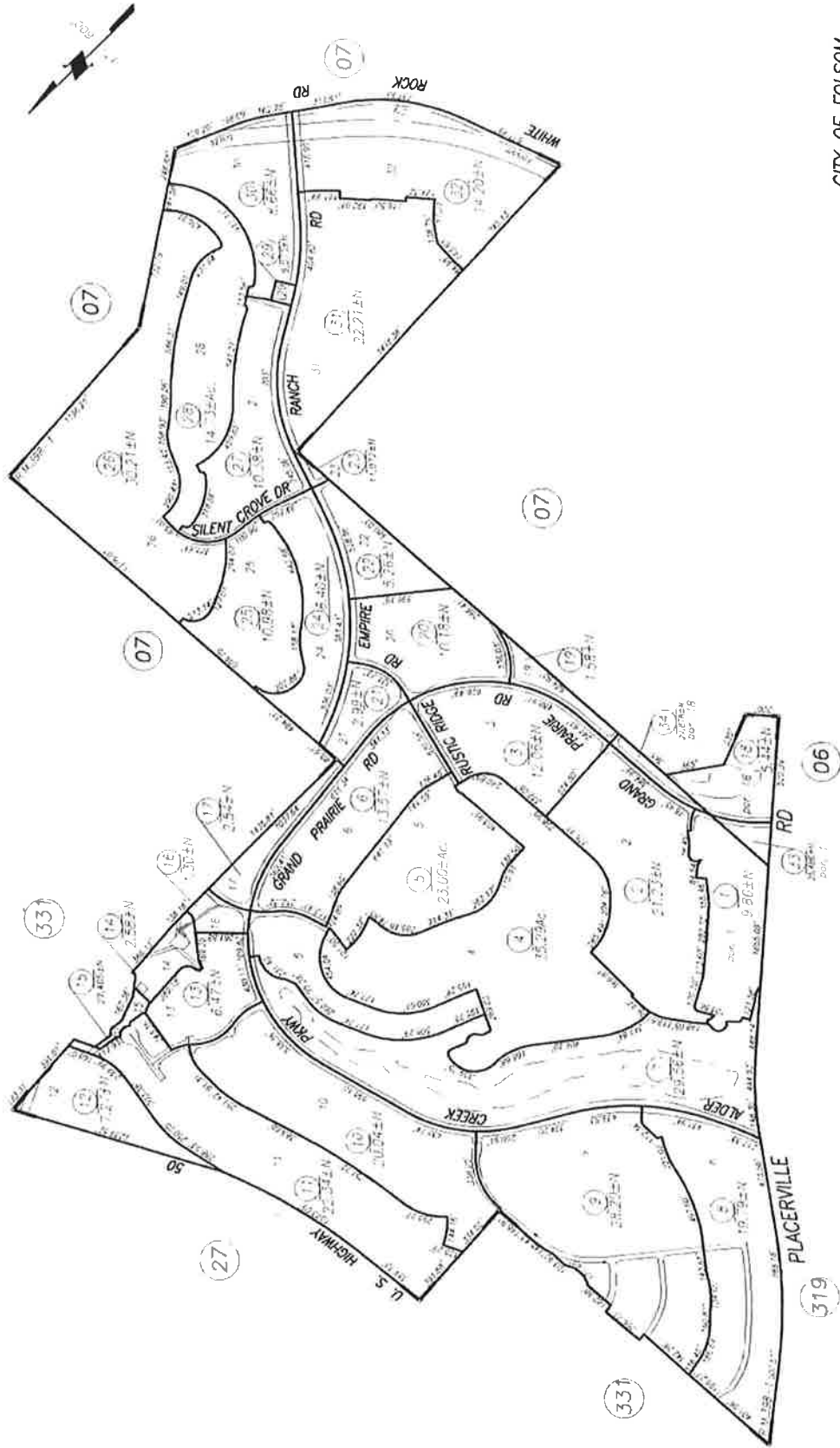
Lots 24 through 32, inclusive, as shown on the Russell Ranch Large Lot Final Map (PN-16-22), filed for record September 21, 2017, in Map Book 398 at Page 1, Sacramento County Records.

A.P.N.: 072-3430-024 through 072-3430-032

THE CITY OF FOLSOM, CALIFORNIA, HAS BEEN AN ASSASSINATED CORPORATION SINCE AND
FOR THE REASON THAT THE CITY OF FOLSOM, CALIFORNIA, IS A CORPORATION OF THE STATE OF
CALIFORNIA AND ASSURES NO LIABILITY TO ANYONE FOR ANY OF ITS ACTIONS OR OMISSIONS.

POR. T.9N., R.8E., M.D.B.& M.

072-343



CITY OF FOLSOM
Assessor's Map Bk. 072 Pg. 343
County of Sacramento, Calif.
NOV 9, 2017

Russel Ranch Large Lot, R.M. Bk. 598 Pg. 1 (09-21-2017)

EXHIBIT B-2
AMENDMENTS PER 2016 ENTITLEMENTS



El Dorado County
City of Folsom



EXHIBIT B-2
SPECIFIC PLAN
PER 2016 ENTITLEMENTS

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

| LEGEND | LAND USE | ACRES (G) |
|------------|---|--------------|
| SP-SF-PD | Single Family (1-4 du/ac) | 98.5 |
| SP-SFHD-PD | Single Family High Density (4-7 du/ac) | 102.4 |
| SP-MLD-PD | Multi-Family Low Density (7-12 du/ac) | 11.4 |
| SP-P-QP | Public/Quasi-Public | 13.8 |
| SP-P | Parks (Public) | 5.2 |
| SP-P | Parks (Private) | 7.1 |
| SP-OS1 | Open Space 1 (Preserve Open Space Zone) | 23.4 |
| SP-OS2 | Open Space 2 (Passive Open Space Zone) | 140.7 |
| RW | Major Circulation | 35.1 |
| | TOTAL | 437.6 |

EXHIBIT B-3
SPECIFIC PLAN AMENDMENT FOR LOTS 24-32 AND
REFLECTING PREVIOUSLY APPROVED AMENDMENTS TO
RUSSELL RANCH SPECIFIC PLAN



SFHD
 White Rock Road
 (possible future alignment)
 Per "Green Alignment" endorsed by
 City Council July 14, 2015
 (Resolution No. 9609)

These areas (3.9 Ac) are
 not included in Measure "W"
 Open Space

| LEGEND | LAND USE | ACRES (G) |
|---------------|---|--------------|
| | Single Family High Density (4-7 du/ac) | 61.4 |
| | Multi-Family Low Density (7-12 du/ac) | 12.4 |
| | Public/Quasi-Public | 0.1 |
| | Open Space 1 - Measure "W" (Preserve)** | 8.1 |
| | Open Space - Measure "W" (Passive)** | 32.8 |
| | Open Space - Other (Passive) | 3.9 |
| | Major Circulation | 16.4 |
| TOTALS | | 135.1 |

** 40.9 Total acres of Measure "W" Open Space

MACKEY & SOMPS
 ENGINEERS PLANNERS SURVEYORS

EXHIBIT B-3
 SPECIFIC PLAN AMENDMENT FOR LOTS
 24-32 AND REFLECTING PREVIOUSLY
 APPROVED AMENDMENTS TO RUSSELL
 RANCH SPECIFIC PLAN

11/17/2015 10:10 AM C:\Users\jmc\Documents\18\Appendix 24-32\SP-24-32.dwg
 11/17/2015 10:10 AM C:\Users\jmc\Documents\18\Appendix 24-32\SP-24-32.dwg

Attachment 21

Capital Southeast Connector Agreement and
Confirmation Letter

COPY

ORIGINAL
Accepted for Recording
COPY-NOT CERTIFIED

FEB 25 2016

Sacramento County
Clerk-Recorder

201602250300

FOR THE BENEFIT OF THE CAPITAL SOUTHEAST
CONNECTOR JOINT POWERS AUTHORITY

PURSUANT TO GOVERNMENT CODE § 6103

RECORDING REQUESTED BY EXECUTIVE DIRECTOR
WHEN RECORDED MAIL TO:

EXECUTIVE DIRECTOR
Capital SouthEast Connector Joint Powers Authority
10640 Mather Blvd., Suite 120
Mather, CA 95655

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**AGREEMENT FOR RIGHT OF WAY DEDICATION AND ACQUISITION FOR THE MAINLINE D3 SEGMENT OF
THE CAPITAL SOUTHEAST CONNECTOR BETWEEN THE NEW HOME COMPANY RUSSELL RANCH, LLC
AND THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY**

This Agreement for Right of Way Dedication and Acquisition for the D3 Segment of the Capital SouthEast Connector ("Agreement") is entered into this 11th day of February, 2016, by and between The New Home Company Russell Ranch, LLC ("TNHC") and the Capital SouthEast Connector Joint Powers Authority (the "Connector JPA") (with either entity referenced herein individually as a "Party" and collectively as the "Parties").

RECITALS

- A. TNHC is the owner of land within the Folsom Plan Area Specific Plan ("FPASP"), identified on **Exhibit A-1** and shown on **Exhibit A-2**, which is incorporated by this reference. TNHC's residential development is known as the Russell Ranch Project.
- B. The Folsom City Council approved a Large Lot Vesting Tentative Subdivision Map and Small Lot Vesting Tentative Subdivision Map, and certified the Final Environmental Impact Report (State Clearinghouse No. 2014062018) for the Russell Ranch Project on May 12, 2015. The Large Lot Vesting Tentative Subdivision Map created 33 large lots, with four anticipated phases of development. The approved Small Lot Vesting Tentative Subdivision Map included Phases 1 – 3, with the approval of the Phase 4 Small Lot Vesting Tentative Subdivision Map deferred pending resolution of right of way necessary for construction of the Capital Southeast Connector Mainline D3 Segment (referenced herein as "Mainline D3" or "D3"). The area included within Phase 4 is identified on **Exhibit A-2**.
- C. The Connector JPA approved for environmental review an alignment for D3 that prohibits the development of a portion of Phase 4 of the Russell Ranch Project. The D3 alignment identified for environmental review and the required right of way and Temporary Construction Easement ("TCE") from the Russell Ranch Project ("the Russell Ranch Right of Way") is depicted on **Exhibits B-1, C-1 and C-2**, which are incorporated herein by this reference. TNHC and the Connector JPA have entered into negotiations for the terms of dedication and/or acquisition of the Russell Ranch Right of Way, attempting to resolve (a) terms of dedication (i.e., for no compensation) or for acquisition (i.e., for compensation) required in light of Section 3.7.1 of Amendment No. 1 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and TNHC Russell Ranch, LLC (the "Development Agreement"), (b) changes in the design and alignment of D3 in order to avoid

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certain wetlands impacts and potential delays and cost increases in the construction of D3, and (c) the value of the property necessary for the right of way for D3.

D. The Parties have reached a compromise by which the Connector JPA will construct certain improvements early in the construction of D3 and thereby provide a fair exchange of value to TNHC for acreage that will otherwise be acquired for D3 and that will also allow the Connector JPA to proceed with the construction of D3 in a manner that is cost effective, avoids unreasonable delay and also minimizes loss of developable acreage for planned development adjacent to D3.

E. The Connector JPA will also require additional right of way from TNHC for the future construction of an interchange at Empire Ranch Road. This right of way is not subject to this Agreement and terms for reservation and acquisition of such right of way will be memorialized separately between the Parties.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each, the Parties agree as follows:

AGREEMENT

1. Intent of the Parties. This Agreement is intended to identify land to be reserved and ultimately dedicated for the construction of Mainline D3, determine the exchange of value for acreage to be acquired, and to resolve any disputes between the Parties about TNHC's claim for compensation for such acreage. The Parties acknowledge that a precise estimate of the value of the improvements to be constructed by the Connector JPA is difficult to achieve given (a) the fact that final design has not been approved by the Connector JPA, (b) differences and potential cost implications from alternative construction bids, (c) the value of eliminating certain improvement work that will not be required (and hence will not be subject to formal bidding process), and (d) the difficulty in allocating with precision the responsibility to construct certain improvements given the absence of precise timelines for construction of Russell Ranch Phase 4 or Mainline D3. In light of this uncertainty, the Parties have negotiated in good faith to agree upon the improvements identified herein as a fair exchange of value for the acreage required to construct Mainline D3 along White Rock Road across the Russell Ranch Project frontage.

2. Slope Adjustments and Grading. The Connector JPA and TNHC have identified the potential for cut slope adjustments from the currently proposed standard (i.e., 2H:1V) to a revised standard (i.e., 1.5H:1V) that will result in a reduction in the cost of grading and will eliminate the need for retaining walls at the Russell Ranch Project adjacent to D3 and preserve development area, resulting in benefits to both Parties. The cut slope conditions are identified on Exhibits C-1 and C-2, which are incorporated by this reference. The adjustments in the cut slope are intended to provide TNHC with the ability to maximize its use of the area above the cut slope for development and to reduce the grading and fill costs that would otherwise be incurred by the Connector JPA. Subject to the availability of funds identified in Paragraph 5, and after concurrence and final approval of grading plans by the City of Folsom, the Connector JPA will complete grading to establish the permanent edge to future building pads in Russell Ranch Phase 4 as part of the D3 project. The final engineering for the projects shall identify the top of the slope under either slope scenario. Prior to the earlier of (a) City Council approval of the final Phase 4 map, or (b) the JPA Connector starting construction of the D3 Mainline Segment, a determination shall be made regarding the feasibility of the 1.5:1 slope. TNHC will provide a temporary

construction easement, or other interim and temporary access as may be agreed to between the Parties, to allow for completion of the grading by the Connector JPA.

3. Retaining Wall Alternative. Under current slope standards (i.e., 2H:1V), it will be necessary to construct retaining walls across the Russell Ranch Project frontage with the D3 proposed right of way. If the steeper slope adjustments described in Paragraph 2 are technically infeasible as a result of unforeseen conditions encountered during final design or construction of D3, or are otherwise not approved by the City of Folsom, the Connector JPA shall contribute \$225,000.00 (Two Hundred, Twenty Five Thousand Dollars) to TNHC towards the construction of retaining walls at White Rock Road along the Russell Ranch Project frontage to D3.

4. Additional Improvements. The Connector JPA will construct certain additional improvements that have benefit to each of the Parties to avoid disruption to the public, streamline the construction process, and eliminate inefficient use of resources by minimizing "throw away" improvements that otherwise must be removed for the later phase construction of the Mainline D3. Additional improvements identified for completion by the Connector JPA are as follows:

- 4.1 Complete the installation of surface improvements and required intersection widenings at the future Empire Ranch Road to the curb returns;
- 4.2 Install the traffic signal "in ground" components at the future Empire Ranch Road intersection necessary to reduce impacts on future Connector operations, including conduit and pull boxes;
- 4.3 Ensure that the culvert identified for D3 at the drainage crossing of the Mainline is constructed to its ultimate size consistent with the Russell Ranch Amendment to the Folsom Plan Area Storm Drainage Master Plan; and
- 4.4 Other signalized intersection improvements exempting signal poles, signal controllers, street lights or any associated physical improvements outside the travelled way to be determined as required during final design of D3.

The additional improvements described above are shown on Exhibit D-1, which is incorporated by this reference.

5. Alternative Compensation. Construction of the improvements identified in Paragraphs 2 and 4 is subject to funding availability, but shall be included as a line item in the D3 project base budget. If the Connector JPA intends to remove funding for the improvements identified in Paragraphs 2 and 4 from the D3 project base budget, it shall provide notification to TNHC at least sixty (60) calendar days in advance of the submittal of any modified budget to the Connector JPA Board of Directors for approval. The identified improvements shall be constructed by the Connector JPA in advance of the grading for Phase 4 of the Russell Ranch Project. If the construction of D3 has not commenced, or if TNHC desires to commence grading for Phase 4 or a portion thereof prior to construction of D3, TNHC shall notify the Connector JPA of the timeline for commencement of Phase 4 of the Russell Ranch Project no less than 180 (one hundred eighty) calendar days in advance of the anticipated commencement of such grading work. If the Connector JPA has insufficient funds available to commence the identified improvements, the Parties agree that TNHC may elect to be compensated the \$225,000.00 (Two Hundred Twenty Five Thousand Dollars) identified in Paragraph 3 above, in lieu of the improvements identified in Paragraphs 2 and 4, unless the Parties negotiate an alternative means for

equivalent compensation of right of way. The alternative compensation amount identified herein is not subject to the funding availability limitation.

6. Full Compensation. The expenditure of funds and the completion of the construction of the improvements outlined in Paragraphs 2 and 4, or alternatively the payment of \$225,000.00 (Two Hundred Twenty Five Thousand Dollars) by the Connector JPA shall be considered as full compensation to TNHC for the Russell Ranch Right of Way for Mainline D3.

7. Continuing Obligation. The obligations for funding of improvements, or alternatively the payment of \$225,000.00 (Two Hundred Twenty Five Thousand Dollars) is a debt of the Connector JPA and in the event of dissolution the entity will either pay the obligation without demand or use its best efforts to assign the funding obligations to the successor entity that acquires Measure A funding for improvements on D3.

8. Irrevocable Offer of Dedication. Subject to the compensation terms identified in this Agreement, TNHC shall provide an Irrevocable Offer of Dedication ("IOD") for the Russell Ranch Right of Way for the Mainline D3 as identified on **Exhibit B-1** to the Connector JPA. The IOD shall be identified on the Final Subdivision Map for the property included in Phase 4 of the Russell Ranch Project.

9. Right of Way for Interchange or Future Rail Crossing. The Connector JPA and TNHC acknowledge that an additional right of way reservation for a future D3 Interchange at Empire Ranch Road will be purchased from TNHC, with the metric for valuation and timing for acquisition of acreage for the Interchange to be part of a separate agreement. The exchange of value identified herein also does not apply to potential acreage that may be necessary if grade crossings are required in the future to accommodate excursion rail, or any other rail operations.

10. Condition of Approval. The Parties have reviewed with the City of Folsom and have concurred in the following language for conditions of approval on any maps that include the Russell Ranch Right of Way:

Consistent with and subject to the payment terms in the Agreement for Right of Way Dedication and Acquisition for the D3 Mainline Segment of the Capital SouthEast Connector by and between The New Home Company Russell Ranch, LLC and the Capital SouthEast Connector Joint Powers Authority (the "Right of Way Agreement"), the owner/applicant shall dedicate by an Irrevocable Offer of Dedication ("IOD") the Russell Ranch Right of Way as depicted on Exhibit B-1 to the Right of Way Agreement. The IOD shall be shown on the large lot final subdivision map. No fee or other credits shall be provided for work done or paid for by parties other than The New Home Company or its successors. Nothing in the Agreement between The New Home Company and the Connector JPA alters obligations or rights in the Development Agreements with the City to dedicate rights of way for an interchange at Empire Ranch Road nor impose any obligation of the City to pay for such rights or waive rights held by The New Home Company to compensation from others. All maps shall reflect areas sufficient for dedication of full intersection improvements and the timing for and decision to construct the intersections at Empire Ranch Road shall be made by the Connector JPA in consultation with the City. Additionally, if The New Home Company proceeds with a Phase 4 Map in advance of the JPA Connector, it shall design a connection to existing White Rock Road consistent with generally accepted engineering standards for the connection.

11. Continuing Cooperation. The Connector JPA and TNHC will continue to work on a collaborative basis to evaluate the design for the improvements for the Mainline of D3 in a manner that (a) minimizes loss of and impacts to developable acreage for the Russell Ranch Project, (b) maximizes

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buildable area remaining in the Russell Ranch Project, and (c) facilitates the timely and cost effective construction of the D3 Mainline and the potential future Interchange at Empire Ranch Road of the Capital Southeast Connector. Notwithstanding the mutual commitment for continuing cooperation, the terms and conditions of this Agreement shall control absent an amendment in writing, executed by authorized representatives of each Party.

12. Unforeseen Changes in Mainline D3 Alignment. The Parties acknowledge that events may occur that require additional alternatives in the Mainline D3 alignment. To the extent such adjustments are less than 0.25 acres in the aggregate, TNHC acknowledges that the provisions of Section 3.8.3 of the Development Agreement shall apply and that no additional compensation will be required. In the event that the adjustments exceed 0.25 acres, the provisions of Section 3.7.1 of the Development Agreement regarding limited compensation shall apply.

13. Endorsement of Agreement by City of Folsom. The Parties each have entered into this Agreement with the understanding that it will be presented for endorsement by the Folsom City Council, which is the public agency with land use authority over the approval of Phase 4 of the Russell Ranch Project. In the event that the Folsom City Council fails to endorse the terms of this Agreement, or modifies any term of this Agreement in a manner that appears material to either Party, this Agreement shall be rendered null and void and of no further force and effect. The Parties will thereafter resume negotiations for dedication and/or acquisition of right of way for D3.

14. Cooperation and Defense in the Event of a Legal Challenge. In the event of any legal challenge instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the Parties hereby agree to cooperate in defending said action.

15. Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the respective Parties hereto.

16. Waiver. In the event that either Party shall at any time waive any provision of this Agreement, or any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding provision or breach of this Agreement, whether of the same or any other covenant, condition or obligation. A waiver shall not be deemed effective unless it is contained in a writing executed by authorized representatives of both Parties.

17. Venue. This Agreement and all matters relating to thereto shall be governed by the laws of the State of California, and any action brought relating to this Agreement shall be held exclusively in a state court in the County of Sacramento.

18. Amendment. This Agreement shall not be amended, modified or otherwise changed unless done in a writing executed by authorized representatives of both Parties.

19. Integration. This Agreement constitutes the entire understanding and agreement of the Parties and supersedes all previous and/or contemporaneous understanding or agreement between the Parties with respect to all or any part of the subject matter hereof.

20. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement shall not be affected, except as necessarily required by the invalid provisions, and shall remain in full force and effect unless amended or modified by mutual consent of the parties.

21. Authority to Execute. The persons executing this Agreement on behalf of the Parties hereto warrant and represent that he/she has the authority to execute this Agreement on behalf of the

respective entity, and also that he/she has the authority to bind the respective entity to the performance of the obligations stated in this Agreement.

22. Notices. All notices required by this Agreement shall be in writing and delivered to the person or sent by certified mail, postage pre-paid as follows:

Notice to the Capital SouthEast Connector Joint Powers Authority:

Tom Zlotkowski
Executive Director
Capital SouthEast Connector Joint Powers Authority
10640 Mather Blvd., Suite 120
Mather, CA 95655

With copies to:

Nancy Miller
Renne Sloan Holtzman Sakai LLLP
555 Capitol Mall, Suite 600
Sacramento, CA 95814

And

Notice to The New Home Company Russell Ranch, LLC:

Mark Stacy and Bonnie Chiu
TNHC Russell Ranch, LLC
2220 Douglas Blvd., Suite 240
Roseville, CA 95661

With copies to:

Martha Clark Lofgren
Brewer Lofgren LLP
650 University Avenue, Suite 220
Sacramento, CA 95825

Any party or addressee may change the address stated herein by giving notice in writing to the other parties, and thereafter, notices shall be delivered to the new address. Notice shall be deemed effective on the date of delivery (if hand delivered) or five days after mailing, if sent by certified mail.

IN WITNESS HEREOF, the parties have caused this Agreement to be executed on the dates set forth below.

THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY

By: _____

Thomas Zlotkowski
Executive Director of the Capital SouthEast Connector Joint Powers Authority

Dated: _____

Execution Copy

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verified only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sacramento

On February 11, 2016, before me, Janet Dailey, a notary public, personally appeared THOMAS ZLOTKOWSKI, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Janet Dailey (Seal)



APPROVED AS TO FORM:

By: 

Nancy Miller

Legal Counsel to Capital SouthEast Connector Joint Powers Authority

THE NEW HOME COMPANY

FNHC RUSSELL RANCH LLC, a Delaware limited liability company

By: 

Title: Authorized Signatory

Dated: 2/4/2018

Mark Stacy

SIGNATURES MUST BE NOTARIZED AS DOCUMENT WILL BE RECORDED

Execution Copy

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer

On February 4, 2016 before me, Lynette Rhodes, Notary Public,
(here insert name and title of the officer)

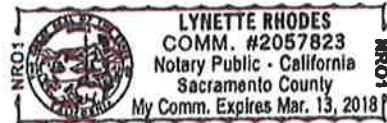
personally appeared Mark Stacy
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lynette Rhodes
Signature

(Seal)



EXHIBITS

Execution Copy

LEGEND

- O.R. OFFICIAL RECORDS
- ADJACENT LOT LINE
- COUNTY LINE
- LAFCO LINE
- EXISTING LOT LINE

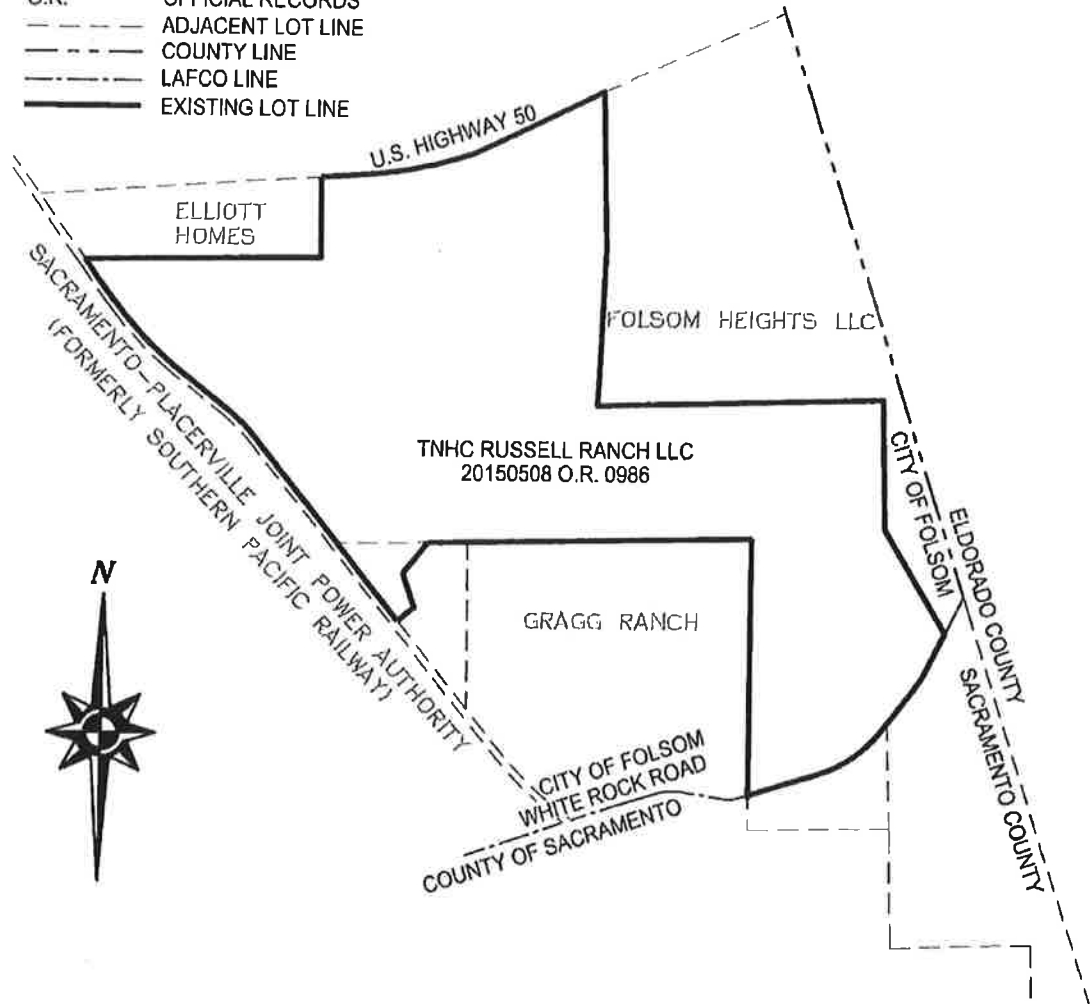


EXHIBIT "A-1"
 FOLSOM PLANNING AREA
 TNHC RUSSELL RANCH LLC
 20150508 O.R. 0986
 RUSSEL RANCH PROPERTY
 CITY OF FOLSOM COUNTY OF SACRAMENTO
 STATE OF CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
 1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

| | | | |
|----------|------------|------------|-----------|
| MRD | 1" = 1500' | 01/07/2016 | 27107.000 |
| DRAWN BY | SCALE | DATE | JOB NO. |

LEGEND

- O.R. OFFICIAL RECORDS
- ADJACENT LOT LINE
- - - COUNTY LINE
- - - LAFCO LINE
- EXISTING LOT LINE

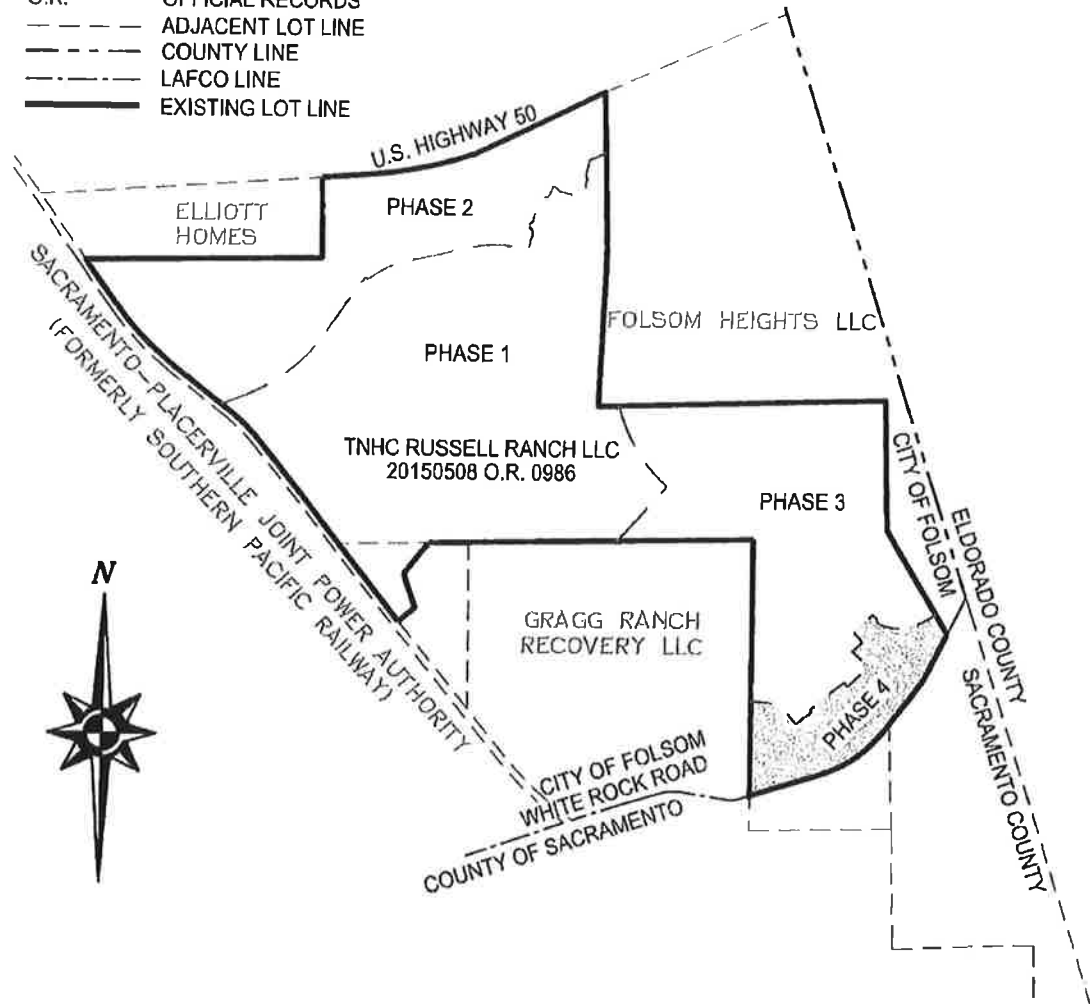
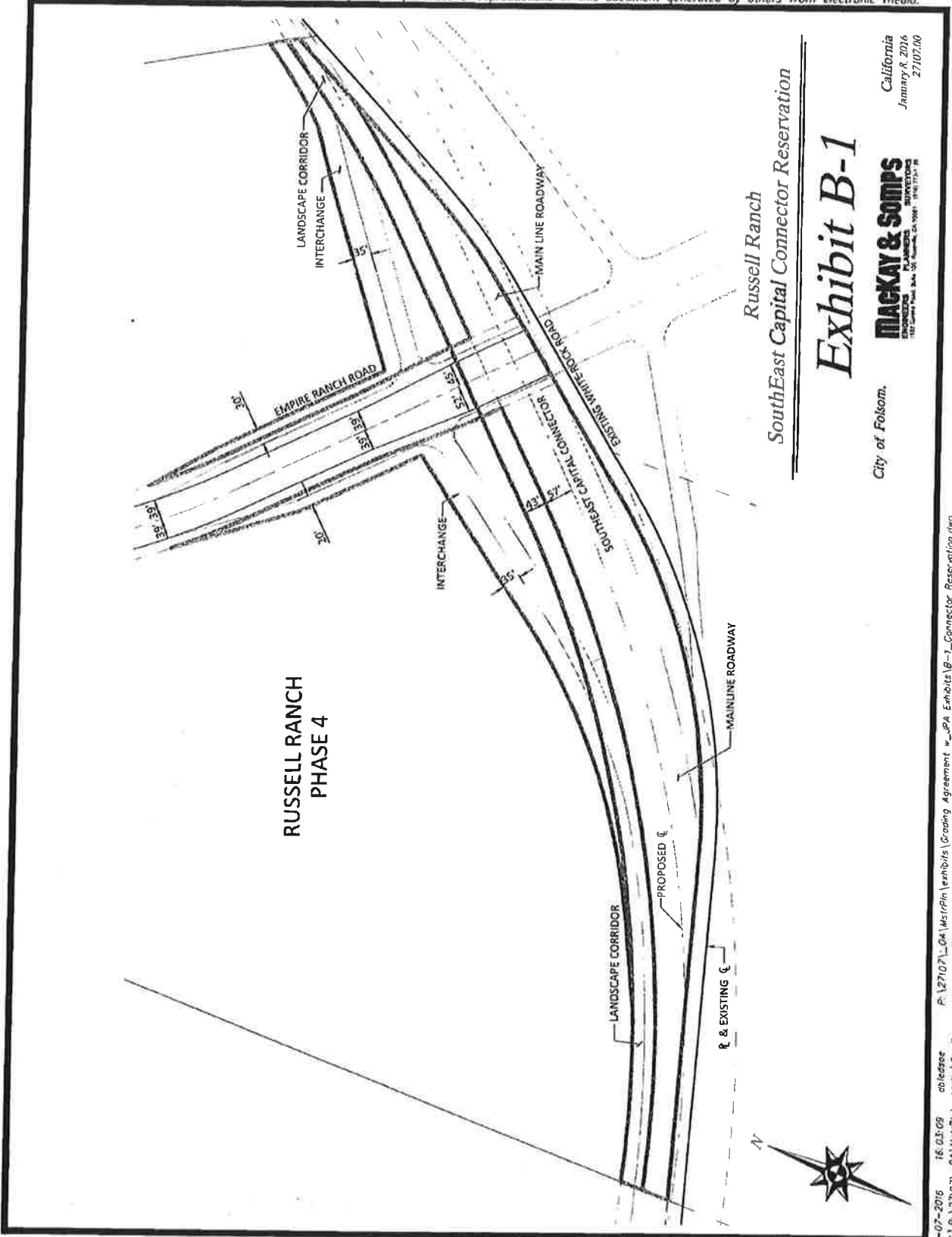


EXHIBIT "A-2"
 FOLSOM PLANNING AREA
 TNHC RUSSELL RANCH LLC
 20150508 O.R. 0986
 RUSSEL RANCH PROPERTY
 CITY OF FOLSOM COUNTY OF SACRAMENTO
 STATE OF CALIFORNIA

MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS
 1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

| | | | |
|----------|------------|------------|-----------|
| MRD | 1" = 1500' | 01/07/2016 | 27107.000 |
| DRAWN BY | SCALE | DATE | JOB NO. |



Russell Ranch
 SouthEast Capital Connector Reservation

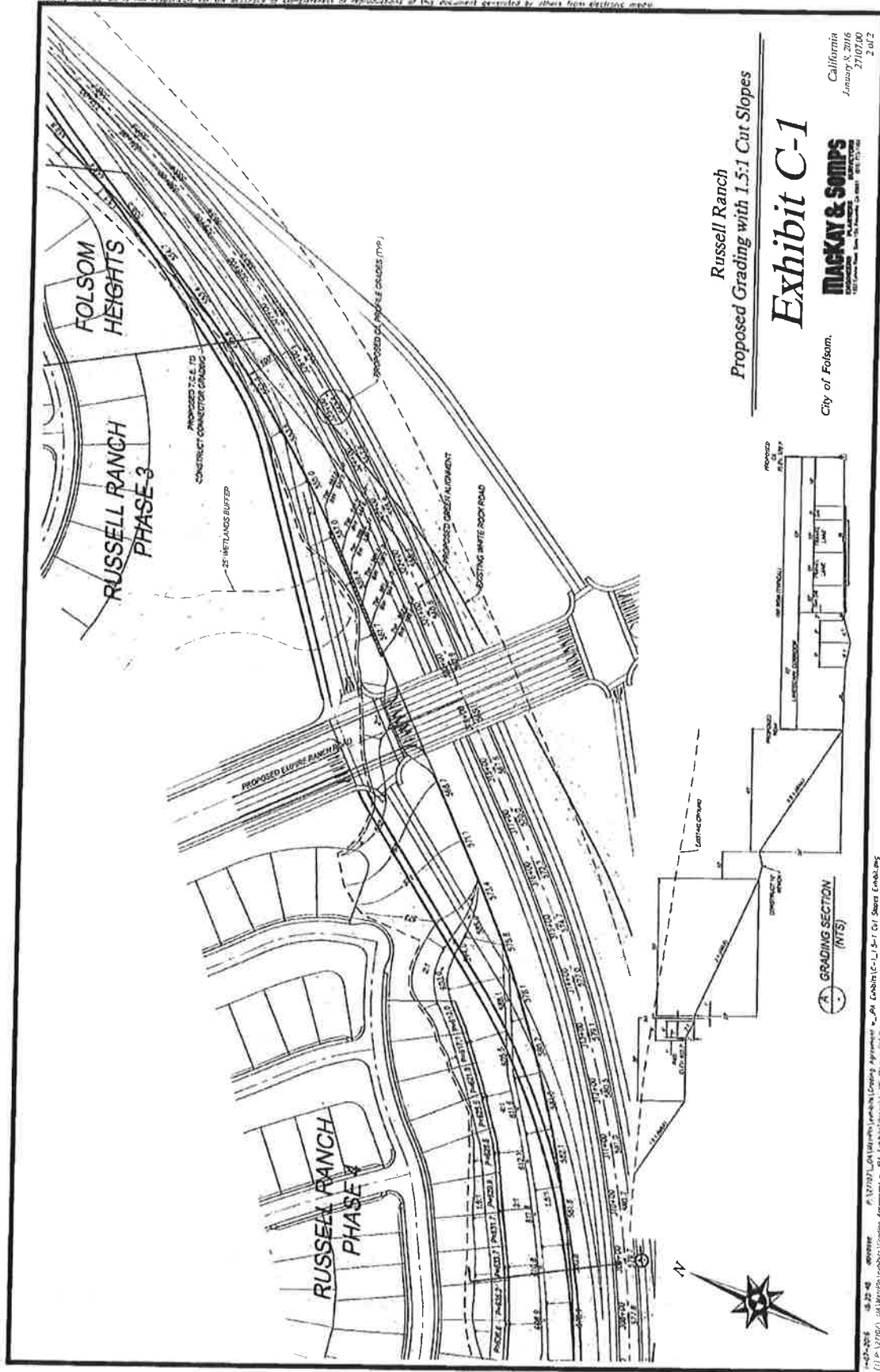
Exhibit B-1

City of Folsom.
 Mackay & Samps
 ENGINEERS PLANNERS ARCHITECTS
 102 Green Park Blvd., Suite 100, Folsom, CA 95630
 California
 January 8, 2016
 27107.00

PRELIMINARY - Subject to Revision

1-07-2016 16:03:09 dbleedee P:\27107\04\MstrPin\exhibits\Grading Agreement_wpa\ExhibitB-1_Connector Reservation.dwg
 [?] P:\27107\04\MstrPin\exhibits\Grading Agreement_wpa\Exhibits\Bases\5-CS-FPA.dwg [2] P:\27107\04\MstrPin\exhibits\Grading Agreement_wpa\Exhibits\Bases\MS-DOK-ERR_MR-int.dwg

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Russell Ranch
 Proposed Grading with 1.5:1 Cut Slopes

Exhibit C-1

City of Folsom,
 California
 January 8, 2016
 2107100
 2 of 2

McKAY & SUMPS
 CIVIL ENGINEERS
 1010 Folsom Blvd., Suite 100, Folsom, CA 95630
 (916) 992-1100

GRADING SECTION
 (NTS)



PRELIMINARY - Subject to Revision

15-03-008 18-22-08 000000 F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit
 (1) F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit (2) F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit (3) F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit (4) F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit (5) F:\2107100\01\Drawings\Grading\Grading Agreement - RA Exhibit C-1 Set of Slopes Exhibit



January 5, 2018

Steve Krahn
City Engineer
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Consistency Review of the Proposed Russell Ranch Lots 24 - 32 Project and the SouthEast Connector D3 Alignment

Dear Mr. Krahn,

The Capital SouthEast Connector Project D3/E1 Segment is located in the City of Folsom, Sacramento County, and El Dorado County, California. Specifically, the D3 Segment is adjacent to The New Home Company's property known as Russell Ranch lots 24 - 43. We are aware that The New Home Company has submitted an application for a Vesting Tentative Subdivision Map for Lots 24 - 32 and other associated entitlements to the City of Folsom and is seeking Project approvals by the Planning Commission and City Council.

Since our recent meeting on December 15, 2017, we have reviewed the proposed Vesting Subdivision Map for Russell Ranch Lots 24 - 32 and have determined that it is consistent with the final design and alignment for the Mainline D3 along the Russell Ranch property boundary at White Rock Road (i.e., "Green Alignment") endorsed by the Folsom City Council on July 14, 2015 (Resolution No. 9609) and also reflected in the Right of Way Dedication and Acquisition Agreement for the Mainline D3 Segment between The New Home Company and the Capital SouthEast Connector JPA (recorded on February 25, 2016). Further, we acknowledge the proposed map also provides for a reservation of land for a possible future interchange at the intersection of the future Empire Ranch Road and White Rock Road.

Thank you for the opportunity to review and comment on the proposed map for Lots 24 - 32 of Russell Ranch.

Sincerely,

Derek Minnema
Executive Director

JPA BOARD OF DIRECTORS

DAVID SANDER
City of Rancho Cordova

PATRICK HUME
City of Elk Grove

JOHN HIDAHL-CHAIR
El Dorado County

DON NOTTOLI-VICE CHAIR
Sacramento County

STEVE MIKLOS
City of Folsom

Attachment 22

Russell Ranch Land Use Comparison Table (2011-2018)

Table 1-1 Land Use Comparison for Russell Ranch Development (2011 to 2018)

| Land Use | Adopted 2011 | | | Amended May 2015 | | | Amended June 2016 | | | Proposed Amendment 2018 | | | Change from 2011 to 2018 | | |
|--|--------------------|----------------|-----------------------------------|--------------------|----------------|-----------------------------------|--------------------|----------------|-----------------------------------|-------------------------|----------------|-----------------------------------|--------------------------|----------------|-----------------------------------|
| | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ |
| Residential | | | | | | | | | | | | | | | |
| Single Family (SF) | 191.5 | 574 | 1,676 | 104.8 | 297 | 867 | 98.5 | 316 | 923 | 64.6 | 224 | 654 | -126.9 | -350 | -1,022 |
| Single Family High Density (SFHD) | 0 | 0 | 0 | 97.5 | 468 | 1367 | 102.4 | 473 | 1381 | 81.7 | 363 | 1060 | 81.7 | 363 | 1,060 |
| Single Family High Density (SFHD) – Private Recreation | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | 2.2 | 0 | 0 | 2.2 | 0 | 0 |
| Single Family High Density (SFHD) – Active Adult | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | 41.7 | 208 | 416 | 41.7 | 208 | 416 |
| Multi-Family Low Density (MLD) | 17.5 | 163 | 316 | 11.4 | 138 | 268 | 11.4 | 114 | 221 | 23.8 | 232 | 450 | 6.3 | 69 | 134 |
| Multi-Family Medium Density (MMD) | 22.2 | 406 | 788 | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 | -22.2 | -406 | -788 |
| Subtotal Residential | 231.2 | 1,143 | 2,780 | 213.7 | 903 | 2,502 | 212.3 | 903 | 2,525 | 214.0 | 1,027 | 2,580 | -17.2 | 116 | -200 |
| General Commercial (GC) | 59.5 | - | - | 0.0 | - | - | 0.0 | - | - | 0.0 | - | - | -59.5 | - | - |
| Park (P)- Public | 6.5 | - | - | 5.2 | - | - | 5.2 | - | - | 5.2 | - | - | -1.3 | - | - |
| Park (P)- Private | 0.0 | - | - | 7.1 | - | - | 7.1 | - | - | 7.1 | - | - | 7.1 | - | - |
| Open Space (OS)- Slope | 0.0 | - | - | 49.9 | - | - | 57.3 | - | - | 49.9 | - | - | 49.9 | - | - |
| Open Space (OS)- Measure "W" | 103.2 | - | - | 112.8 | - | - | 106.8 | - | - | 106.8 | - | - | 3.6 | - | - |
| Public/Quasi-Public (PQP)-Lift Station | 11.8 | - | - | 13.1 | - | - | 13.8 | - | - | 13.8 | - | - | 2.0 | - | - |
| Major Circulation | 25.4 | - | - | 35.8 | - | - | 35.1 | - | - | 40.8 | - | - | 15.4 | - | - |
| Total Russell Ranch | 437.6 | 1,143 | 2,780 | 437.6 | 903 | 2,502 | 437.6 | 903 | 2,525 | 437.6 | 1,027 | 2,580 | 0.0 | -116 | -200 |

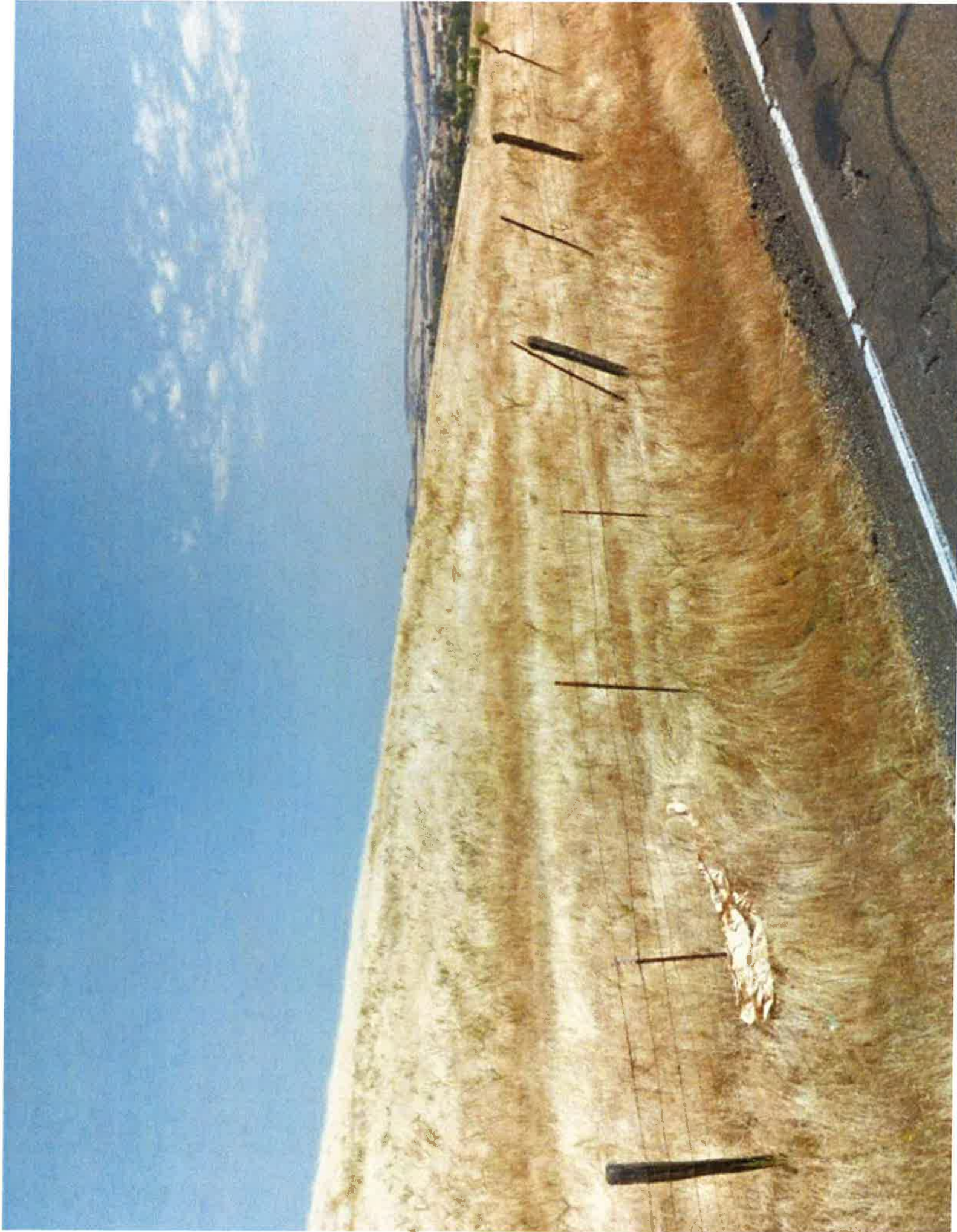
Notes: ¹ Population calculated using 2.92 persons per single family unit, 1.94 persons per multi-family unit, and 2.0 persons per age-restricted unit (Abbas Metzker, pers.comm., 2018).

2011 total units includes 1,119 units allocated to Russell Ranch plus 24 allocated Carr Trust units from approved BLA/TDR.

2015 total units includes 828 units mapped Russell Ranch units plus 51 unmapped units Russell Ranch Phase 4 units plus 24 unmapped Carr Trust BLA/TDR units.

2016 total units includes 852 units mapped Russell Ranch units (including 24 Carr Trust BLA/TDR units) plus 51 unmapped units Russell Ranch Phase 4.

Attachment 23
Site Photographs





Attachment 24

Environmental Checklist and Addendum
Dated January 23, 2018

Russell Ranch Development

(Lots 24 through 32)

Environmental Checklist and Addendum



January 2018



CITY OF
FOLSOM
PARKS & RECREATION
DEPARTMENT

PREPARED FOR:
Steve Banks, Principal Planner
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Russell Ranch Development (Lots 24 through 32)

Environmental Checklist and Addendum

PREPARED FOR:

City of Folsom
50 Natoma Street
Folsom, CA 95630

CONTACT:

Steve Banks, Principal Planner
(916) 355-7274

PREPARED BY:



Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, CA 95814

CONTACT:

Amanda Olekszulín
916.444.7301

January 2018

Addendum to the Russell Ranch Project Final Environmental Impact Report for Russell Ranch Lots 24 through 32 Area

January 23, 2018
State Clearinghouse No. 2008092051

BACKGROUND AND ACTION TRIGGERING THE ADDENDUM

This addendum to the Final Environmental Impact Report (Final EIR) for the Lots 24 through 32 Area analyzes the tentative map development in comparison to how this area was analyzed within the Russell Ranch EIR and within the Folsom South of U.S. 50 Specific Plan Project (FPASP) EIR/Environmental Impact Statement (EIS). Specifically, this addendum analyzes an updated tentative map for Lots 24 through 32 of the Russell Ranch Project, with corresponding general plan and specific plan amendments.

As the lead agency under the California Environmental Quality Act (CEQA), the City of Folsom has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed tentative map and other changes differ sufficiently from the development scenario described in the Russell Ranch EIR for the adopted Russell Ranch entitlements to warrant preparation of an addendum.

PREVIOUS ENVIRONMENTAL ANALYSES

The environmental process for the Russell Ranch development (phases 1 -4) involved the preparation of the following documents that are relevant to the consideration of the proposed amendment to FPASP for the Russell Ranch Lots 24 through 32 Area.

- ▲ Draft EIR/EIS for the Folsom South of U.S. 50 Specific Plan Project, Volumes I-III and Appendices, June 2010, State Clearinghouse No. 2008092051;
- ▲ Final EIR for the Folsom South of U.S. Highway 50 Specific Plan Project, May 2011, State Clearinghouse No. 2008092051;
- ▲ CEQA Findings of Fact and Statement of Overriding Considerations for the Folsom South of U.S. Highway 50 Specific Plan Project, May 2011, State Clearinghouse No. 2008092051;
- ▲ Initial Study/Mitigated Negative Declaration for the South of Highway 50 Backbone Infrastructure Project (Backbone Infrastructure MND), December 2014, State Clearinghouse No. 2014122018;
- ▲ Draft EIR for the Russell Ranch Project, Volumes I-III, December 2014, State Clearinghouse No. 2014062018;
- ▲ Final EIR for the Russell Ranch Project, May 2015, State Clearinghouse No. 2014062018; and
- ▲ CEQA Findings of Fact and Statement of Overriding Considerations, and a Mitigation Monitoring and Report Program for the Russell Ranch Project, May 2015, State Clearinghouse No. 2014062018.

CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES REGARDING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Altered conditions, changes, or additions to the description of a project that occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish three mechanisms to address these changes: a subsequent environmental impact report (SEIR), a supplement to an EIR, and an addendum to an EIR.

Section 15162 of the State CEQA Guidelines describes the conditions under which a SEIR would be prepared. In summary, when an EIR has been certified for a project, no Subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

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

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a SEIR; and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

An addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

This addendum is intended to evaluate and confirm CEQA compliance for proposed amendment to the FPASP, which would be a change relative to what is described and evaluated in the Russell Ranch EIR and FPASP EIR/EIS. This addendum is organized as an environmental checklist, and is intended to evaluate all environmental topic areas for any changes in circumstances or the project description, as compared to the

approved Final Russell Ranch EIR and Final FPASP EIR/EIS, and determine whether such changes were or were not adequately covered in the certified environmental documents. This checklist is not the traditional CEQA Environmental Checklist, per Appendix G of the CEQA Guidelines. As explained below, the purpose of this checklist is to evaluate the checklist categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the Russell Ranch EIR or FPASP EIR/EIS. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162, 15163, 15164 and 15168.

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ACRONYMS AND ABBREVIATIONS

| | |
|-----------|---|
| °C | degrees Celsius |
| AB | Assembly Bill |
| CAAQS | California Ambient Air Quality Standard |
| CAFE | corporate average fuel economy |
| CARB | California Air Resources Board |
| CEQA | California Environmental Quality Act |
| EIS | EIR/Environmental Impact Statement |
| EO | Executive Order |
| FAPA | First Amended Programmatic Agreement |
| Final EIR | Final Environmental Impact Report |
| FPASP | Folsom South of U.S. 50 Specific Plan Project |
| FPASP | Folsom Plan Area Specific Plan |
| GPA | General Plan Amendment |
| HAER | Historic American Engineering Record |
| lb./day | pounds per day |
| MMT | million metric tons |
| mpg | miles per gallon |
| MPOs | Metropolitan Planning Organizations |
| MTP | Metropolitan Transportation Plan |
| NAAQS | National Ambient Air Quality Standards |
| NHSTA | National Highway Traffic Safety Administration |
| NOA | naturally occurring asbestos |
| NPDES | National Pollutant Discharge Elimination System |
| OAQMP | Operational Air Quality Mitigation Plan |
| SACOG | Sacramento Area Council of Governments |
| SANDAG | San Diego Association of Governments |
| SB | Senate Bill |
| SCS | Sustainable Communities Strategy |

| | |
|--------|---|
| SEIR | subsequent environmental impact report |
| SHPO | State Historic Preservation Officer |
| SMAQMD | Sacramento Metropolitan Air Quality Management District |
| SNF | Sub-Notification Form |
| SPA | Specific Plan Amendment |
| tpy | tons per year |
| USACE | U.S. Army Corps of Engineers |

1 INTRODUCTION AND PROJECT HISTORY

1.1 HISTORY OF THE RUSSELL RANCH ENTITLEMENTS

The Folsom City Council approved project-level entitlements for a portion of the Folsom Plan Area Specific Plan (FPASP)¹ known as the Russell Ranch Project in May 2015. The Russell Ranch Project is located south of U.S. Highway 50 (US 50) within the FPASP area (Exhibit 1-1 and Exhibit 1-2).

After certifying the Russell Ranch Environmental Impact Report (Russell Ranch EIR), and adopting Findings of Fact and Statement of Overriding Considerations for the 437.6-acre project, the City Council approved general and specific plan amendments, vesting large lot and small lot tentative subdivision maps with conditions of approval, an affordable housing agreement and affordable housing plan, planned development permit and design guidelines, conditions of approval, and an amended and restated development agreement. The City Council later approved an amended vesting large lot and small lot tentative subdivision map in June 2016, with amended conditions of approval. The approved land use and zoning changes from the May 2015 amendment resulted in a decrease in single family (SF), the addition of new single family high density (SFHD), decrease in multi-family low density (MLD), elimination of multi-family medium density (MMD), elimination of general commercial (GC), and an increase in parks (P), open space (OS), and public/quasi-public (PQP) from the land uses approved in the FPASP. The June 2016 amendment sought only minor changes to the land use plan and included a transfer of 24 units from the Carr Trust property that was acquired by The New Home Company (applicant) for Russell Ranch. The approved lot configurations and phases for the 2015 and 2016 approved entitlements (approved entitlements) are depicted on Exhibit 1-3.

As noted on Exhibit 1-3, the approved entitlements defined the Russell Ranch Project in four phases. Phases 1 and 2 of the approved entitlements would not be changed by the current application. This application is limited to those lots included within what is identified as Phases 3 and 4 on Exhibit 1-3 (Lots 24 through 32). Although the Russell Ranch EIR evaluated the impacts of lots allocated to Phase 4, the City Council deferred approval of a small-lot tentative subdivision map for this phase pending resolution of right-of-way issues with the Capital SouthEast Connector Joint Powers Authority regarding the alignment of the Capital SouthEast Connector along the southern boundary of Russell Ranch at White Rock Road.

The right-of-way issues have been resolved, and this application includes the anticipated vesting small-lot tentative subdivision map for the lots included within Phase 4. In addition, the applicant has continued to evaluate market conditions and home buyer preferences. Based upon this research, the applicant identified unmet market segments within the Folsom, eastern Sacramento County, and El Dorado Hills markets: (1) future homebuyers that are 55 and older, desiring to live in an age-restricted community (active adult) and (2) first-time and other move-down homebuyers that prefer, or are more likely to qualify for the purchase of single-family homes on higher density lots. To attract the active adult market, move-down, and first-time homebuyer market segment, the applicant seeks to convert SF units within Lots 24 through 32 to smaller lots that are within the SFHD range, and to introduce MLD lots. An updated tentative map for Lots 24 through 32 of the Russell Ranch Project, with corresponding general plan and specific plan amendments, are required to accommodate these changes.

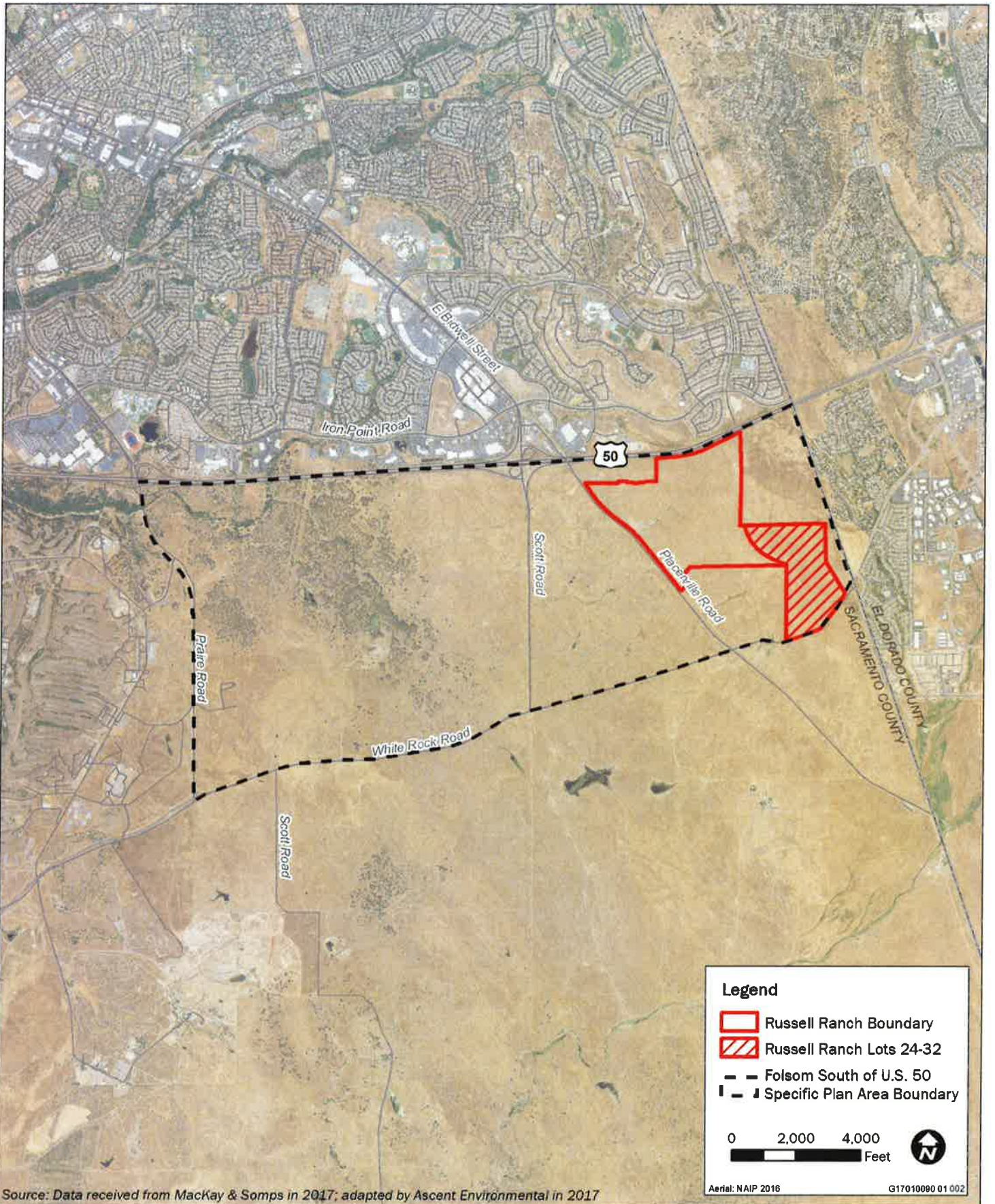
¹ The City Council originally approved the FPASP on June 28, 2011 for development of up to 10,210 residential homes with a range of housing types, styles, and densities along with commercial, industrial/office park, and mixed-use land uses, open space, public schools, parks, and supporting infrastructure. The development would be located on approximately 3,514 acres (Resolution No. 8863). The FPASP has been amended as separate owners of portions of the FPASP have brought forward large and small lot maps for consideration, with each proposed amendment subject to its own environmental analysis based upon the scope of amendments presented by an individual project. The environmental analysis for the FPASP is summarized in Section 1.2.



Exhibit 1-1

Regional Location



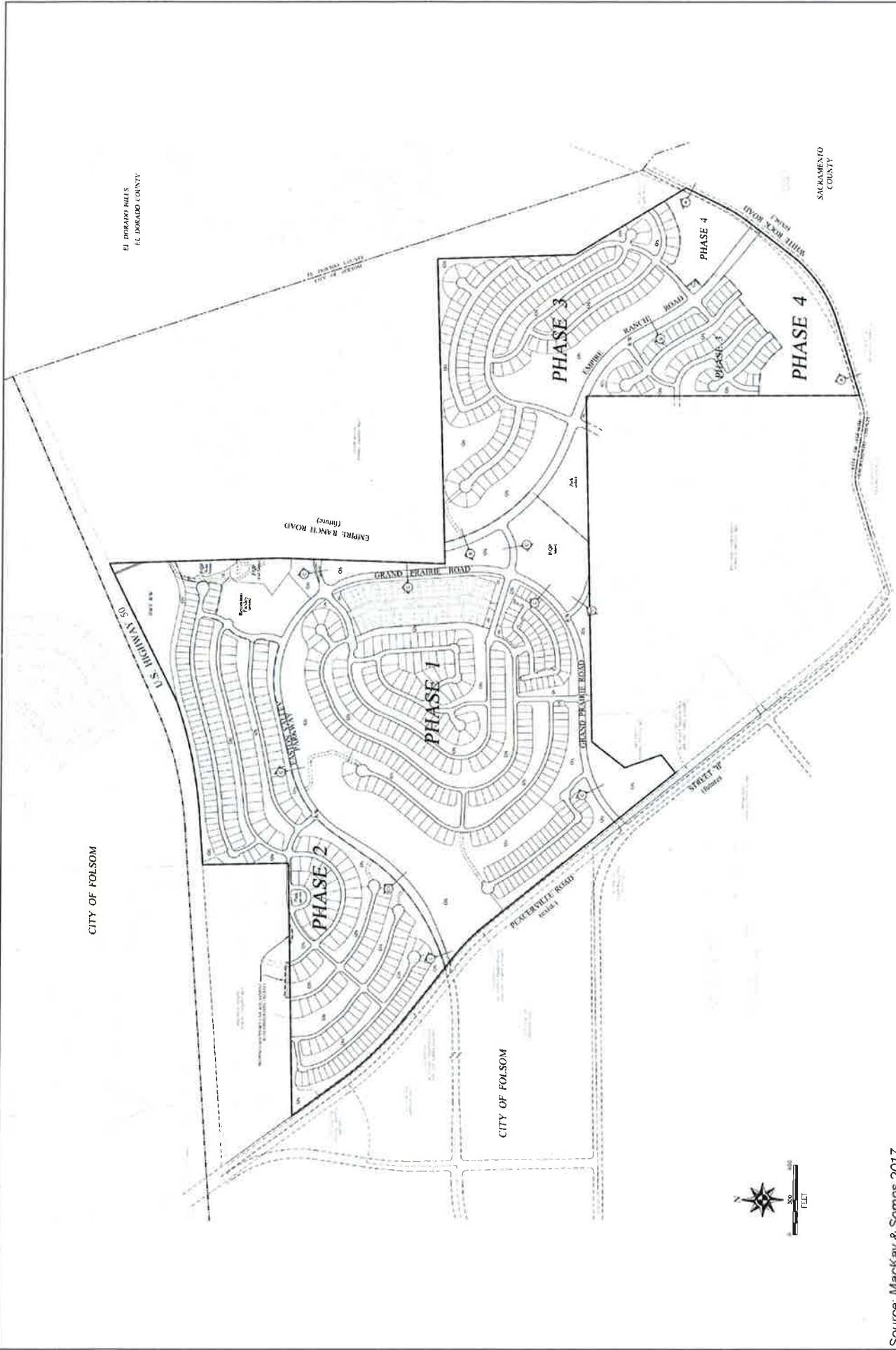


Source: Data received from MackKay & Soms in 2017; adapted by Ascent Environmental in 2017

Exhibit 1-2

Project Vicinity





E1 DORADO HILLS
 14. DORADO COUNTY

SACRAMENTO
 COUNTY

CITY OF FOLSOM

CITY OF FOLSOM

Source: MacKay & Samps 2017

X17010090 01 006



Approved Small Lot Vesting Subdivision Map (May 2016)

Exhibit 1-3

The City is evaluating the project application to determine whether the project would be consistent with the FPASP and approved 2015 and 2016 entitlements and whether and what type of additional environmental review would be required. This analysis considers two previously-certified environmental documents that are applicable to Russell Ranch: (1) the project-level Russell Ranch EIR and (2) program-level Folsom South of U.S. Highway 50 Specific Plan Project EIR/EIS (FPASP EIR/EIS). This environmental checklist has been prepared to evaluate whether: (1) there are substantial changes proposed in the current application that would require major revisions to the previously reviewed and certified Russell Ranch EIR because of the introduction of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) whether circumstances have undergone a substantial change which would require major revisions to the certified Russell Ranch EIR because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or (3) there is new information of substantial importance (which was not known and could not have been known with the exercise of reasonable diligence at the time the Russell Ranch EIR was certified) showing that new or substantially more severe environmental impacts would occur compared to that evaluated in the Russell Ranch EIR or the FPASP EIR/EIS (CEQA Guidelines Section 15162(a)(1)(3))

The evaluation then considers, under the same standards, whether there are any changes (and related impacts) caused by the project compared to the FPASP EIR/EIS that were not already addressed by the Russell Ranch EIR.

Based on the outcome of this analysis, additional environmental review through the subsequent review provisions of CEQA for changes to previously reviewed and approved projects may be warranted (CEQA Guidelines Sections 15162 through 15164).

1.2 SUMMARY OF PRIOR ENVIRONMENTAL ANALYSIS

The Russell Ranch Project has received extensive prior environmental review, both through the environmental analysis conducted on the original FPASP and the 2015 project approvals.

The FPASP EIR/EIS (June 2011) included an allocation of 1,119 units to the Russell Ranch Project. The City and the U.S. Army Corps of Engineers (USACE) prepared a joint EIR/EIS for the FPASP that evaluated the environmental impacts associated with development of the entire plan area based on the land use and zoning designations identified in the specific plan. The City was the Lead Agency with respect to preparation of the EIR and USACE was the Lead Agency with respect to preparation of the EIS.

The FPASP EIR/EIS was prepared at the program “first-tier” level of environmental review consistent with the requirements of CEQA Guidelines Sections 15152 and 15168. The program-level analysis considered the broad environmental impacts of the overall specific plan. In addition, the FPASP FEIR/FEIS also included a more detailed analysis of specific topic areas beyond the program level, including: Aesthetics; Cultural Resources; Geology, Soils, Minerals, and Paleontological Resources; Hazards and Hazardous Materials; and Land Use Planning and Agricultural Resources. The FPASP EIR/EIS acknowledged that development of the FPASP area would occur in multiple phases.

In 2015, the City certified the Russell Ranch Project EIR (May 2015). This document included extensive project-level analysis, including aesthetics (emphasizing impacts to the view shed), air quality modeling, biological resources impact assessment, tree survey, cultural resources impact assessment, noise analysis, water usage and availability, and transportation impact analysis. For each topic area, the EIR reviewed the potential impacts associated with the Russell Ranch development and considered whether the existing mitigation that was adopted with the FPASP EIR needed to be updated. In most cases, project-level mitigation was provided but, in some cases, the Russell Ranch EIR incorporated by reference the mitigation from the FPASP EIR. The Russell Ranch EIR (May 2015) evaluated impacts for 879 units, and mitigation measures were included based upon this unit count, which included an allocation of units for what was then identified as Phase 4.

In 2016, the amendments to the vesting large lot and small lot tentative subdivision maps increased the units for the approved entitlements to 903 units. This approval acknowledged the allocation of 51 units to Phase 4.²

As noted above, the Approved Entitlements, the impacts of which were evaluated in the Russell Ranch FEIR, included a General Plan Amendment (GPA), Specific Plan Amendment (SPA), Large-Lot and Small-Lot Vesting Tentative Subdivision Maps, planned development permit and design guidelines, conditions of approval, affordable housing plan and amendment to the development agreement.

Table 1-1 shows the number of units approved for Russell Ranch when the FPASP was adopted, and when Russell Ranch was amended in 2015 and 2016. The table also shows the proposed number of units to provide an overview of what was approved previously in comparison to what is requested now.

² The City Council made a finding in Resolution No. 9783 that no additional environmental analysis was required for the approval of these amendments because none of the requirements for subsequent environmental analysis (as described in the text, above) existed under CEQA Guideline 15162. The lot count identified above also included the transfer of lots from an adjacent property (known as Carr Trust) pursuant to a lot line adjustment. These lots were included in the original FPASP EIR/EIS and did not require further environmental review.

Table 1-1 Land Use Comparison for Russell Ranch Development (2011 to 2018)

| Land Use | Adopted 2011 | | | Amended May 2015 | | | Amended June 2016 | | | Proposed Amendment 2018 | | | Change from 2011 to 2018 | | |
|--|--------------------|----------------|-----------------------------------|--------------------|----------------|-----------------------------------|--------------------|----------------|-----------------------------------|-------------------------|----------------|-----------------------------------|--------------------------|----------------|-----------------------------------|
| | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ | Gross Area (Acres) | Dwelling Units | Projected Population ¹ |
| Residential | | | | | | | | | | | | | | | |
| Single Family (SF) | 191.5 | 574 | 1,676 | 104.8 | 297 | 867 | 98.5 | 316 | 923 | 64.6 | 224 | 654 | -126.9 | -350 | -1,022 |
| Single Family High Density (SFHD) | 0 | 0 | 0 | 97.5 | 468 | 1,367 | 102.4 | 473 | 1,381 | 81.7 | 363 | 1,060 | 81.7 | 363 | 1,060 |
| Single Family High Density (SFHD) – Private Recreation | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | 2.2 | 0 | 0 | 2.2 | 0 | 0 |
| Single Family High Density (SFHD) – Active Adult | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | 41.7 | 208 | 416 | 41.7 | 208 | 416 |
| Multi-Family Low Density (MLD) | 17.5 | 163 | 316 | 11.4 | 138 | 268 | 11.4 | 114 | 221 | 23.8 | 232 | 450 | 6.3 | 69 | 134 |
| Multi-Family Medium Density (MMD) | 22.2 | 406 | 788 | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 | -22.2 | -406 | -788 |
| Subtotal Residential | 231.2 | 1,143 | 2,780 | 213.7 | 903 | 2,502 | 212.3 | 903 | 2,525 | 214.0 | 1,027 | 2,580 | -17.2 | 116 | -200 |
| General Commercial (GC) | 59.5 | - | - | 0.0 | - | - | 0.0 | - | - | 0.0 | - | - | -59.5 | - | - |
| Park (P)- Public | 6.5 | - | - | 5.2 | - | - | 5.2 | - | - | 5.2 | - | - | -1.3 | - | - |
| Park (P)- Private | 0.0 | - | - | 7.1 | - | - | 7.1 | - | - | 7.1 | - | - | 7.1 | - | - |
| Open Space (OS)- Slope | 0.0 | - | - | 49.9 | - | - | 57.3 | - | - | 49.9 | - | - | 49.9 | - | - |
| Open Space (OS)- Measure "W" | 103.2 | - | - | 112.8 | - | - | 106.8 | - | - | 106.8 | - | - | 3.6 | - | - |
| Public/Quasi-Public (PQP)-Lift Station | 11.8 | - | - | 13.1 | - | - | 13.8 | - | - | 13.8 | - | - | 2.0 | - | - |
| Major Circulation | 25.4 | - | - | 35.8 | - | - | 35.1 | - | - | 40.8 | - | - | 15.4 | - | - |
| Total Russell Ranch | 437.6 | 1,143 | 2,780 | 437.6 | 903 | 2,502 | 437.6 | 903 | 2,525 | 437.6 | 1,027 | 2,580 | 0.0 | -116 | -200 |

Notes: ¹ Population calculated using 2.92 persons per single family unit, 1.94 persons per multi-family unit, and 2.0 persons per age-restricted unit (Abbas Metzker, pers.comm., 2018).

2011 total units includes 1,119 units allocated to Russell Ranch plus 24 allocated Carr Trust units from approved BLA/TDR.
 2015 total units includes 828 units mapped Russell Ranch units plus 51 unmapped units Russell Ranch Phase 4 units plus 24 unmapped Carr Trust BLA/TDR units.
 2016 total units includes 852 units mapped Russell Ranch units (including 24 Carr Trust BLA/TDR units) plus 51 unmapped units Russell Ranch Phase 4.

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2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The applicant seeks to (1) obtain approval of a small-lot vesting tentative subdivision map for the prior Phase 4; and (2) an amendment of a portion of the approved small-lot vesting tentative subdivision map for the prior Phase 3. These two phases are now collectively called Lots 24 through 32 on Russell Ranch Large Lot Final Map (PN 16-122), filed on September 21, 2017 in Book 398, Page 1 in the Office of the Sacramento County Recorder (Document No. 201709210431). The currently proposed GPA, SPA, and Large-Lot and Small-Lot Vesting Tentative Subdivision Maps (project) would modify the approved Russell Ranch entitlements approved in 2015 and 2016 by increasing the unit count and density allocations within Lots 24 through 32.

2.2 PROJECT LOCATION

The Russell Ranch project area is located within the FPASP area within the City of Folsom, south of US 50 and north of White Rock Road, between Prairie City Road and the El Dorado County line (Exhibit 1-1). Lots 24 through 32 of the Russell Ranch project area are located along the southeastern boundary of the FPASP area, south of US 50, immediately west of the Folsom Heights development and east of Placerville Road (Exhibit 1-2).

2.3 EXISTING SETTING

The project area is in the process of being developed with backbone infrastructure, including roadways and utilities. It was previously grassland, used for cattle grazing. Developed land north of the project area consists of large residential and commercial developments. The topography of the area consists of gently rolling hills.

2.4 PROJECT OBJECTIVES

As shown below, project objectives from the Russell Ranch EIR were developed by the applicant and continue to be relevant to Lots 24 through 32, as well as Russell Ranch in general:

1. Provide for a mix of private and public land uses, balanced with active and passive recreational and open space that integrates housing with increased public open spaces, enhances the regional recreational trail network, provides for an active public park area as well as a private recreational facility, and provides for an elementary school facility site consistent with the FPASP, and all in an overall design consistent with Folsom design standards and Smart Growth Principles to the extent feasible.
2. Create a residential community in an area within the SACOG Blueprint for regional planned growth that provides for a range of lot sizes and home types that will accommodate choices for various age and income demographics within the FPASP area south of US 50.
3. Develop a residential hillside community that will allow for lower density development that integrates new homes on the hillside in a manner that blends into the natural surroundings, and preserves and increases natural resource and open space areas.

4. Accommodate projected regional growth in a location contemplated by the SACOG Blueprint, and which is adjacent to existing and planned infrastructure, urban services, transportation corridors, and major employment centers within the FPASP south of US 50.
5. Place residential uses near existing jobs and services to reduce vehicle miles traveled.
6. Create pedestrian-friendly development that promotes and enhances opportunities for non-motorized transportation including bicycling, jogging, and walking via designated bike lanes and/or a pedestrian friendly trail system.
7. Design a residential community that promotes social and community connectivity by providing pedestrian linkages within the project site from neighborhood to neighborhood, to active park spaces, through passive open space areas and connection to future planned areas within the FPASP and other areas within the City of Folsom located north of US 50.

The following objectives were added for the current application:

8. Obtain approval of a vesting small-lot tentative subdivision map for the prior Phase 4 area, as contemplated by the approved entitlements and provided for in Amendment No. 1 to the First Amended and Restated Development Agreement between the City of Folsom and TNHC Russell Ranch, LLC Relative to the Russell Ranch Project.
9. Modify the approved land use plan and densities within the FPASP to allow for active adult and higher density units to meet unmet market demand in the local housing market.

2.5 SUMMARY OF PROJECT

The project (Lots 24 through 32) is a subset of the overall Russell Ranch development. No changes are proposed to other portions of the Russell Ranch development and those areas will retain the design commitments of single-loaded streets, views, and a range of housing options from court homes to executive style housing.

Lots 24 through 32 are comprised of 135.1 acres. The project would retain the originally-intended residential community character, quality, and design commitments of single-loaded streets on the west side of the future Empire Ranch Road in the SFHD area. The proposed entitlements would also create a new gated active-adult community with an additional private clubhouse on the east side of Empire Ranch Road. The proposed entitlements would be located within the approved development footprint for the Russell Ranch development.

2.5.1 Land Use Summary

As shown in Table 1-1, the 2011 FPASP originally allocated 1,119 units to the Russell Ranch development area, which was the number of units analyzed in the FPASP EIR/EIS. The Russell Ranch Project EIR (May 2015) analyzed impacts for 879 units proposed at that time, a reduction of 240 units. In 2016, changes to the vesting large-lot and small-lot tentative subdivision maps increased the units for Russell Ranch to 903 units (through a density transfer of 24 units from a portion of the Carr Trust property that was acquired by Russell Ranch). The project area comprises 135.1 acres of the 437.6-acre Russell Ranch development area, and is currently planned for 265 units (Table 2-1). The project would increase the unit count by 124 dwelling units within this area; removing 92 SF units and constructing an additional 98 SFHD units and 118 MLD units (Table 2-2).

Table 2-1 Adopted FPASP Land Use Summary of Russell Ranch Lots 24 through 32 Area, as amended May 2016

| Land Use | Gross Area (Acres) | % of Site | Density Range (du/ac) | DU | Projected Population ¹ |
|--|--------------------|------------|-----------------------|------------|-----------------------------------|
| Residential | | | | | |
| Single Family (SF) | 33.9 | 25.1 | 1 to 4 | 92 | 269 |
| Single Family High Density (SFHD) | 38.2 | 28.3 | 4 to 7 | 173 | 505 |
| Single Family High Density (SFHD) - Private Recreation | 0 | 0 | 4 to 7 | 0 | 0 |
| Single Family High Density (SFHD) - Active Adult | 0 | 0 | 4 to 7 | 0 | 0 |
| Multi-Family Low Density (MLD) | 0.0 | 0 | 7 to 12 | 0 | 0 |
| Subtotal Residential | 72.1 | 53.4 | - | 265 | 774 |
| Open Space | | | | | |
| Open Space-Slope (OS) | 11.3 | 8.4 | - | - | - |
| Open Space-Measure "W" (OS) | 40.9 | 30.3 | - | - | - |
| Circulation and Miscellaneous | | | | | |
| Lift Station (PQP) | 0.1 | <0.01 | - | - | - |
| Major Circulation | 10.7 | 7.9 | - | - | - |
| Total Russell Ranch Lots 24 through 32 | 135.1 | 100 | - | 265 | 774 |

Notes: ¹ Population calculated using 2.92 persons per single family unit (City of Folsom 2011).

As shown in Table 2-3, the project would result in minor adjustments in acreage between land uses, but would not affect acreages in the project area previously approved for parks, schools, and "Measure W" open space. The proposed entitlements would increase the total unit count by 124 units, for a total of 1,027 units for the overall Russell Ranch development and 389 in the project area. While the unit count is proposed to increase by 124 units, this increase is still below the total original dwelling unit allocation adopted in the FPASP, which allocated 1,143 units to Russell Ranch (including the allocation of 24 units transferred from the Carr property, as explained above). The proposed allocation (1,027 units) is 116 units less than the 1,143 units allocated in 2011 to the Russell Ranch project and the portion of the Carr Trust property added to Russell Ranch by the boundary line adjustment in 2016.

Table 2-2 Proposed Russell Ranch Lots 24 through 32

| Land Use | Gross Area (Acres) | % of Site | Density Range (du/ac) | DU | Projected Population ¹ |
|--|--------------------|------------|-----------------------|------------|-----------------------------------|
| Residential | | | | | |
| Single Family (SF) | 0.0 | 0.0 | 1 to 4 | 0 | 0 |
| Single Family High Density (SFHD) | 17.5 | 12.8 | 4 to 7 | 63 | 184 |
| Single Family High Density (SFHD)-Private Recreation | 2.2 | 1.6 | - | - | - |
| Single Family High Density (SFHD) - Active Adult | 41.7 | 31.3 | 4 to 7 | 208 | 416 |
| Multi-Family Low Density (MLD) | 12.4 | 8.8 | 7 to 12 | 118 | 229 |
| Subtotal Residential | 73.8 | 54.6 | - | 389 | 829 |
| Open Space | | | | | |
| Open Space-Slope (OS) | 3.9 | 2.9 | - | - | - |
| Open Space-Measure "W" (OS) | 40.9 | 30.3 | - | - | - |
| Circulation and Miscellaneous | | | | | |
| Lift Station (PQP) | 0.1 | <0.01 | - | - | - |
| Major Circulation | 16.4 | 12.2 | - | - | - |
| Total Russell Ranch Lots 24 through 32 | 135.1 | 100 | - | 389 | 829 |

Notes: ¹ Population calculated using 2.92 persons per single family unit and 1.94 persons per multifamily unit (City of Folsom 2011). Population in age-restricted units was calculated using 2.0 persons (Abbas Metzker, pers.comm., 2018).

Table 2-3 Summary of Changes Associated with Lots 24 through 32

| Land Use | Gross Area (Acres) | Dwelling Units | Projected Population (persons) |
|--|--------------------|----------------|--------------------------------|
| Single Family (SF) | -33.9 | -92 | -269 |
| Single Family High Density (SFHD) | -20.7 | -110 | -321 |
| Single Family High Density (SFHD)-Private Recreation | 2.2 | 0 | 0 |
| Single Family High Density (SFHD) - Active Adult | 41.7 | 208 | 416 |
| Multi-Family Low Density (MLD) | 12.4 | 118 | 229 |
| Subtotal Residential | 1.7 | 124 | 8 |
| Open Space-Slope (OS) | -7.4 | - | - |
| Open Space-Measure "W" (OS) | 0 | - | - |
| Lift Station (PQP) | 0 | - | - |
| Major Circulation | 5.7 | - | - |
| Total Russell Ranch Lots 24 through 32 | 0 | 124 | 55 |

As shown on Exhibit 2-1, the project site would be developed in five villages. Villages 1, 2, and 4 would be part of an age-restricted active adult community, Village 3 would contain market-rate single-family homes, and Village 5 would contain townhomes. The projected population under the original 2011 FPASP allocation was estimated at 1,067 persons, whereas the population under the approved entitlements was estimated at 774 persons (Table 2-2). The projected population for Russell Ranch if this project is approved would be 829 persons. This is 200 fewer people than under the original 2011 FPASP, and 55 more people than the approved entitlements (Tables 1-1 and 2-3).

2.5.2 Open Space and Recreation

As shown in Table 2-3, and Exhibits 2-2 and 2-3, the proposed entitlements would not result in a change to "Measure W" OS acreage³. Consistent with the FPASP, Quimby park dedication requirements are satisfied by parks located throughout the entire FPASP area, with the project contributing its fair share through dedication within the project and an in-lieu fee. Pursuant to the approved entitlements, the applicant would satisfy its total project requirement through dedication of a 5.2-acre park that has been reserved and an in-lieu fee, consistent with FPASP requirements.

As part of the proposed entitlements, the applicant proposes an additional 2.2-acre area (east of Empire Ranch Road) for a private recreation facility that would serve the new active-adult community and a 0.7-acre private park (west of Empire Ranch Road) that would serve the new townhomes within the MLD land use (see Exhibits 2-2 and 2-3). As shown in Table 2-3, the addition of a new private recreation facility and private park results in an increase in private recreation amenities as compared to the Approved Entitlements.

³ In 2004, the City of Folsom's residents voted in favor of Measure W, an amendment to the City Charter regarding local control of the FPASP area. Among others, Measure W required 30 percent of the FPASP area to be maintained as natural open space to preserve oak woodlands and sensitive habitat areas.



ADOPTED



PROPOSED

| LEGEND | LAND USE | EXISTING ACRES (G) | PROPOSED ACRES (G) |
|----------------|--|--------------------|--------------------|
| OS | Single Family (1-4 du/dw) | 33.8 | 0.0 |
| SFHD | Single Family High Density (4-7 du/dw) | 36.2 | 81.4 |
| MLD | Multi-Family Low Density (7-12 du/dw) | 0.0 | 12.4 |
| OS | Public/Office-Public | 0.1 | 0.1 |
| OS | Open Space - Slope * | 11.3 | 0.0 |
| OS | Open Space - Measure "W" | 46.8 | 40.9 |
| OS | Open Space - Other | 0.0 | 3.8 |
| OS | Minor Circulation | 16.7 | 16.4 |
| TOTALS: | | 135.1 | 135.1 |

* "Open Space - Slope" designation to be removed; Slope areas will be modified and shown as SFHD

ADOPTED



Source: Prepared by MackKay & Samps in 2018

X17010090.01.002

Exhibit 2-2

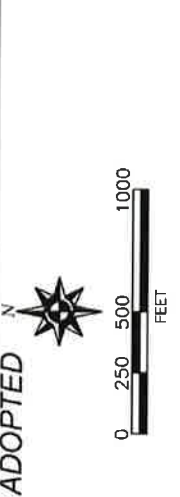
General Plan Amendment Land Use Comparison





| LEGEND | LAND USE | EXISTING ACRES (2015) | PROPOSED ACRES (2015) |
|---------------|---------------------------------------|-----------------------|-----------------------|
| SP-SF-PD | Single-Family (1-4 units) | 33.8 | 0.0 |
| MF-SF-PD | Multi-Family High Density (4-7 units) | 36.2 | 61.4 |
| MF-SF-PD | Multi-Family Low Density (1-2 units) | 0.0 | 12.4 |
| OS | Open Space - Other (Preserve)** | 0.1 | 0.1 |
| OS | Open Space - Slope | 12.9 | 8.1 |
| OS | Open Space - Measure 'W' (Preserve)** | 0.0 | 0.1 |
| OS | Open Space - Slope | 11.3 | 0.0 |
| OS | Open Space - Measure 'W' (Preserve)** | 28.1 | 32.8 |
| OS | Open Space - Other (Pasture) | 0.0 | 3.8 |
| OS | Major Culmination | 10.7 | 16.4 |
| TOTALS | | 135.1 | 135.1 |

**Open Space - Slope designation to be removed. Slope areas will be modified and shown as SF-PD
 **40.9 Total acres of Measure 'W' Open Space



Source: Prepared by Mackay & Samps in 2018

Exhibit 2-3

Specific Plan Amendment Land Use Comparison



X17010090 01.001

2.5.3 Development Agreement

The entire Russell Ranch property is covered by Amendment No. 1 to the First Amended and Restated Development Agreement by and between the City of Folsom and TNHC Russell Ranch LLC Relative to the Russell Ranch Project. The proposed amendment to the Development Agreement related to Lots 24 through 32, only, and would be to incorporate the revised maps and related entitlements within the scope of the Development Agreement, to the extent determined necessary through consultation with the City Attorney and the applicant's legal counsel.

2.6 REQUIRED DISCRETIONARY ACTIONS

The applicant is requesting entitlements to enable development of an active-adult community east of Empire Ranch Road and accommodate MLD homes west of Empire Ranch Road (Exhibits 2-2 and 2-3). The requested entitlements include:

- ▲ Large-Lot (Exhibit 2-4) and Small-Lot Vesting Tentative Subdivision Maps (Exhibits 2-1 and 2-5);
- ▲ General Plan Amendment (Exhibit 2-3);
- ▲ Specific Plan Amendment (Exhibit 2-4);
- ▲ Planned Development (PD) Amendment; and
- ▲ Development Agreement Amendment.

2.6.1 Lead Agency

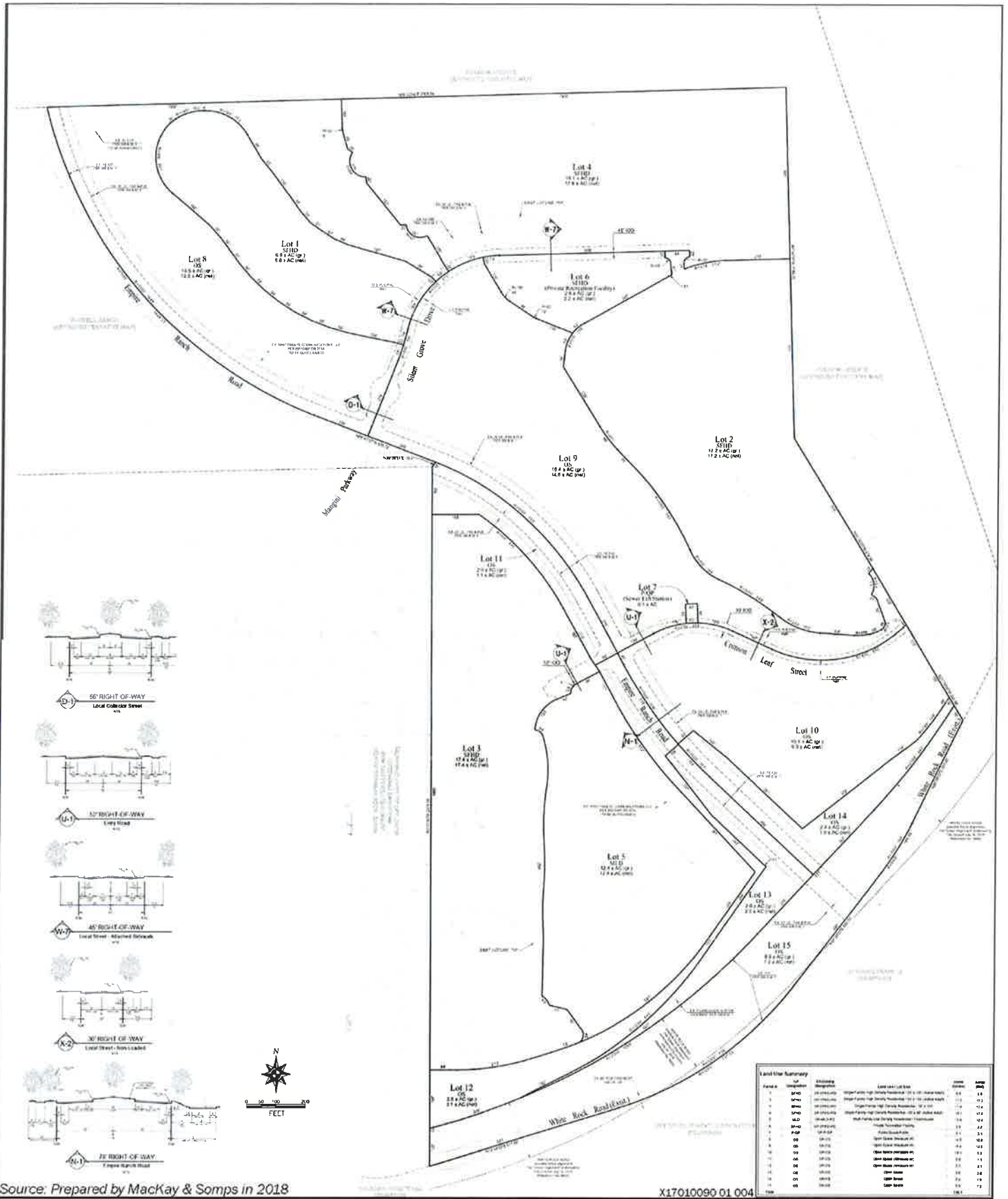
Table 2-4, below, shows the anticipated entitlements, approvals, and permits needed to develop the project as it moves forward through the entitlement process. It should be noted that if the addendum is approved, no physical development different from that allowed by the approved entitlements would commence until such time the applicant secures all entitlements noted below.

Table 2-4 Entitlements, Approvals and Permits

| Entitlement/Approval or Permit Needed | Agency |
|---|-------------------------|
| Large-Lot Vesting Tentative Subdivision Map | Folsom City Council |
| Small-Lot Vesting Tentative Subdivision Map | Folsom City Council |
| Development Agreement, Amendment No. 2 | Folsom City Council |
| Grading Permit | City of Folsom Engineer |

2.6.2 Responsible Agencies

In addition to the list of entitlements, approvals, and/or permits identified in Table 2-4 above that must be obtained from the City of Folsom, the following approvals, consultations, and/or permits may be required from other agencies prior to physical development of the site. However, none of the entitlements listed below would be required prior to consideration of this addendum. Where permits have been obtained or progress made, it is noted in specific resources chapters of this document.



Source: Prepared by Mackay & Soms in 2018

X17010090 01 004

Exhibit 2-4

Large-Lot Vesting Tentative Subdivision Map



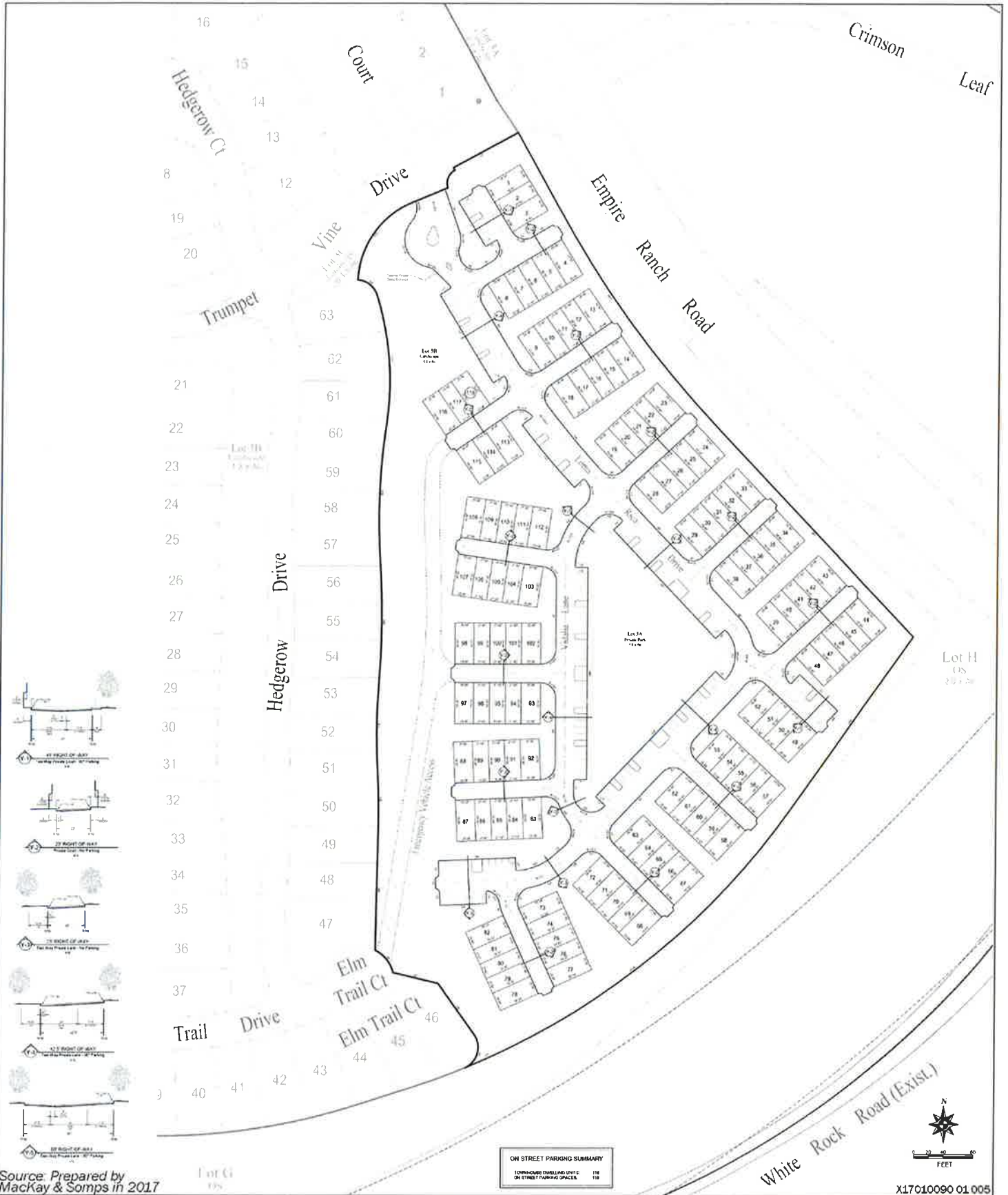


Exhibit 2-5

Village 5 Small-Lot Vesting Tentative Subdivision Map



X17010090 01.005

FEDERAL ACTIONS/PERMITS

- ▲ U.S. Army Corps of Engineers: Department of the Army permit under Section 404 of the Clean Water Act (“CWA”) for discharges of dredge or fill material into waters of the U.S.
- ▲ Consultation for impacts on cultural resources pursuant to Section 106 of the National Historic Preservation Act.
- ▲ U.S. Environmental Protection Agency: concurrence with Section 404 CWA permit.
- ▲ U.S. Fish and Wildlife Service: Consultation and issuance of incidental-take authorization for the take of federally listed endangered and threatened species pursuant to Section 7 of the Endangered Species Act (“ESA”).

STATE ACTIONS/PERMITS

- ▲ California Department of Fish and Wildlife, Sacramento Valley—Central Sierra Region: California Endangered Species Act consultation and issuance of take authorization (if needed) (California Fish and Game Code Section 2081), streambed alteration agreement (California Fish and Game Code Section 1602), and protection of raptors (California Fish and Game Code Section 3503.5).
- ▲ California Department of Transportation: encroachment permits; approval of landscaping plans and specifications for landscape corridor adjacent to US 50.
- ▲ Central Valley Regional Water Quality Control Board (Region 5): National Pollutant Discharge Elimination System (NPDES) construction stormwater permit (Notice of Intent to proceed under General Construction Permit) for disturbance of more than 1 acre; discharge permit for stormwater; general order for dewatering; and Section 401 Clean Water Act (“CWA”) certification or waste discharge requirements; CWA, Section 401 Water Quality Certification; NPDES permit coverage for hydrostatic testing of pipeline (coverage expected under General Order for Low Threat Discharges to Surface Water).
- ▲ State Historic Preservation Officer (SHPO): approval of a Programmatic Agreement and/or MOU for Section 106 compliance with the National Historic Preservation Act.
- ▲ California Department of Public Health: approval of an amendment to the City’s Public Water System Permit.

REGIONAL AND LOCAL ACTIONS/PERMITS

- ▲ Sacramento Metropolitan Air Quality Management District: authority to construct (for devices that emit air pollutants), health risk assessment, and Air Quality Management Plan consistency determination.
- ▲ Sacramento County: approval of roadway encroachment permit for pipeline construction, rezoning, use permit, and approval of grading permit.
- ▲ City of Folsom: roadway encroachment permit for pipeline construction, tree removal permit (if needed), rezoning, and use permit.

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3 SUPPLEMENTAL ENVIRONMENTAL REVIEW CHECKLIST INSTRUCTIONS

3.1 EXPLANATION OF CHECKLIST EVALUATION CATEGORIES

The purpose of this checklist is to evaluate the categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the Russell Ranch EIR. For the discussion that follows, the FPASP EIR/EIS and the Backbone MND is also referenced as the Russell Ranch EIR because the Russell Ranch EIR incorporated by reference applicable portions of the FPASP EIR/EIS and the Backbone MND. The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the State CEQA Guidelines. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact because it was analyzed and addressed with mitigation measures in the Russell Ranch EIR. For instance, the environmental categories might be answered with a “no” in the checklist because the impacts associated with the project were adequately addressed in the Russell Ranch EIR, and the environmental impact significance conclusions of the Russell Ranch EIR remain applicable. The purpose of each column of the checklist is described below.

3.1.1 Where Topic⁴ was Analyzed

This column provides a cross-reference to the pages of the Russell Ranch EIR or FPASP EIR/EIS where information and analysis may be found relative to the environmental issue listed under each topic.

3.1.2 Do Proposed Changes Involve New Significant Impacts?

The significance of the changes proposed to the approved FPASP, as it is described and thereafter amended in the certified Russell Ranch EIR, is indicated in the columns to the right of the environmental issues.

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

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

⁴ Traditionally, this is stated as “Where Impact was Analyzed”, however, this could be confusing to some readers. The use of the word “impact” doesn’t indicate that the topic had a significant impact on the environment. In this context, the word “impact” indicates an environmental topic for which CEQA provides a question on whether a significant impact may occur (Appendix G of the CEQA Guidelines). Therefore, “topic” is used in the checklist.

3.1.4 Any New Information Requiring New Analysis or Verification?

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

Notably, where the only basis for preparing a subsequent EIR or a supplement to an EIR is a new significant impact or a substantial increase in the severity of a previously identified impact, the need for the new EIR can be avoided if the project applicant agrees to one or more mitigation measures that can reduce the significant effect(s) at issue to less than significant levels. (See *River Valley Preservation Project v. Metropolitan Transit Development Board* (1995) 37 Cal.App.4th 154, 168.)

3.1.5 Do Prior Environmental Documents Mitigations Address/Resolve Impacts?

This column indicates whether the prior environmental documents and adopted CEQA Findings provide mitigation measures to address effects in the related impact category. In some cases, the mitigation measures have already been implemented. A “yes” response will be provided in either instance. If “NA” is indicated, this Environmental Checklist Review concludes that there was no impact, or the impact was less-than-significant and, therefore, no mitigation measures are needed.

3.2 DISCUSSION AND MITIGATION SECTIONS

3.2.1 Discussion

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

3.2.2 Mitigation Measures

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

3.2.3 Conclusions

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

3.2.4 Acronyms Used in Checklist Tables

Acronyms used in the Environmental Checklist tables and discussions include:

| | |
|---------|--|
| EIR | Environmental Impact Report |
| EIR/EIS | Environmental Impact Report/Environmental Impact Statement |
| MM | Mitigation Measure |
| NA | not applicable |
| RR | Russell Ranch |

4 ENVIRONMENTAL CHECKLIST

4.1 AESTHETICS

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|--|--|---|---|
| 1. Aesthetics. Would the project: | | | | |
| a. Have a substantial adverse effect on a scenic vista? | RR EIR Setting 4.1-3 to 4.1-12 Impact 4.1-1 FPASP EIR/EIS Setting pp. 3A.1-2 to 3A.1-22 Impact 3A.1-1 | No | No | Yes, but impact still remains significant and unavoidable |
| b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | RR EIR Setting p. 4.0-2 FPASP EIR/EIS Setting p. 3A.1-26 Impact 3A.1-2 | No | No | Yes |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | RR EIR Setting 4.1-1 to 4.1-12 Impact 4.1-1 FPASP EIR/EIS Setting pp. 3A.1-1 to 3A.1-20 Impacts 3A.1-3 and 3A.1-4 | No | No | Yes, but impact still remains significant and unavoidable |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | RR EIR Setting 4.1-1 to 4.1-12 Impact 4.1-2 FPASP EIR/EIS Setting p. 3A.1-22 Impacts 3A.1-5, 3A.1-6 | No | No | Yes |

4.1.1 Discussion

No substantial change in the environmental and regulatory settings as related to aesthetics, described in the Russell Ranch EIR, Chapter 4.1, Aesthetics, has occurred since certification of the Russell Ranch EIR in 2015. While the current application changes the density and types of housing, it does not constitute a change in circumstances regarding aesthetics because the land uses are still proposed within the range of single-family to medium-density housing types.

The project does not introduce any new or unique visual features that were not analyzed in the Russell Ranch EIR, as the project is still proposed for residential use and maximum building height of the homes would remain as previously proposed (i.e., 35-foot maximum building height). No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or

verification. The overall land use pattern would be consistent with the approved entitlements for Russell Ranch. The project would use the same development footprint and increase the density from what was analyzed in the Russell Ranch EIR.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved.

▲ Mitigation Measure 3A.1-4: Screen construction staging areas.

The following project-specific mitigation measures were included in the Russell Ranch EIR and would continue to remain applicable if the project were approved:

▲ Mitigation Measure 4.1-1. Screening and locating staging and material storage to reduce visual impacts

▲ Mitigation Measure 4.1-2. Lighting Plan

On May 12, 2015, the City of Folsom, as lead agency, adopted Resolution No. 9564 to certify the Final EIR, adopt Findings of Fact, and adopt a Statement of Overriding Considerations. As stated in the Findings of Fact, the Russell Ranch EIR concluded that, Mitigation Measure 4.1-1 would alleviate the impacts to future residents during construction; however, other feasible mitigation measures are not available to reduce impacts associated with the alteration of a scenic vista or degradation of the existing visual character or quality of the project site from project development to a less-than-significant level. The City Council found that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible additional mitigation measures or project alternatives identified in the Final EIR. Therefore, the impact to visual character would remain significant and unavoidable.

The Russell Ranch EIR concluded that, with Mitigation Measure 4.1-2, impacts to light and glare would be reduced to a less-than-significant level.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. This project would result in similar patterns of development as the previously approved Russell Ranch entitlements; therefore, the impacts would remain the same as what was analyzed in the Russell Ranch EIR. No additional mitigation measures are available to reduce the significant impacts to visual character and scenic vistas. As stated in the adopted Findings of Fact and Statement of Overriding Considerations (May 2015), the City made findings that no feasible mitigation measures are possible to mitigate impacts associated with the alteration of a scenic vista or degradation of the existing visual character or quality of the project site from project development to a less-than-significant level and found that the benefits of the project outweigh the significant and unavoidable impacts due to economic, social, technological, and environmental benefits—general plan consistency, FPASP consistency, inclusion of smart growth principles, and the creation of tax revenue-creating activities. The conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to aesthetics.

4.2 AGRICULTURE AND FOREST RESOURCES

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|--|---|---|---|
| 2. Agriculture and Forestry Resources. Would the project: | | | | |
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | RR EIR Appendix C No Impact FPASP EIR/EIS Setting pp. 3A.10-2, 3A.10-5, 3A.10-6 No Impact | No | No | NA |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | RR EIR Appendix C No Impact FPASP EIR/EIS Setting pp. 3A.10-2 to 3A.10-4, 3A.10-6, 3A.10-7 Impacts 3A.10-3 and 3A.10-4 | No | No | NA |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | RR EIR Appendix C No Impact | No | No | NA |
| d. Result in the loss of forest land or conversion of forest land to non-forest land? | RR EIR Appendix C No Impact | No | No | NA |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | RR EIR Appendix C No Impact | No | No | NA |

4.2.1 Discussion

No substantial change in the environmental and regulatory settings related to Agriculture and Forest Resources, described in the Russell Ranch EIR Appendix C, Section II, Agriculture and Forest Resources, has occurred since certification of the Russell Ranch EIR in 2015. While the current application changes the density of residential land uses, it does not change the development footprint. These changes do not constitute a change in circumstances regarding agriculture and forest resources.

The project would not involve converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. The project site is not under a Williamson Act contract and is not designated or zoned for agricultural uses. The site does not contain forest land or timberland. The project would use the same development footprint and increase the density from what was analyzed in the Russell Ranch EIR. The project would not change what was previously analyzed regarding agricultural and forestry resources.

Mitigation Measures

None required.

CONCLUSION

No new circumstances have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the certified Russell Ranch EIR remain valid and implementation of the project would not result in any new significant impacts associated with agriculture and forest resources.

4.3 AIR QUALITY

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents' Mitigations Address/Resolve Impacts? |
|---|---|---|---|--|
| 3. Air Quality. Would the project: | | | | |
| a. Conflict with or obstruct implementation of the applicable air quality plan? | RR EIR Setting pp 4.2-2 to 4.2-33 Impact 4.2-1 and 4.2-2 FPASP EIR/EIS Setting pp. 3A.2-10 to 3A.2-10; Impact 3A.2-1 and Impact 3A.2-2 | No | Yes | Yes, but impact remains significant and unavoidable |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | RR EIR Setting pp 4.2-2 to 4.2-33 Impact 4.2-1 and 4.2-2 FPASP EIR/EIS Setting p. 3A.2-2 to 3A.2-8; Impact 3A.2-1, Impact 3A.2-2, and Impact 3A.2-3 | No | Yes | Yes, but impact remains significant and unavoidable |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | RR EIR Setting pp 4.2-2 to 4.2-33 Impact 4.2-1 and 4.2-2 FPASP EIR/EIS Cumulative analysis on p. 4-22 to 4-23 | No | Yes | Yes, but impact remains significant and unavoidable |
| d. Expose sensitive receptors to substantial pollutant concentrations? | RR EIR Setting pp 4.2-2 to 4.2-33 Impact 4.2-3 FPASP EIR/EIS Setting p. 3A.2-7 to 3A.2-10 and 3A.2-20 to 3A.2-23; Impact 3A.2-4; and Cumulative analysis on p. 4-23 to 4-26 | No | Yes | Yes |
| e. Create objectionable odors affecting a substantial number of people? | RR EIR Setting pp 4.2-2 to 4.2-33 Impact 4.2-4 FPASP EIR/EIS Setting p. 3A.2-9; Impact 3A.2-6 | No | Yes | Yes |

4.3.1 Discussion

No substantial change in the environmental settings related to air quality, described in the Russell Ranch EIR, Chapter 4.2, Air Quality and Climate Change, has occurred since certification of the EIR in 2015. Sacramento County is in nonattainment with respect to the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standard (CAAQS) for ozone. The County is in nonattainment for the NAAQS for particulate matter with an aerodynamic diameter of 2.5 micrometers or less (PM_{2.5}); and also, nonattainment of the CAAQS for particulate matter with an aerodynamic diameter of 10 micrometers or less (PM₁₀) (Sacramento Metropolitan Air Quality Management District [SMAQMD] 2016). In May 2015, SMAQMD adopted new thresholds of significance for PM_{2.5} and PM₁₀ of 82 pounds per day (lb./day) or 15 tons per year (tpy), and 80 lb./day or 14.6 tpy, respectively (SMAQMD 2015).

The project does not introduce any new air pollution sources or sensitive receptors. The refined land use map and lotting patterns reflect development that is substantially similar to the development assumptions analyzed in the Russell Ranch EIR and FPASP EIR/EIS. The Russell Ranch EIR concluded that air quality impacts would be similar in significance as those analyzed in the FPASP EIR/EIS. Furthermore, the Russell Ranch EIR included a project-specific mitigation measure regarding naturally occurring asbestos (NOA).

During construction of the project, various types of equipment and vehicles would be active on the project site. Construction exhaust emissions would be temporarily generated from use of construction equipment, vegetation clearing and earth movement activities, construction workers' commutes, and construction hauling for the construction period. These activities would require the use of diesel- and gasoline-powered equipment that would generate emissions of criteria air pollutants and toxic air contaminants (primarily diesel PM).

Operational sources of criteria air pollutants would be generated from mobile and stationary sources. Mobile sources such as residential vehicle use would comprise the majority of mobile source emissions. Emissions would also occur from area sources such as natural gas combustion from heating mechanisms, landscape equipment exhaust, and consumer projects (e.g., refrigerants, cleaning products, architectural coatings).

Construction and operational emissions were modeled in both the Russell Ranch EIR and the FPASP EIR/EIS. As discussed in Appendix A and in Section 4.16, Transportation/Traffic of this document, the project would result in fewer daily trips (7,942) than the approved entitlements (8,269). While construction activities for this portion of the Russell Ranch property may be greater under the project than the approved entitlements because of the increase in housing units, overall development intensity would be similar to that approved in the 2011 FPASP. Additionally, the FPASP EIR/EIS accounted for greater construction emissions impacts than currently proposed. Construction activities would occur over a shorter duration and would generate less emissions as compared to the 2011 FPASP because of the reduced level of ground disturbance associated with fewer units.

Although the project would contribute construction- and operational-related emissions to Sacramento County which could result in the violation of an air quality plan or exceedance of an applicable air quality standard, the impacts associated with operational emissions have decreased with the proposed amendments and the project would continue to be subject to the mitigation measures identified and/or refined in the Russell Ranch EIR due to the overall nonattainment status in Sacramento County. No new or substantially more severe air quality impacts would occur. The mitigation measures and overall conclusions of the FPASP EIR/EIS and Russell Ranch EIR remain valid and no additional analysis is required.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 3A.2-1a: Implement Measures to Control Air Pollutant Emissions Generated by Construction of On-Site Elements.

- ▲ 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.
- ▲ Mitigation Measure 3A.2-1d: Implement SMAQMD's Basic Construction Emission Control Practices during Construction of all Off- site Elements located in Sacramento County.
- ▲ Mitigation Measure 3A.2-1f: Implement SMAQMD's Enhanced Exhaust Control Practices during Construction of all Off-site Elements.
- ▲ 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.
- ▲ Mitigation Measure 3A.2-1h: Analyze and Disclose Projected PM₁₀ Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements.
- ▲ Mitigation Measure 3A.2-2: Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions.

The following project-specific mitigation measures were referenced in the Russell Ranch EIR and would continue to remain applicable if the project were approved:

- ▲ Mitigation Measure 4.2-3: Conduct a field survey of the project site to demonstrate that NOA does not exist on the project site to the satisfaction of SMAQMD. In the case that NOA is found, all soil containing NOA, replace all contaminated areas with clean soils or materials.

The Russell Ranch EIR included a project-level mitigation measure to conduct a field survey for the presence of NOA on the project site that would reduce potential exposure of sensitive receptors to NOA to a less-than-significant level. As stated in the Findings of Fact (May 2015), Mitigation Measure 3A.2-2 would reduce operational emissions; however, significant and unavoidable impacts would remain. Additional feasible mitigation is not available to reduce the project's emissions to below the applicable thresholds of significance. Therefore, the impact would remain significant and unavoidable. This conclusion would not change with implementation of the project.

CONCLUSION

As required by many of the air quality mitigation measures adopted as part of the FPASP, the Russell Ranch EIR provided additional project-level air quality analysis. Notably, the air quality impacts in the proposed project are less than anticipated with the approved entitlements. Even with this reduction in impacts, feasible mitigation measures in addition to what is required per the FPASP EIR/EIS/Russell Ranch EIR and the FPASP OAQMP do not exist sufficient to reduce the project's emissions to below the applicable thresholds of significance such that a less-than-significant impact would occur. No new circumstances have occurred nor has any new information been found requiring new analysis or verification. As stated in the Statement of Overriding Considerations (May 2015), the City found that the benefits of the project outweigh the significant and unavoidable impacts due to economic, social, technological, and environmental benefits—general plan consistency, FPASP consistency, inclusion of smart growth principles, and the creation of tax revenue-creating activities. The conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to aesthetics. The conclusions of the FPASP EIR/EIS and Russell Ranch EIR remain valid and no additional analysis is required.

4.4 BIOLOGICAL RESOURCES

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|---|---|---|---|
| 4. Biological Resources. Would the project: | | | | |
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | RR EIR Setting 4.3-1 to 4.3-18 Impacts 4.3-1 to 4.3-10 FPASP EIR/EIS Setting pp. 3A.3-7 to 3A.3-21 Impacts 3A.3-2 and 3A.3-3 | No | No | Yes, and mitigation has been updated |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | RR EIR Setting 4.3-1 to 4.3-18 Impact 4.3-11 FPASP EIR/EIS Setting pp. 3A.3-21 to 3A.3-26 Impact 3A.3-4 | No | No | Yes |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | RR EIR Setting 4.3-1 to 4.3-18 Impact 4.3-11 FPASP EIR/EIS Setting pp. 3A.3-5 to 3A.3-7, 3A.3-18 to 3A.3-21 Impact 3A.3-1 | No | No | Yes |
| d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | RR EIR Setting 4.3-1 to 4.3-18 Impact 4.3-12 FPASP EIR/EIS Setting p. 3A.3-7 Impact 3A.3-6 | No | No | Yes |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. | RR EIR Setting 4.0-2 Impact 4.3-13 and 4.3-14 FPASP EIR/EIS Setting pp. 3A.3-23 to 3A.3-26 Impact 3A.3-5 | No | No | Yes |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | RR EIR Setting 4.0-2 No Impact FPASP Impact 3A.3-7 | No | No | NA |
| g. Have the potential to cause a commercial and/or recreational fishery to drop below self-sustaining levels? | FPASP EIR/EIS Setting p. 3A.3-17 No Impact | No | No | NA |

4.4.1 Discussion

A November 2017 study by ECORP included a review of the project's potential impacts on biological resources in comparison to the approved entitlements (ECORP 2017a [Appendix B]). This assessment was completed in accordance with the requirements in the First Amended Programmatic Agreement (FAPA), which includes guidance on how the project is to comply with all applicable state and federal requirements that were in place at the time of its execution. The FAPA provides the framework for compliance and requires that each individual project (including this project), must comply with specific terms that include, but are not limited to the following:

- ▲ Development of a project-specific Area of Potential Effect ("APE"),
- ▲ Good-faith identification efforts including wetland delineations, threatened and endangered species surveys, and rare plant surveys, and
- ▲ Mitigation for any impacts to such resources.

As an applicant for a permit within the FPASP, The New Home Company must meet the requirements outlined in the FPASP EIR/EIS specific to the project. The steps taken to identify biological resources are outlined in the FAPA. These steps include wetland delineations, threatened and endangered species surveys, and rare plant surveys. ECORP reviewed special-status species to ensure no additions have been made to the list of species located within the project site. Throughout development of the FPASP, including Russell Ranch, more specific plans and additional construction details have been developed and implemented, resulting in minor changes to project boundaries. ECORP cross-referenced the changed areas of impacts for Russell Ranch to the original permits authorizing work in those areas to ensure no additional impacts would occur, or that additional impacts would be properly approved and mitigated through USACE permit modification. Total impacts within Russell Ranch do not exceed the total impacts authorized by the Russell Ranch EIR (ECORP 2017a).

Permits have already been obtained from the USACE as part of the mitigation implementation of the Russell Ranch EIR. With the slight changes associated with this project, a permit compliance letter will be submitted to USACE for approval of these acreage changes to the CWA Section 404 individual permit and the Regional Water Quality Control Board 401 certification. A 1602 Sub-Notification Form (SNF) will be submitted under the existing Master Streambed Alteration Agreement with the CDFW for approval.

No new or substantially more severe biological impacts would occur. Similar to what was discussed in the Russell Ranch EIR, the project could have a significant impact on biological resources; however, the project would continue to be subject to the mitigation measures identified and/or refined in the Russell Ranch EIR and the ECORP analysis, which are presented below. As described in the Russell Ranch EIR, with implementation of these measures, biological impacts would be reduced to a less-than-significant level. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to biological resources.

Mitigation Measures

The following project-level mitigation measures were referenced in the Russell Ranch EIR analysis and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 4.3-1: Federally-listed vernal pool invertebrates.
- ▲ Mitigation Measure 4.3-3(a) Conduct environmental awareness training for construction employees.
- ▲ Mitigation Measure 4.3-3(b): Conduct Preconstruction Western Spadefoot Toad Survey.
- ▲ Mitigation Measure 4.3-4 Northwestern Pond Turtle.
- ▲ Mitigation Measure 4.3-5(a): Conduct preconstruction Swainson's hawk and other raptor surveys.
- ▲ Mitigation Measure 4.3-5(b): Prepare and implement Swainson's hawk mitigation plan.

- ▲ Mitigation Measure 4.3-6(a & b): Conduct preconstruction burrowing owl survey.
- ▲ Mitigation Measure 4.3-7: Conduct a preconstruction tricolored blackbird survey.
- ▲ Mitigation Measure 4.3-8(a & b): Preconstruction nesting bird survey.
- ▲ Mitigation Measure 4.3-10: Conduct preconstruction American badger burrow survey.
- ▲ Mitigation Measure 4.3-11(a) Clean Water Act Sections 401 and 404.
- ▲ Mitigation Measure 4.3-11(b) Master Streambed Alteration Agreement.
- ▲ Mitigation Measure 4.3-11(c) Valley Needlegrass.

The following mitigation measure is updated for this project:

- ▲ **Mitigation Measure 4.3-1: Special-status plant species.** Prior to initiation of construction activities, a qualified biologist/botanist shall consult with the appropriate regulatory agencies (CDFW and USFWS) to determine if additional plant surveys are required. If additional surveys are required, protocol-level preconstruction special-status plant surveys will be conducted for all potentially occurring species in areas that have not previously been surveyed. If special-status plant populations are found, the Project Applicant shall consult with CDFW and USFWS, as appropriate, to determine appropriate mitigation measures. If impacts are likely, a mitigation and monitoring plan shall be developed before approval of grading plans or ground-breaking activity within 250 feet of special-status plant populations.

Upon approval of final proposed development plans by the USACE, a qualified biologist/botanist will consult with CDFW and USFWS to determine if additional surveys are required.

As described in the Russell Ranch EIR, with implementation of these measures, biological resources impacts would be reduced to a less-than-significant level.

CONCLUSION

Recent verification shows that there are no new or substantially more severe impacts to biological resources related to implementation of the project. Therefore, the findings of the Russell Ranch EIR remain valid and no further analysis is required.

4.5 CULTURAL RESOURCES

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|--|---|---|---|
| 5. Cultural Resources. Would the project: | | | | |
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | RR EIR Setting 4.4-1 to 4.4-5 Impact 4.4-1 FPASP EIR/EIS Setting pp. 3A.5-2 to 3B.5-5 Impact 3A.5-1 | No | No | Yes, and mitigation has been updated |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | RR EIR Setting 4.4-1 to 4.4-5 Impact 4.4-2 FPASP EIR/EIS Setting pp. 3A.5-1 to 3B.5-3 Impacts 3A.5-1 and 3A.5-2 | No | No | Yes, and mitigation has been updated |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | RR EIR Setting 4.4-5 Impact 4.4-3 FPASP EIR/EIS Setting pp. 3A.7-13 to 3A.7-17 Impact 3A.7-10 | No | No | Yes |
| d. Disturb any human remains, including those interred outside the formal cemeteries? | FPASP EIR/EIS Setting p. 3A.5-13 to 3A.5-15 Impact 3A.5-3 | No | No | Yes, and mitigation has been updated |
| e. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe? | RR EIR Setting 4.4-2 to 4.4-5 No Impact FPASP EIR/EIS Setting pp. 3A.5-1 to 3A.5-2; pp 3A.5-8 to 3A.5-16 Impacts 3A.5-1, 3A.5-2, and 3A.5-3 | No | No | Yes |

4.5.1 Discussion

No substantial change in the environmental and regulatory settings related to cultural resources has occurred since the Russell Ranch EIR. Further, the cultural setting was reviewed and updated as part of the Russell Ranch EIR, including addressing impacts to Tribal Cultural Resources, and it has not changed since that time. On September 14, 2017, ECORP published a memo documenting the cultural and tribal cultural resources for the entire Russell Ranch project area, inclusive of Lots 24 through 32. There are no changes to the cultural or tribal cultural resources.

Because the applicant is seeking a specific plan amendment to the FPASP, the City is required to initiate consultation with California Native American tribes under Senate Bill (SB) 18 (Burton, Chapter 905, Statutes of 2004). On August 18, 2017, the City requested a SB 18 contact list from the California NAHC. The NAHC responded with a list on August 31, 2017, and letters to each contact were mailed by the City on September 7, 2017. Consultation was carried out in accordance with the Tribal Consultation Guidelines: Supplement to General Plan Guidelines (November 14, 2005) published by the Governor's Office of Planning and Research. The consultation record for SB 18 tribal consultation will be provided under separate cover.

While the current application includes higher densities and additional housing units than what was evaluated in the Russell Ranch EIR, no additional land area would be developed as a result of the project. The Russell Ranch Project was previously found to have a significant impact on historical resources, as defined by CEQA. As described further below, however, all pre-construction mitigation measures, as required by the applicable Historic Property Treatment Plans (HPTPs), have been completed to the satisfaction of the USACE, in consultation with SHPO, the City, and the other parties to the FAPA. Compliance with the construction-related mitigation measures specified in the FPASP EIR/EIS and FAPA will further reduce that level to a less-than-significant level.

Nothing about the proposed changes would alter the cultural resources conclusions of the Russell Ranch EIR. No new or substantially more severe cultural resources impacts would occur. The project would continue to be subject to the mitigation measures identified and/or refined in the Russell Ranch EIR, which are presented below.

Mitigation Measures

The measures required to mitigate for significant impacts to historical resources are twofold. First, as part of the FPASP, the Russell Ranch development is subject to compliance with four mitigation measures in the FPASP EIR/EIS, from which the Russell Ranch EIR incorporates by reference. Second, the project is also subject to compliance with the treatment measures to resolve adverse effect to historic properties, as specified in the respective HPTPs that were prepared under the FAPA, which was required by the FPASP EIR/EIS and Russell Ranch EIR. A reconciliation of these requirements and a list of amended mitigation measures for the project are provided below.

- ▲ Mitigation Measure 4.4-1: Comply with the First Amended Programmatic Agreement and Carry Out mitigation.
 - ▶ The FAPA provides a management framework for identifying historic properties and Historical Resources through inventories and evaluations, determining adverse effects, and resolving those adverse effects with appropriate mitigation. Proof of compliance with the applicable procedures in the FAPA and implementation of applicable HPTP (Westwood and Knapp 2013b and 2013c) with regard to mitigation for the Keefe-McDerby Mine Ditch and Brooks Hotel Site is to be provided to the City's Community Development Department prior to authorization of any ground-disturbing activities. Proof of compliance is defined as written approval from the USACE of all applicable mitigation documentation generated from implementation of an approved HPTP and includes the following mitigation actions:
 - Historic American Engineering Record (HAER) Documentation of the Keefe-McDerby Mine Ditch (P-34-1475): in consultation with the National Park Service, the USACE shall require the completion of Historic American Engineering Record program documentation.
 - Data Recovery Excavations of the Brooks Hotel Site (P-34-2166): Data recovery shall follow the standards and guidelines in the HPTP. The results of excavation, laboratory analysis, artifact analysis, and archival research, shall be documented in a confidential data recovery technical report, which shall be submitted to the City's Community Development Department.

- Geoarchaeological Monitoring: Due to a potential for deeply buried archaeological resources down to a depth of 1.5m (approximately five feet) below soil formations known as the T-2 terrace, where colluvial deposits grade onto the T-2 terrace, and along the distal edge of tributary alluvial fans, all ground-disturbing activity in those areas shall be monitored by a qualified professional archaeologist with a specialization in geoarchaeology. Monitoring is no longer needed once subsurface disturbance extends beyond 1.5m below surface.
- ▲ Mitigation Measure 4.4-2(a): Conduct construction worker awareness training, 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) shall retain a qualified archaeologist to conduct training for construction supervisors. Construction supervisors shall inform the workers about the possibility of encountering buried cultural resources and inform the workers of the proper procedures should cultural resources be encountered. Proof of the contractor awareness training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.
 - Should any cultural resources, such as structural features, bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended within 200 feet of the find and the City of Folsom and USACE shall be notified immediately. The City shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall evaluate 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 would be subject to disturbance or destruction, the actions required by the FAPA and subsequent documentation shall be implemented. The City of Folsom Community Development Department and USACE 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 and seek written approval on mitigation documentation before resuming construction activities at the archaeological site.
- ▲ Mitigation Measure 4.4-2(b): Suspend ground-disturbing activities if human remains are encountered and comply with California Health and Safety Code procedures.
 - In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in Mitigation Measure 3A.5-3 shall be implemented. In addition, the provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and Assembly Bill (AB) 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (§ 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC, which then designates a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).

As described in the Russell Ranch EIR, with implementation of these measures, cultural resources impacts would be reduced to a less-than-significant level.

CONCLUSION

No new significant or substantially more severe cultural resources impacts would occur with the project. Therefore, the findings of the certified Russell Ranch EIR remain valid and no further analysis is required.

4.6 GEOLOGY AND SOILS

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|---|---|---|---|
| 6. Geology and Soils. Would the project: | | | | |
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides? | RR EIR Setting 4.0-2 No Impact FPASP EIR/EIS Setting pp. 3A.7-3 to 3A.7-5, 3A.7-18, 3A.7-19 Impacts 3A.7-1, 3A.7-2 | No | No | Yes |
| b. Result in substantial soil erosion or the loss of topsoil? | RR EIR Setting 4.0-2 No Impact FPASP EIR/EIS Setting pp. 3A.7-5 to 3A.7-6 Impact 3A.7-3 | No | No | Yes |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in: on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | RR EIR Setting 4.0-2 No Impact FPASP EIR/EIS Setting p. 3A.7-6 Impacts 3A.7-4, 3A.7-5 | No | No | Yes |
| d. Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | RR EIR Setting 4.0-2 No Impact FPASP EIR/EIS Setting p. 3A.7-11 Impact 3A.7-6 | No | No | Yes |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | RR EIR Setting 4.0-2 No Impact FPASP EIR/EIS Setting p. 3A.7-11 Impact 3A.7-7 | No | No | Yes |

4.6.1 Discussion

No substantial change in environmental and regulatory settings related to geology and soils, as described in Appendix C, Section VI, Geology and Soils or in the EIR/EIS Section 3A.7 Geology, Soils, Mineral, and Paleontological Resources – Land has occurred since the certification of the Russell Ranch EIR in 2015 and

the FPASP EIR/EIS in 2011. The same land area would be developed as examined in the Russell Ranch EIR and FPASP EIR/EIS. A project-specific geotechnical report was completed in December 2013 and included in the Russell Ranch EIR analysis, and this analysis does not require amendment or updating because there is no change in the land area to be developed. Nothing about the project changes would alter the conclusions of the Russell Ranch EIR and the mitigation measures discussed in the Russell Ranch EIR would mitigate potential impacts to a less-than-significant level.

Mitigation Measures

The following project-level mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure VI-1: Incorporate project-specific geotechnical recommendations and seek approval of grading plan.
- ▲ Mitigation Measure VI-2: Incorporate project-specific geotechnical recommendations and seek approval of foundation plans.
- ▲ Mitigation Measure VI-3: Geotechnical engineer monitoring of development.

As described in the Russell Ranch EIR, with implementation of these measures, geology and soil impacts would be reduced to a less-than-significant level.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to geology and soils.

4.7 GREENHOUSE GAS EMISSIONS

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents' Mitigations Address/Resolve Impacts? |
|--|--|---|---|--|
| 7. Greenhouse Gas Emissions. Would the project: | | | | |
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | RR EIR Setting 4.2.2 to 4.2.3 Impact 4.2-6. FPASP EIR/EIS Environmental Setting p. 3A.4-1 to 3A.4-4 and updated below; Regulatory Setting p. 3A.4-4 to 3A.4-9 and updated below; Impact 3A.4-1 and Impact 3A.4-2. | No | No | NA |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | Same as above. | No | No | Yes |

4.7.1 Discussion

Since the FPASP EIR/EIS was certified in 2011 and the Russell Ranch EIR was certified in 2015, new policies, laws, and regulations have been passed regarding the treatment of greenhouse gas (GHG) emissions. For these reasons, an updated regulatory setting containing new policies, laws, and regulations not previously contained in the FPASP EIR/EIS or Russell Ranch EIR pertaining to GHGs are provided in this document.

REGULATORY SETTING

GHG emissions and responses to global climate change are regulated by a variety of federal, state, and local laws and policies. Key regulatory and conservation planning issues applicable to the project are discussed below.

Federal

National Program to Cut Greenhouse Gas Emissions and Improve Fuel Economy for Cars and Trucks

In October 2012, EPA and the National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond (77 FR 62624). NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of CO2 per mile for the fleet of cars and light-duty trucks by model year 2025 (77 FR 62630).

In January 2017, EPA Administrator Gina McCarthy signed her determination to maintain the current GHG emissions standards for model year 2022-2025 vehicles. However, on March 15, 2017, the new EPA Administrator, Scott Pruitt, and Department of Transportation Secretary Elaine Chao announced that EPA intends to reconsider the final determination. EPA intends to make a new Final Determination regarding the appropriateness of the standards no later than April 1, 2018 (EPA 2017a).

State

Executive Order S-3-05

Executive Order (EO) S-3-05, which was signed by Governor Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra Nevada snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea level. To combat those concerns, the Executive Order established total GHG emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

As described below, legislation was passed in 2006 (Assembly Bill [AB] 32) to limit GHG emissions to 1990 levels by 2020 with continued "reductions in emissions" beyond 2020, but no specific additional reductions were enumerated in the legislation. Further, Senate Bill (SB) 375 (sustainable community strategies/transportation) established goals for emissions from light duty truck and automobiles for 2020 and 2035.

This executive order was the subject of a California Appellate Court decision, *Cleveland National Forest Foundation v. San Diego Association of Governments (SANDAG)* (November 24, 2014) 231 Cal.App.4th 1056, which was reviewed by the California Supreme Court in January 2017. The Supreme Court decided a singular question in the case, which was released on July 13, 2017. The California Supreme Court ruled that SANDAG did not abuse its discretion by declining "to adopt the 2050 goal as a measure of significance in light of the fact that the Executive Order does not specify any plan or implementation measures to achieve its goal."

In addition to concluding that an EIR need not use this executive order's goal for determining significance, the Court described several principles relevant to CEQA review of GHG impacts, including: (1) EIRs should "reasonably evaluate" the "long-range GHG emission impacts for the year 2050;" (2) the 2050 target is "grounded in sound science" in that it is "based on the scientifically supported level of emissions reduction needed to avoid significant disruption of the climate;" (3) in the case of the SANDAG plan, the increase in long-range GHG emissions by 2050, which would be substantially greater than 2010 levels, was appropriately determined to be significant and unavoidable; (4) the reasoning that a project's role in achieving a long-range emission reduction target is "likely small" is not valid for rejecting a target; and (5) "as more and better data become available," analysis of proposed plan impacts will likely improve, such that "CEQA analysis stays in step with evolving scientific knowledge and state regulatory schemes." The Court also ruled that "an EIR's designation of a particular adverse environmental effect as 'significant' does not excuse the EIR's failure to reasonably describe the nature and magnitude of the adverse effect." The Court also recognized that the 40 percent reduction in 1990 GHG levels by 2030 is "widely acknowledged" as a "necessary interim target to ensure that California meets its longer-range goal of reducing greenhouse gas emission 80 percent below 1990 levels by the year 2050." Senate Bill (SB) 32 has since defined the 2030 goal in statute (discussed below).

Executive Order B-30-15

On April 20, 2015 Governor Edmund G. Brown Jr. signed EO B-30-15 to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's executive order aligns California's GHG reduction targets with those of leading international governments such as the 28-nation European Union which adopted the same target in October 2014. California is on track to meet or exceed the current target of reducing GHG emissions to 1990 levels by 2020, as established by AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the ultimate goal of

reducing emissions 80 percent under 1990 levels by 2050. This is in line with the scientifically established levels needed in the U.S. to limit global warming below 2 degrees Celsius (°C)—the warming threshold at which there will likely be major climate disruptions such as super droughts and rising sea levels according to scientific consensus.

AB 32 Climate Change Scoping Plan and Update

In December 2008, the California Air Resources Board (CARB) adopted its Climate Change Scoping Plan, which contains the main strategies California will implement to achieve reduction of approximately 118 million metric tons (MMT) of CO₂e emissions, or approximately 21.7 percent from the State's projected 2020 emission level of 545 MMT of CO₂e under a business-as-usual scenario (this is a reduction of 47 MMT CO₂e, or almost 10 percent, from 2008 emissions). CARB's original 2020 projection was 596 MMT CO₂e, but the current 545 MMT CO₂e 2020 projection takes into account the economic downturn that occurred in 2008 and associated reductions in statewide GHG emissions (CARB 2011). The Scoping Plan reapproved by CARB in August 2011 includes the Final Supplement to the Scoping Plan Functional Equivalent Document, which further examined various alternatives to Scoping Plan measures. The Scoping Plan also includes ARB-recommended GHG reductions for each emissions sector of the State's GHG inventory. CARB estimates the largest reductions in GHG emissions to be achieved by 2020 will be by implementing the following measures and standards (CARB 2011):

- ▲ improved emissions standards for light-duty vehicles (estimated reductions of 26.1 MMT CO₂e);
- ▲ the Low-Carbon Fuel Standard (15.0 MMT CO₂e);
- ▲ energy efficiency measures in buildings and appliances (11.9 MMT CO₂e); and
- ▲ a renewable portfolio and electricity standards for electricity production (23.4 MMT CO₂e), and the Cap-and-Trade Regulation for certain types of stationary emission sources (e.g., power plants).

In May 2014, CARB released, and has since adopted, the *First Update to the Climate Change Scoping Plan* to identify the next steps in reaching AB 32 goals and evaluate the progress that has been made between 2000 and 2012 (CARB 2014). According to the update, California is on track to meet the near-term 2020 GHG limit and is well positioned to maintain and continue reductions beyond 2020 (CARB 2014). The update also reports the trends in GHG emissions from various emission sectors.

The update summarizes sector-specific actions needed to stay on the path toward the Executive Order S-3-05 2050 target. While the update acknowledges certain reduction targets by others (such as in the Copenhagen Accord), it stops short of recommending a specific target for California, instead acknowledging that mid-term targets need to be set “consistent with the level of reduction needed [by 2050] in the developed world to stabilize warming at 2°C (3.6°F) [above pre-industrial levels].”

Actions are recommended for the energy sector, transportation (clean cars, expanded zero-emission vehicle program, fuels policies, etc.), land use (compliance with regional sustainability planning targets), agriculture, water use (more stringent efficiency and conservation standards, runoff capture, etc.), waste (elimination of organic material disposal, expanded recycling, use of Cap and Trade program, etc.), green building (strengthen Green Building Standards), and other sectors. Many of the actions that result in meeting targets will need to be driven by new or modified regulations.

On January 20, 2017, CARB released the Proposed 2030 Climate Change Scoping Plan which lays out the framework for achieving the 2030 reductions as established in EO B-30-15 and SB 32 and AB 197 (discussed below). The Proposed Scoping Plan Update identifies reductions to be made by each sector to achieve a 40 percent reduction of 1990 levels of GHGs by 2030. The Proposed Scoping Plan Update contains language recommending that land use development projects demonstrate a “zero net” increase in GHG emissions as compared to baseline conditions to ensure consistency with statewide GHG reduction goals. CARB also recognizes that this approach will not be feasible for all projects and therefore recommends that lead agencies develop bright-line numerical thresholds consistent with the state's long-

term GHG goals (40 percent of 1990 levels by 2030) or consistency with GHG reduction plans (e.g., Climate Actions Plans) be demonstrated if applicable. At the time of writing this environmental checklist, CARB has not yet approved the Proposed Scoping Plan Update (CARB 2017a).

SB 32 and AB 197, Statutes of 2016

In August 2016, Governor Brown signed SB 32 and AB 197, which serve to extend California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EOs S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050.

SB 32 is contingent upon AB 197, which grants the State Legislature stronger oversight over CARB's implementation of its GHG reduction programs. AB 197 amended the existing Health and Safety Code sections and established new statutory directions, including the following provisions. Section 9147.10 establishes a six-member Joint Legislative Committee on Climate Change Policies to ascertain facts and make recommendations to the Legislature. CARB is required to appear before this committee annually to present information on GHG emissions, criteria pollutants, and toxic air contaminants from sectors covered by the Scoping Plan. Section 38562.5 requires that CARB consider social cost when adopting rules and regulations to achieve emissions reductions, and prioritize reductions at large stationary sources and from mobile sources. Section 38562.7 requires that each Scoping Plan update identify the range of projected GHG and air pollution reductions and the cost-effectiveness of each emissions reduction measure.

Senate Bill 375

SB 375, signed by the Governor in September 2008, aligns regional transportation planning efforts, regional GHG emission reduction targets for cars and light duty trucks, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy, showing prescribed land use allocation in each MPO's Regional Transportation Plan. CARB, in consultation with the MPOs, is to provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035.

The applicable MPO in Sacramento County is the Sacramento Area Council of Governments (SACOG). SACOG adopted its Metropolitan Transportation Plan (MTP)/SCS in 2012 and updated the plan in February 2016. SACOG was initially tasked by CARB to achieve a 7 percent per capita reduction by 2020 and a 16 percent per capita reduction by 2035, which CARB confirmed the region would achieve by implementing its MTP/SCS (CARB 2016). In June 2017, CARB released the proposed Target Update for the SB 375 targets tasking SACOG to achieve a 7 percent and a 19 percent per capita reduction by 2020 and 2035, respectively (CARB 2017b). At the time of writing this environmental checklist, the Target Update has not been approved by CARB.

IMPACT ANALYSIS

Although there have been updates to statewide and local regulations as identified above, no substantial change in the environmental impacts related to GHGs, described in the Russell Ranch EIR, Chapter 4.2, Air Quality and Climate Change, has occurred since certification of the EIR in 2015.

Regulations of emissions of GHGs as they relate to the contribution of global climate change are inherently dynamic and frequently changing as developing science manifests to more accurately predict the future impacts associated with climate change. Further, in line with guidance from the Executive Orders listed above, California continues to pass legislation (i.e., AB 32 and SB 32) to serve as legally binding targets for the state to achieve its goals of reducing GHGs to 80 percent below 1990 levels by 2050. Although legislation does not currently exist that solidifies this target, interim targets such as achieving 1990 levels of GHG emissions by 2020 (i.e., AB 32) and a 40 percent reduction in GHG emissions by 2030 (i.e., SB 32) can be interpreted as benchmark goals on the pathway to achieving the 2050 target.

The project does not introduce any new GHG sources. The refined land use map and lotting patterns reflect development that is substantially similar to the development assumptions analyzed in the FPASP EIR/EIS and Russell Ranch EIR. The Russell Ranch EIR concluded that because of the reduction in overall development, GHG impacts would be similar in significance as those analyzed in the FPASP EIR/EIS. In relation to the previous iteration of the Russell Ranch development, the project would result in an addition of eight persons to the project site while reducing VMT.

During construction of the project, various types of equipment and vehicles would be active on the project site. Direct emissions of GHGs would be temporarily emitted from use of construction equipment, construction workers' commutes, and construction hauling for the construction period. Direct and indirect operational sources of GHGs would be generated from mobile and area sources, energy consumption, waste disposal, and water and wastewater treatment. Mobile sources such as residential vehicle use would comprise the majority of mobile source emissions.

Construction and operational emissions were modeled in both the Russell Ranch EIR and the FPASP EIR/EIS. As discussed in Appendix A and in Section 4.16, Transportation/Traffic, the project would result in fewer daily trips (7,942) than the approved entitlements (8,269). While construction activities may be greater under the project than the approved entitlements because of the increase in housing units within this portion of the site, the 2011 FPASP analyzed in the EIR/EIS accounted for greater construction emissions impacts because a greater number of overall units would be constructed. Construction activities would occur over a shorter duration and would generate less emissions as compared to the 2011 FPASP because of the reduced level of ground disturbance associated with fewer units.

The State CEQA Guidelines Section 15164 regarding addenda to previously certified EIRs states that the "lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary" but does not meet "the conditions described in Section 15162 [which calls] for preparation of a subsequent EIR." Conditions that may trigger the preparation of a subsequent EIR include (1) substantial changes to the project which would require major revisions to the EIR, (2) substantial changes occur with respect to the circumstances under which the project is undertaken, or (3) new information of substantial importance, which was not known or could not have been known at the time the previous EIR was certified becomes known.

As stated previously, the project would not include substantial changes to the project description as compared to that of the Russell Ranch EIR nor has new information of substantial importance become available as it pertains to the project. The analyses performed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Russell Ranch EIR includes estimation of construction and operational emissions based upon the best available modeling tools (i.e., CalEEMod Version 2013.2.2) and project parameters (e.g., construction phasing, acres disturbed, projected VMT, energy and water usage) at the time of writing the EIR. The analysis concluded that amortized construction and operational emissions of GHGs would not be substantial to result in a significant contribution to global climate change.

Given that proposed changes under the project would result in lower overall VMT, and that mobile-source emissions of GHGs typically contribute the greatest level of GHG emissions as compared to other GHG-generating sectors (i.e., energy, area, waste, and water and wastewater), emissions of GHGs would be similar or less as that estimated in the Russell Ranch EIR.

The Russell Ranch EIR concluded a less-than-significant impact with respect to GHG emissions, and therefore did not recommend the application of mitigation measures identified in the FPASP EIR/EIS. Although no new or substantially more severe climate change impacts would occur, the following mitigation measures contained in the FPASP EIR/EIS should be applied to project to reduce GHGs to be consistent with statewide reduction targets. The conclusions of the FPASP EIR/EIS and Russell Ranch EIR remain valid and no additional analysis is required.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 3A.4-1: Implement Additional Measures to Control Construction-Generated GHG Emissions.
- ▲ Mitigation Measure 3A.4-2a: Implement Additional Measures to Reduce Operational GHG Emissions.
- ▲ 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 FPASP EIR/EIS concluded that the mitigation measures help reduce GHG emissions; however, it concluded significant and unavoidable impacts based on the program-level analysis and lack of project-level details. The Russell Ranch EIR concluded that even without plan-level mitigation (for a total of 903 units), buildout of the project would not result in a cumulatively considerable contribution to climate change. While the number of units is higher under this project than the approved entitlements, this change would not cause a new or more substantially significant impact than was analyzed under the FPASP EIR/EIS (for a total of 1,143 units).

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the FPASP EIR/EIS and Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to GHGs. No additional analysis is required.

4.8 HAZARDS AND HAZARDOUS MATERIALS

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|--|---|---|---|
| 8. Hazards and Hazardous Materials. Would the project: | | | | |
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.8-11, 3A.8-12 Impact 3A.8-1 | No | No | NA |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.8-13 Impact 3A.8-2 | No | No | NA |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.8-13 Impact 3A.8-2 | No | No | NA |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.8-2 to 3A.8-9 Impact 3A.8-3 | No | No | NA |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.8-18 No Impact | No | No | NA |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working on the project area? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.8-18, 3A.8-19 No Impact | No | No | NA |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.8-14 Impact 3A.8-4 | No | No | NA |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to | RR EIR Setting 4.0-3 No Impact | No | No | NA |

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|---|---|---|---|
| 8. Hazards and Hazardous Materials. Would the project: | | | | |
| urbanized areas or where residences are intermixed with wildlands? | FPASP EIR/EIS Setting pp. 3A.8-18, 3A.8-19 No Impact | | | |
| i. Create a significant hazard to the public through use of explosive materials in grading or earth-moving activities? | FPASP Setting pp.3A.8-13, 3A.8-14 Impact 3A.8-5 | No | No | Yes |
| j. Expose project residents to excessive electrical or magnetic fields? | FPASP Setting pp. 3A.8-7, 3A.8-11, 3A.8-12, 3A.8-13, 3A.8-15 Impact 3A.8-6 | No | No | NA |
| k. Create public health hazards from increased exposure to mosquitoes by providing substantial new habitat for mosquitoes or other vectors? | FPASP Setting pp. 3A.8-10, 3A.8-15 Impact 3A.8-7 | No | No | Yes |

4.8.1 Discussion

There have been no substantial changes in the environmental and regulatory settings related to hazards and hazardous materials as described in the Russell Ranch EIR Appendix C, Section VIII, Hazards and Hazardous Materials. A project-specific Phase 1 Environmental Site Assessment was prepared in 2013 and used in the Russell Ranch EIR analysis. The types of activities occurring at the site would be the same as those analyzed in the Russell Ranch EIR. The same land area would be developed. The Russell Ranch EIR explains how the project would be required by law to implement and comply with existing hazardous material regulations. This project would not change that requirement. Nothing about the project changes would alter the analysis of hazards and hazardous materials in the Russell Ranch EIR. No new or substantially more severe hazardous materials impacts would occur. In addition, the project-specific analysis found that no mitigation measures were required.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 3A.7-4: Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for all On-Site and Off-site Elements East of Old Placerville Road.
- ▲ Mitigation Measure 3A.8-7: Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.

CONCLUSION

No new circumstances or project changes related to hazards and hazardous materials have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts. No additional analysis is required.

4.9 HYDROLOGY AND WATER QUALITY

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|--|---|---|---|
| 9. Hydrology and Water Quality. Would the project: | | | | |
| a. Violate any water quality standards or waste discharge requirements? | RR EIR Setting 4.7-1 to 4.7-6 Impact 4.7-2 FPASP Setting pp. A.9-10 to 3A.9-23 Impacts 3A.9-1 and 3A.9-3 | No | No | Yes |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | RR EIR Setting 4.7-11 to 4.7-15 Impact 4.7-12 FPASP EIR/EIS Setting pp. 3A.9-5 to 3A.9-6 Impact 3A.9-6 | No | No | Yes |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | RR EIR Setting 4.7-11 to 4.7-15 Impact 4.7-10 FPASP EIR/EIS Setting pp. 3A.9-1 to 3A.9-5 Impacts 3A.9-1 and 3A.9-3 | No | No | Yes |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | RR EIR Setting 4.7-11 to 4.7-15 Impact 4.7-10 FPASP EIR/EIS Setting pp. 3A.9-1 to 3A.9-5 Impacts 3A.9-2 | No | No | Yes |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | RR EIR Setting 4.7-1 to 4.7-5 and 4.7-11 to 4.7-15 Impact 4.7-11 FPASP EIR/EIS Setting pp. 3A.9-1 to 3A.9-5 Impacts 3A.9-1 and 3A.9-3 | No | No | Yes |
| f. Otherwise substantially degrade water quality? | RR EIR Setting 4.7-1 to 4.7-5 and 4.7-11 to 4.7-15 Impact 4.7-1 | No | No | Yes |

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|--|---|---|---|
| 9. Hydrology and Water Quality. Would the project: | | | | |
| | FPASP EIR/EIS Setting pp. 3A.9-6 to 3A.9-9 Impacts 3A.9-1 and 3A.9-3 | | | |
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.9-5 to 3A.9.1-7 Impact 3A.9-5 | No | No | Yes |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.9-5 to 3A.9.1-7 Impact 3A.9-5 | No | No | Yes |
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting p. 3A.9-20 Impact 3A.9-4 | No | No | Yes |
| j. Inundation by seiche, tsunami, or mudflow? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.7-5 No Impact | No | No | NA |

4.9.1 Discussion

No substantial change in the environmental and regulatory settings related to hydrology and water quality as described in the Russell Ranch EIR Chapter 4.7, Public Services, Utilities, and Hydrology, has occurred since certification of the Russell Ranch EIR in 2015. The project would add additional units above what was analyzed in Russell Ranch EIR; however, the number of units in the project would be fewer than what was analyzed in the FPASP EIR/EIS (by 116 units). The same land area would be developed, resulting in the same types of impacts as previously analyzed. The project would continue to be subject to the mitigation measures identified and/or refined in the Russell Ranch EIR. MacKay & Soms evaluated the storm drainage system and concluded that the project design would maintain impacts equal to or below the existing predeveloped condition (Appendix G). The proposed changes would not change the use of groundwater and would not result in any new or substantially more significant flood hazards. No new or substantially more severe hydrology or water quality impacts would occur.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 3A.9-1: Acquire appropriate regulatory permits and prepare and implement SWPPP and BMPs.
- ▲ Mitigation Measure 3A.9-2: Prepare and submit final drainage plans and implement requirements contained in those plans.
- ▲ Mitigation Measure 3A.9-3: Develop and implement a BMP and water quality maintenance plan.
- ▲ Mitigation Measure 3A.9-4: Inspect and evaluate existing dams within and upstream of the project site and make improvements if necessary.

As described in the Russell Ranch EIR, with implementation of these measures, hydrology and water quality impacts would be reduced to a less-than-significant level.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the proposed amendment to the FPASP would not result in new or substantially more severe significant impacts to hydrology and water quality.

4.10 LAND USE AND PLANNING

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|--|---|---|---|
| 10. Land Use and Planning. Would the project: | | | | |
| a. Physically divide an established community? | RR EIR Setting 4.5-1 to 4.5-12 No Impact FPASP EIR/EIS Setting p. 3A.10-1 No Impact | No | No | NA |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | RR EIR Setting 4.5-1 to 4.5-17 Impacts 4.5-1 to 4.5-3 FPASP EIR/EIS Setting pp. 3A.10-4 to 3A.10-28 Impacts 3A.10-1 and 3A.10-2 | No | No | NA |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | RR EIR Setting 4.5-1 to 4.5-10 No Impact FPASP Impact 3A.3-7 | No | No | NA |

4.10.1 Discussion

No substantial change in the environmental and regulatory settings related to land use and planning, as described in the Russell Ranch EIR Chapter 4.5, Land Use and Planning, has occurred since certification of the Russell Ranch EIR in 2015.

There is no existing community that would be divided by this development and no approved habitat conservation plan, natural community conservation plan, or local, regional, or state habitat conservation plan has yet been adopted and the draft South Sacramento HCP does not include the City of Folsom. The Russell Ranch EIR found that no mitigation was needed as the project would not have a significant effect related to land use or planning. The project would not create new or substantially more significant impacts.

Mitigation Measures

None required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to land use and planning.

4.11 MINERAL RESOURCES

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|--|---|---|---|
| 11. Mineral Resources. Would the Project: | | | | |
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.7-12 and 3A.7-13 Impacts 3A.7-8, 3A.7-9 | No | No | NA |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | RR EIR Setting 4.0-3 No Impact FPASP EIR/EIS Setting pp. 3A.7-12 and 3A.7-13 Impacts 3A.7-8, 3A.7-9 | No | No | NA |

4.11.1 Discussion

There have been no substantial changes in the environmental and regulatory settings related to mineral resources since that described in the Russell Ranch EIR and FPASP EIR/EIS. The Russell Ranch EIR details how the project area is not identified as containing locally important mineral resources that would be considered to have local, regional, or statewide importance by either the City of Folsom or Sacramento County General Plans. The only source of minerals on the project site is around the Alder Creek drainage area which would not be developed as part of this project. The project would be located on the same area of land as that examined in the Russell Ranch EIR and would not impact the mineral resources. No new or substantially more severe mineral resources impacts would occur.

Mitigation Measures

None required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to mineral resources.

4.12 NOISE

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New or Substantially More Severe Significant Impacts? | Any Substantially Important New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents' Mitigations Address/Resolve Impacts? |
|--|--|---|---|--|
| 12. Noise. Would the project result in: | | | | |
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | RR EIR Setting 4.6.2 to 4.6.3 Impact 4.6-1, 4.6-2, and 4.6-3. FPASP EIR/EIS Setting p. 3A.11-12 to 3A.11-17 Impacts 3A.11-4, 3A.11-5, and 3A.11-7 | No | No | Yes |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | RR EIR Setting 4.6.2 to 4.6.3 Impact 4.6-1 and 4.6-3. FPASP EIR/EIS Setting p. 3A.11-4 Impact 3A.11-3 | No | No | NA |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | RR EIR Setting 4.6.2 to 4.6.3 Impact 4.6-2 and 4.6-4. FPASP EIR/EIS Setting pp. 3A.11-5 to 3A.11-11 Impacts 3A.11-4, 3A.11-5, and 3A.11-7 | No | No | Yes |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | RR EIR Setting 4.6.2 to 4.6.3 Impact 4.6-1. FPASP EIR/EIS Setting pp. 3A.11-5 to 3A.11-11 Impact | No | No | NA |
| e. For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | RR EIR Setting 4.6.2 to 4.6.3 No Impact FPASP EIR/EIS Setting pp. 3A.11-5, 3A.11-10, 3A.11-11 Impact 3A.11-6 overflight | No | No | NA |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | RR EIR Setting 4.6.2 to 4.6.3 No Impact | No | No | NA |

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New or Substantially More Severe Significant Impacts? | Any Substantially Important New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents' Mitigations Address/Resolve Impacts? |
|--|--|---|---|--|
| 12. Noise. Would the project result in: | | | | |
| | FPASP EIR/EIS Setting pp. 3A.11-5, 3A.11-10, 3A.11-11 No Impact | | | |

4.12.1 Discussion

No substantial change in the environmental and regulatory settings related to noise and vibration, described in the Russell Ranch EIR, Chapter 4.6, Noise, has occurred since certification of the EIR in 2015. No new noise sources or new sensitive receptors have been introduced near the planning area. The current application includes construction of additional units compared to that evaluated in the Russell Ranch EIR, but, as described in Section 4.16, Transportation/Traffic, the adult housing units would result in a lower trip generation rate and fewer trips overall. This reduction would lead to a minimal reduction in traffic-related noise. There are no other noise impact changes related to this project. In September 2017 (Appendix D), j.c. brennan & associates, Inc. reviewed the project and the mitigation measures to determine if any changes would need to be made to respond to the changes in the project. “Barrier heights, Barrier heights as described in Mitigation Measure 4.6-3(a) and in Table 4.6-12, and Figure 4.6-2 of the Russell Ranch EIR are appropriate based upon the grading plans” (j.c brennan & associates 2017). Similar to what was discussed in the Russell Ranch EIR, they found that the mitigation measures, with a few changes (reflected below) would be sufficient to reduce the potential impact related to noise to less than significant. Nothing about the project changes would alter the conclusions of the Russell Ranch EIR or would be different from the issues identified and analyzed in the FPASP EIR/EIS.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved. Where clarifying text was provided during the review by j.c. brennan & associates, Inc., the full mitigation measure is included below.

- ▲ 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.
- ▲ Mitigation Measure 3A.11-3: Implement Measures to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities.
 - 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.
 - To reduce the potential for annoyance because of blasting and blast-induced air overpressures, the peak value overpressures should not exceed 0.01 psi (equivalent to 110 dB Linear) at the nearest property line, which prevents damage or undue annoyance at neighboring properties. To the extent possible, blasting contractors will design blasts so that a worst-case blast would not exceed 0.01 psi. This generally is done through blast charge and interval delays.
- ▲ Mitigation Measure 3A.11-5: Implement Measures to Reduce Noise from Project-Generated Stationary Sources.

The following project-specific mitigation measures were referenced in the Russell Ranch EIR and would continue to remain applicable if the project were approved. In addition, the map related to Mitigation Measure 4.6-3(a) was updated to show where noise barriers are required for this project (see Exhibit 4.12-1):

- ▲ Mitigation Measure 4.6-3(a): Construct noise barriers along U.S. 50, White Rock Road, and Empire Ranch Road, and conduct site-specific acoustical analysis to confirm that the development would meet the adopted City noise standard.
- ▲ Mitigation Measure 4.6-3(c): Implement mechanical ventilation in all residential land uses to promote acoustical isolation.

The Russell Ranch EIR concluded that with plan- and project-level mitigation, buildout of the project would result in less-than-significant impacts related to noise.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval project would not result in new or substantially more severe significant noise impacts. No additional analysis is required.

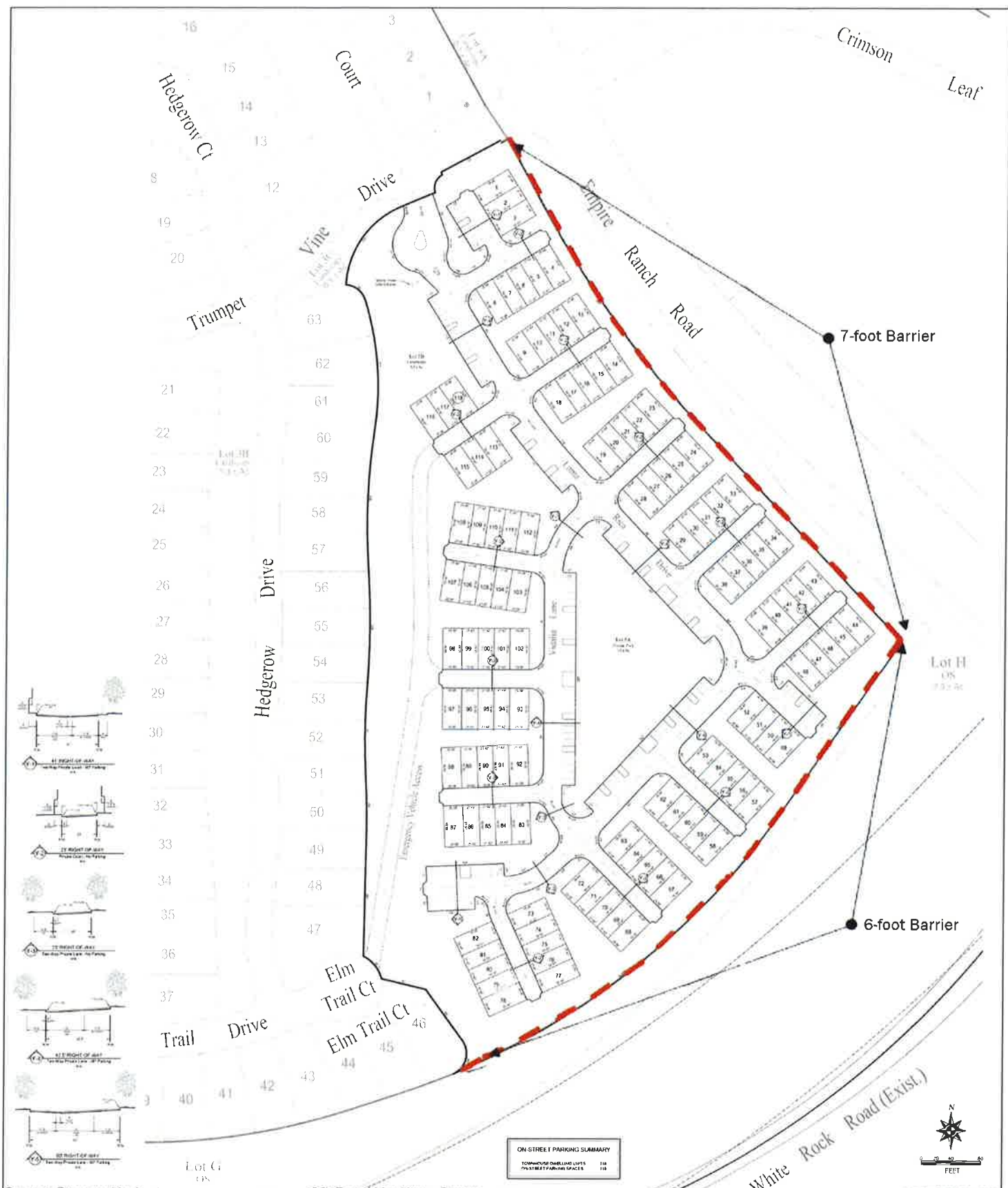


Exhibit 4.12-1

Noise Barrier Locations



4.13 POPULATION AND HOUSING

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|---|---|---|---|
| 13. Population and Housing. Would the project: | | | | |
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | RR EIR Appendix C FPASP EIR/EIS Setting pp. 3A.13-1 to 3A.13-6 Impacts 3A.13-1, 3A.13-2 | No | No | NA |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | RR EIR Appendix C FPASP EIR/EIS Impact 3A.13-3 | No | No | NA |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | RR EIR Appendix C FPASP EIR/EIS Impact 3A.13-3 | No | No | NA |

4.13.1 Discussion

No substantial change in the regulatory settings related to population and housing has occurred, as described in the Russell Ranch EIR, Appendix C, Section XIII, Population and Housing since the EIR was certified in 2015. The project site is currently vacant and does not have any on-site housing so there would be no displacement of existing housing or people. This project would create some additional residents but nothing greater than was analyzed in the FPASP EIR/EIS.

Population is estimated based on an average number of persons per dwelling unit and differs between multi-family and single-family units. In addition, age-restricted housing has a separate average number of persons per dwelling unit. Using standard persons per household, there is a slight increase in estimated population (+55 persons) as shown in Tables 2-1 through 2-3 of this document. However, even with this increase of 55 persons, the overall population would be lower than the population estimated in the FPASP EIR/EIS which allocated a total of 1,143 units as compared to the proposed total of 1,027 units. This does not constitute a substantial change in growth compared to that evaluated in the Russell Ranch EIR. No new significant population and housing impacts would occur.

Mitigation Measures

None required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to population and housing.

4.14 PUBLIC SERVICES

| Environmental Issue Area | Where Impact Was Analyzed in the RR EIR and FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|---|---|---|---|
| 14. Public Services. | | | | |
| a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any public services: | | | | |
| i. Fire protection? | RR EIR Setting 4.7-6 to 4.7-7 and 4.7-21 to 4.7-22 Impact 4.7-5 FPASP EIR/EIS Setting pp. 3A.14-1 to 3A.14-2 Impacts 3A.14-1, 3A.14-2, 3A.14-3 | No | No | Yes |
| ii. Police protection? | RR EIR Setting 4.7-5 to 4.7-6 Impact 4.7-4 FPASP EIR/EIS Setting pp. 3A.14-2 to 3A.14-3 Impact 3A.14-4 | No | No | NA |
| iii. Schools? | RR EIR Setting 4.7-7 to 4.7-8 Impact 4.7-6 FPASP EIR/EIS Setting pp. 3A.14-3 to 3A.14-5 Impacts 3A.14-5, 3A.14-6 | No | No | Yes |
| iv. Parks? | See below in Section 4.15, Recreation | | | |

4.14.1 Discussion

No substantial change in the environmental and regulatory settings related to public services, described in the Russell Ranch EIR, Chapter 4.7, Public Services, has occurred since the certification of EIR in 2015. The project would not lead to any changes to the public service needs presented in the Russell Ranch EIR. As stated in Section 4.13, above, no substantial increase in population is anticipated to occur. In addition, the FPASP EIR/EIS accounted for a larger population in this area and the associated public facilities and services. The project would continue to be required to pay its fair share for facilities and services. Similar to

what was discussed in the Russell Ranch EIR, the project has potential for some impacts to fire protection services; however, the project would continue to be subject to mitigation measures which would reduce the impacts to less than significant. No new or substantially more severe public service impacts would occur.

Mitigation Measures

The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▲ 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.
- ▲ Mitigation Measure 3A.14-3: Incorporate fire flow requirements into project designs.

As described in the Russell Ranch EIR, with implementation of these measures, public services impacts would be reduced to a less-than-significant level.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to public services.

4.15 RECREATION

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|---|---|---|---|
| 15. Recreation. | | | | |
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | RR EIR Setting 4.7-8 to 4.7-11 Impact 4.7-8 FPASP EIR/EIS Setting pp. 3A.12-1 to 3A.12-11 Impacts 3A.12-1, 3A.12-2 | No | No | NA |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | RR EIR Setting 4.7-8 to 4.7-11 Impact 4.7-8 FPASP EIR/EIS Setting pp. 3A.12-1 to 3A.12-11 Impact 3A.12-1 | No | No | NA |

4.15.1 Discussion

No substantial change in regulatory settings related to recreation, described in the Russell Ranch EIR Chapter 4.7, Public Services, Utilities, and Hydrology, has occurred since the certification of the Russell Ranch EIR in 2015. Currently, the project site is empty without existing neighborhood and regional parks so there would not be a significant impact upon parks in the area. The plan would also not have a significant impact upon the environment with regards to constructing a park. The plan includes open spaces that could be used as recreation. These open spaces were included in previous analyses in the Russell Ranch EIR and FPASP EIR/EIS. As discussed in the project description, Quimby park dedication requirements are satisfied by parks located throughout the entire FPASP area, with the project contributing its fair share through dedication of 5.3 acres of neighborhood parkland within the project and payment of an in-lieu fee pursuant to the Public Facilities Financing Plan (PFFP) for the FPASP area. Nothing about the project changes, including the estimated population increase by 8 persons, would alter the conclusions of the Russell Ranch EIR.

Mitigation Measures

None required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR remain valid and approval of project would not result in new or substantially more severe significant impacts to recreation.

4.16 TRANSPORTATION/TRAFFIC

| Environmental Issue Area | Where Topic Was Analyzed in the RR EIR or FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|---|---|---|---|
| 16. Transportation/Traffic. Would the project: | | | | |
| a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | RR EIR Setting pp. 4.8-1 to 4.8-23 Impacts 4.8-1, 4.8-2, 4.8-3 FPASP Setting pp. 3A.15-2 to 3A.15-24 Impacts 3A.15-1, 3A.15-2, 3A.15-4 | No | No | Yes |
| b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | RR EIR Setting pp. 4.8-1 to 4.8-23 Impacts 4.8-1, 4.8-2, 4.8-3 FPASP Setting pp. 3A.15-2 to 3A.15-24 Impacts 3A.15-1, 3A.15-2, 3A.15-4 | No | No | Yes |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | Not addressed, no impact | No | No | NA |
| d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | Not addressed, no impact | No | No | NA |
| e. Result in inadequate emergency access? | Discussed under 4.14, Public Services | No | No | Yes |
| f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | RR EIR Setting pp. 4.8-1 to 4.8-23 Impacts 4.8-1, 4.8-4, 4.8-5 FPASP Setting pp. 3A.15-2 to 3A.15-24 | No | No | NA |

4.16.1 Discussion

No substantial change in the environmental and regulatory settings related to transportation/traffic, as described in Chapter 4.8, Transportation, Traffic, and Circulation, has occurred since certification of the Russell Ranch EIR. Fehr & Peers conducted an analysis of the project change's potential impact on the transportation system in a January 2018 memo (Appendix A).

The project would result in a change to residential land uses and total number of residential units from that approved in the Russell Ranch EIR. The Russell Ranch EIR evaluated traffic impacts from 903 residential dwelling units, of which 789 were detached single-family units and 114 were multi-family units. The project would result in an increase of the total number of dwelling units to 1,027, of which 587 would be detached single-family units (no age restrictions), 208 would be age-restricted detached single-family units, and 232 would be multi-family units.

The change in trip generation was computed using trip rates contained in Trip Generation Manual, 9th Edition, published by the Institute of Transportation Engineers. Table 4.16-1 presents the resulting trip generation of the plan approved in the Russell Ranch EIR and the project.

As shown, the project would result in a decrease in trip generation by 231 daily trips, 27 AM peak hour trips, and 52 PM peak hour trips, as compared to the plan analyzed within the Russell Ranch EIR. Thus, in all three key time periods (i.e., daily, AM peak hour, and PM peak hour), the project would generate less traffic than the approved Russell Ranch land use plan. Even though the number of proposed units is higher than currently approved, the shift of unit type from single family to multi family and to age restricted results in a decrease in total trips.

Table 4.16-1 Trip Generation Comparison

| | Approved Entitlements (for Lots 24-32) | | | | Proposed Project (Lots 24-32) | | | |
|----------------------------|--|--------------|--------------|--------------|-------------------------------|--------------|--------------|--------------|
| | Units | Daily | AM Peak Hour | PM Peak Hour | Units | Daily | AM Peak Hour | PM Peak Hour |
| Single Family Residential | 789 | 7,511 | 592 | 789 | 587 | 5,588 | 440 | 587 |
| Age-Restricted Residential | 0 | 0 | 0 | 0 | 208 | 907 | 64 | 77 |
| Multi-Family Residential | 114 | 758 | 58 | 71 | 232 | 1,543 | 118 | 144 |
| Total | 903 | 8,269 | 650 | 860 | 1,027 | 8,038 | 622 | 808 |

Source: Fehr & Peers 2018 (Appendix A)

Note: As shown in Appendix A, age-restricted residential land uses have much lower trip generation rates than residential units with no age restrictions and do not contribute significantly to peak hour traffic.

Cumulative Impacts Discussion

The Russell Ranch EIR was completed in 2015. The transportation/circulation chapter of that EIR included an evaluation of cumulative traffic impacts under Year 2035 traffic conditions. Cumulative impacts refer to the combined effect of project impacts with the impacts of other past, present, and reasonably foreseeable future projects. This cumulative impact analysis does not rely on a list of specific pending, reasonably foreseeable development proposals in the vicinity of the project; rather, it relies on existing and future development accommodated under the City of Folsom General Plan, which is included in regional travel demand modeling.

The SACOG regional traffic model was used to forecast cumulative year 2035 traffic volumes both within and outside of the FPASP area. The resulting cumulative scenario included buildout of the Russell Ranch development as well as the surrounding FPASP. The model also included land use growth in other portions of Folsom as well as the surrounding six-county region.

The year 2035 traffic model assumed a substantial increase in land use development north of US 50 as anticipated by the Folsom General Plan. As the Russell Ranch EIR had assumed a substantial amount of development north of US 50 under Year 2035, the proposed land use change would not result in any new significant traffic impacts under cumulative conditions.

Therefore, the project would not introduce new or substantially more significant impacts than was analyzed in prior environmental documents and no additional environmental review is required.

Mitigation Measures

The following mitigation measures were referenced in the Russell Ranch EIR analysis and would continue to remain applicable if the project were approved.

- ▲ Mitigation Measure 4.8-1 Construction traffic and parking management plan.
- ▲ Mitigation Measure 4.8-2(a) Fair share costs towards the modification to the westbound approach to the East Bidwell Street/Iron Point Road intersection.
- ▲ Mitigation Measure 4.8-2(b) Fair share through the PFFP fee towards a westbound right-turn lane to the White Rock Road/Placerville Road intersection.
- ▲ Mitigation Measure 4.8-3 Pay CIP fee, towards the construction of auxiliary lanes on US 50 from Sunrise Boulevard to East Bidwell Street/Scott Road.
- ▲ Mitigation Measure 4.8-6 Fair share fee towards the addition of right of way and add a channelized westbound right-turn lane to the Scott Road/Easton Valley Parkway intersection.

The FPASP EIR/EIS, and subsequently the Russell Ranch EIR, concluded that impacts to level of service of some facilities (intersection and freeway access ramps) would remain significant and unavoidable even with implementation of recommended mitigation. No additional mitigation measures are available to reduce or eliminate the impacts.

CONCLUSION

The January 2018 trip generation analysis determined that, although the number of proposed units for the project is higher than the number of units approved under the Russell Ranch EIR, the new mix of housing results in a decrease in total daily, AM peak hour, and PM peak hour trips. Further, the projected cumulative traffic operating conditions have not changed substantially since the Russell Ranch EIR was certified.

Thus, no new circumstances or project changes have occurred, nor has any new information been identified, requiring new analysis or verification. Therefore, the conclusions of the Russell Ranch EIR and FPASP EIR/EIS remain valid and approval of the project would not result in new or substantially more severe significant impacts to transportation.

4.17 UTILITIES AND SERVICE SYSTEMS

| Environmental Issue Area | Where Impact Was Analyzed in the RR EIR and FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|---|---|---|---|---|
| 17. Utilities and Service Systems. Would the project: | | | | |
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | RR EIR Setting 4.7-4 and 4.7-18 Impacts 4.7-1 and 4.7-2 FPASP EIR/EIS Setting pp. 3A.16-1 to 3A.16-3 and 3A.18-1 to 3A.18-6 Impacts 3A.16-1, 3A.16-2, 3A.18-2, 3A.16-3, 3A.16-4, 3A.16-5 | No | No | Yes |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | RR EIR Setting 4.7-4 and 4.7-18 Impact 4.7-2 FPASP EIR/EIS Setting pp. 3A.16-1 to 3A.16-3 and 3A.18-1 to 3A.18-6 Impacts 3A.16-1, 3A.16-2, 3A.18-2, 3A.16-3, 3A.16-4, 3A.16-5 | No | No | Yes |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | RR EIR Setting 4.7-11 to 4.7-14 Impact 4.7-10 FPASP EIR/EIS Setting p. 4-68 | No | No | Yes |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | RR EIR Setting 4.7-11 to 4.7-14 Impact 4.7-10 FPASP EIR/EIS Setting pp. 3A.18-1 to 3A.18-6 Impact 3A.18-1 | No | No | Yes |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | RR EIR Setting 4.7-11 to 4.7-14 Impact 4.7-10 FPASP EIR/EIS Setting pp. 3A.16-1 to 3A.16-3 Impacts 3A.16-2, 3A.16-3, 3A.16-4, 3A.16-5 | No | No | Yes |

| Environmental Issue Area | Where Impact Was Analyzed in the RR EIR and FPASP EIR/EIS | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Do Prior Environmental Documents Mitigations Address/Resolve Impacts? |
|--|---|---|---|---|
| 17. Utilities and Service Systems. Would the project: | | | | |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | RR EIR Setting Impact 4.7-3 FPASP EIR/EIS Setting pp. 3A.16-3 to 3A.16-4 Impacts 3A.16-6, 3A.16-7 | No | No | NA |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | RR EIR Setting 4.7-5 Impact 4.7-3 FPASP EIR/EIS Setting p. 3A.16-4 Impacts 3A.16-6, 3A.16-7 | No | No | NA |
| h. Create demand for natural gas, electricity, telephone, and other utility services that cannot be met. | RR EIR Setting 4.7-11 Impact 4.7-9 FPASP EIR/EIS Setting pp. 3A.16-5 to 3A.16-7 Impacts 3A.16-8, 3A.16-9, 3A.16-10, 3A.16-11 | No | No | NA |
| i. Result in inefficient, wasteful, and unnecessary consumption of energy. | RR EIR Setting 4.7-11 Impact 4.7-9 FPASP EIR/EIS Setting pp. 3A.16-5 to 3A.16-6, 3A.16-8 Impact 3A.16-12 | No | No | NA |

4.17.1 Discussion

No substantial change in environmental and regulatory settings related to utilities and service systems as described in Russell Ranch EIR Chapter 4.7, Public Services, Utilities, and Hydrology, has occurred since certification of the Russell Ranch EIR in 2015. The analysis was done in the middle of a drought which lasted from 2012 to 2017 (DWR 2017) and considered conservation efforts as part of the analysis. In addition, the current approved entitlements for FPASP include the addition of recycled water infrastructure to allow for water reuse in the future (RR EIR, Appendix C). The project would not substantially increase water demand or change the type of structures analyzed in the utilities section of the Russell Ranch EIR. Both the FPASP and Russell Ranch EIR examined the potable water needs for plan area. MacKay & Soms reviewed the project in January 2018 to determine whether the water supply would be sufficient (MacKay & Soms 2018a and MacKay & Soms 2018b). The water supply agreement for the FPASP area provides an overall cap of 5,600 acre-feet per year (Appendix E). With the changes to the project, Russell Ranch would maintain the same level of water use as the approved entitlements; the project area would continue to require 191 acre-feet of water per year (Appendix F).

MacKay & Soms also reviewed the wastewater and sewer transmission infrastructure requirements and compared the wastewater generation and sewer flow estimates for both the existing approved entitlements and the proposed land use changes in Appendix H. Per the memo in Appendix H, the analysis concludes the project would generate 0.1165 million gallons a day (mgd) Average Dry Weather Flow (ADWF) of effluent compared to the existing entitlements of 0.1060 mgd. The difference of 0.0105 mgd is considered insignificant (MacKay & Soms 2018c). A sewer master plan was prepared for the entire FPASP area which assumed 1,119 units would be developed in the Russell Ranch area (as shown in Table 1-1). The analysis conducted as part of the sewer master plan showed that the total flow of sewer and wastewater into the Sacramento Regional County Sanitation District (Regional San) system would be 6.23 mgd ADWF and 11.1 mgd in Peak Wet Weather Flow (PWWF) conditions. The Regional San Interceptor Master Plan prepared in 2000 provided for a flow excess of this demand. All the pipelines conveying the flow from the site to the regional Folsom South Lift Station have been planned and constructed to date at a capacity (maximum depth of flow to diameter of pipe) of not to exceed 0.7 full. The Regional San Interceptor Master Plan analyzed all the pipelines within the FPASP area and determined that flow in all pipelines would be substantially less than 0.7 full. Thus, the minor increase can be accommodated from the project site to the connection with Regional San. The increase in sewer flow caused by this project, if approved, would be accommodated without need to change the wastewater and sewer transmission facilities. Per Mitigation Measure 3A.16-1, before receiving final map approval, the applicant must show proof that an adequate wastewater conveyance system either has been constructed or is ensured through payment of the City's facilities augmentation fee. With the inclusion of this mitigation measure, the Russell Ranch EIR found that impacts to wastewater transmission and treatment facilities would be less than significant. As described in Appendix H, this project would not substantially change the conclusions of the Russell Ranch EIR.

The FPASP EIR/EIS analyzed the potential impacts to solid waste capacity for a higher unit count and determined that the landfill has adequate capacity and no mitigation measures were required to ensure that the impact would be less than significant (RR EIR pp. 4.7 - 51). The appropriate landfills have enough capacity to serve both during construction and after build out.

MacKay & Soms evaluated the storm drainage system and concluded that the project design would maintain impacts equal to or below the existing predeveloped condition, as described in Appendix G (MacKay & Soms 2017).

No other changes related to storm drainage facilities, solid waste services, or electricity or natural gas services are proposed. No new significant or substantially more severe environmental impacts would occur.

Mitigation Measures

The following plan-level mitigation measures were referenced in the FPASP EIR/EIS analysis and incorporated by reference into the Russell Ranch EIR and would continue to remain applicable if the project were approved.

- ▲ 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.
- ▲ Mitigation Measure 3A.16-3: Demonstrate adequate SRWTP wastewater treatment capacity.
- ▲ Mitigation Measure 3A.18-1: Submit proof of surface water supply availability.
- ▲ 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.
- ▲ Mitigation Measure 3A.3-1a: 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.

With implementation of the above measures, impacts related to utilities and service systems would be reduced to a less-than-significant level.

CONCLUSION

No changes in circumstances would result in new or substantially more severe significant environmental impacts related to utilities and service systems. Therefore, the conclusions of the certified Russell Ranch EIR remain valid and no additional analysis is required.

5 LIST OF PREPARERS AND PERSONS CONSULTED

5.1 LIST OF PREPARERS

Ascent Environmental

| | |
|-------------------------|------------------------|
| Amanda Olekszulín | Principal-in-Charge |
| Elizabeth Boyd | Project Manager |
| Megan Diliberti | Environmental Planner |
| Zachary Miller | Transportation Planner |
| Julia Wilson | AQ/GHG/Noise Analyst |
| Lisa Merry | GIS Analyst/Graphics |
| Michele Mattei | Document Production |

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6 REFERENCES

- Abbas Metzker, AICP, Sherri. 2018 (January 16). Consultant Planner. E-mail correspondence with Bonnie Chiu of The New Home Company regarding persons per age-restricted household.
- DWR. 2017. Drought Information. Available: <http://www.water.ca.gov/waterconditions/index.cfm>. Accessed: December 6, 2017.
- City of Folsom. 2010 (June). Public Draft EIR/EIS for the Folsom South of U.S. Highway 50 Specific Plan Project. SCH #2008092051. Available: http://folsom-web.civica.granicuslabs.com/city_hall/depts/community/annexation/current_documents.asp. Accessed February 8, 2017.
- _____. 2011 (May). Mitigation Monitoring and Reporting Program for the Folsom South of U.S. Highway 50 Specific Plan Project. SCH #2008092051. Available: http://folsom-web.civica.granicuslabs.com/city_hall/depts/community/annexation/current_documents.asp. Accessed February 8, 2017.
- ECORP. 2017a (November 20). Biological Resources Assessment to Support an Amendment to the Folsom Plan Area Specific Plan for the Russell Ranch Phase 2 Project. Prepared for the City of Folsom. Rocklin, CA.
- _____. 2017b (September 27). Cultural Resources Assessment to Support an Amendment to the Folsom Plan Area Specific Plan for the Russell Ranch Project. Prepared for the City of Folsom. Rocklin, CA.
- Fehr & Peers. 2018 (January 8). Russell Ranch – Change in Trip Generation & Cumulative Impacts Discussion. Sacramento, CA. Letter memorandum to Bonnie Chiu of The New Home Company.
- j.c. brennan & associates. 2017 (September 29). Review of Noise Mitigation for the Russell Ranch Project Entitlements. Letter memorandum to Elizabeth Boyd of Ascent Environmental.
- MackKay & Somps. 2018a (January 17). Potable Water Demand Chart. Prepared for Bonnie Chiu of The New Home Company.
- _____. 2018b (January 17). Potable Water Demand Comparison. Prepared for Bonnie Chiu of The New Home Company.
- _____. 2018c (January 17). Waste Water and Sewer Transmission Analysis. Prepared for Bonnie Chiu of The New Home Company.
- _____. 2017 (August 11). Preliminary Storm Drainage Evaluation for the Russell Ranch Phase 2 Development. Letter Memorandum Prepared for Bonnie Chiu of The New Home Company.
- U.S. Environmental Protection Agency. 2017a. Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emissions Standards for Model Years 2022-2025. Available: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas>. Last updated August 10, 2017. Accessed: August 31, 2017.

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Appendix A

Traffic Memo



Date: January 9, 2018

To: Bonnie Chiu – The New Home Company

From: Alan Telford – Fehr & Peers

Subject: *Russell Ranch – Change in Trip Generation & Cumulative Impacts Discussion*

RS15-3345

Change in Trip Generation

The approved Russell Ranch project contains 903 residential dwelling units, of which 789 are detached single-family units and 114 are multi-family units. The New Home Company proposes to increase the total number of dwelling units to 1,027, of which 587 would be detached single-family units, 208 would be age-restricted units, and 232 would be multi-family units. You have asked Fehr & Peers to determine the change in trip generation due to the proposed change in the number and types of residential units.

The change in trip generation was computed using trip rates contained in Trip Generation Manual, 9th Edition, published by the Institute of Transportation Engineers. Table 1 shows the daily, AM peak hour, and PM peak hour trip rates for each residential unit type.

**Table 1
Trip Generation Rates by Residential Unit Type¹**

| | ITE Code | Daily | AM Peak Hour | PM Peak Hour |
|---|----------|-------|--------------|--------------|
| Single-Family Residential ² | 210 | 9.52 | 0.75 | 1.00 |
| Age-Restricted Residential ³ | 251 | 4.36 | 0.31 | 0.37 |
| Multi-Family Residential ² | 220 | 6.65 | 0.51 | 0.62 |

¹ ITE Trip Generation Manual, 9th Edition

² Used average rates

³ Used fitted curve equations:

Daily: $\text{Ln}(\text{trip ends}) = 0.89 * \text{Ln}(\text{dwelling units}) + 2.06$
 AM Peak Hour: $\text{trip ends} = 0.17 * (\text{dwelling units}) + 29.95$
 PM Peak Hour: $\text{Ln}(\text{trip ends}) = 0.75 * \text{Ln}(\text{dwelling units}) + 0.35$

Tables 2 and 3 present the resulting trip generation of the approved and proposed plans. As shown, the proposed plan results in a decrease in trip generation by 231 daily trips, 27 AM peak hour trips, and 52 PM peak hour trips. Even though the number of proposed units is higher than currently approved, the shift of unit type from single-family to multi-family and to age-restricted results in a decrease in total trips.

Table 2
Approved Plan and Proposed Plan Trip Generation

| | Approved Plan | | | | Proposed Plan | | | |
|----------------------------|---------------|--------------|--------------|--------------|---------------|--------------|--------------|--------------|
| | Units | Daily | AM peak hour | PM peak hour | Units | Daily | AM peak hour | PM peak hour |
| Single Family Residential | 789 | 7,511 | 592 | 789 | 587 | 5,588 | 440 | 587 |
| Age-Restricted Residential | 0 | 0 | 0 | 0 | 208 | 907 | 64 | 77 |
| Multi-Family Residential | 114 | 758 | 58 | 71 | 232 | 1,543 | 118 | 144 |
| Total | 903 | 8,269 | 650 | 860 | 1,027 | 8,038 | 622 | 808 |

Table 3
Trip Generation Difference

| | Daily | AM Peak Hour | PM Peak Hour |
|-------------------|-------------|--------------|--------------|
| Approved Plan | 8,269 | 650 | 860 |
| Proposed Plan | 8,038 | 622 | 808 |
| Difference | -231 | -28 | -52 |

Cumulative Impacts Discussion

The Russell Ranch EIR was completed in 2015. The transportation/circulation chapter of that EIR included an evaluation of cumulative traffic impacts under Year 2035 traffic conditions.

Cumulative impacts refer to the combined effect of project impacts with the impacts of other past, present, and reasonably foreseeable future projects. This cumulative impact analysis does not rely on a list of specific pending, reasonably foreseeable development proposals in the vicinity of the project; rather, it relies on existing and future development accommodated under the City's General Plan, which is included in regional travel demand modeling.

The SACOG regional traffic model was used to forecast cumulative year 2035 traffic volumes both within and outside of the Specific Plan area. The resulting cumulative scenario included buildout of the Russell Ranch project as well as the surrounding Folsom Plan Area Specific Plan. The model also included land use growth in the other portions of Folsom as well as the surrounding six-county region.

The year 2035 traffic model assumed a substantial increase in land use development north of US 50 as anticipated by the Folsom General Plan. The following table shows the increase in households, retail employees, and non-retail employees that was assumed in the traffic model:

| | Base | Cumulative | Growth |
|---------------------|--------|------------|-------------|
| Households | 20,900 | 23,540 | 2,640 (13%) |
| Retail Employees | 9,801 | 14,712 | 4,911 (50%) |
| Nonretail Employees | 15,545 | 20,208 | 4,663 (30%) |

Since the Russell Ranch EIR had assumed a substantial amount of development north of US 50 under Year 2035, the proposed land use change would not result in any new significant traffic impacts under cumulative conditions.

Appendix B

Biological Resources Memo



November 10, 2017

Mr. Scott A. Johnson, AICP
Planning Manager
City of Folsom
Community Development Department
50 Natoma Street
Folsom, California 95630

RE: Biological Resources Assessment to Support an Amendment to the Folsom Plan Area Specific Plan for the Russell Ranch Phase 2 Project

Dear Mr. Johnson,

The City of Folsom (City) is currently reviewing a request from The New Home Company (Applicant/Permittee) to amend the Folsom Plan Area Specific Plan (FPASP) to accommodate land use changes associated with the Russell Ranch Phase 2 project (Project). Included in the City's review is an assessment of the impacts to biological resources, as defined by the California Environmental Quality Act (CEQA). To assist the City in making appropriate findings pursuant to CEQA, ECORP Consulting, Inc. prepared the following biological resources assessment summary. Additional information, including regulatory context, detailed biological surveys, and other relevant information is provided in the various confidential technical studies prepared to date for the Project, and are hereby incorporated by reference.

1.0 PROJECT LOCATION

The Project is located at the eastern end of the FPASP, as shown in Figure 1 in Attachment A. The Project site is located south of U.S. Highway 50, east of Placerville Road, and north of White Rock Road, in Sacramento County, California.

2.0 REGULATORY CONTEXT AND OVERVIEW

This biological resources assessment summary for the Project is driven by a combination of compliance needs for the FPASP programmatic Environmental Impact Report/Environmental Impact Statement (EIR/EIS) (approved on June 28, 2011), Section 7 of the federal Endangered Species Act (ESA), and Section 1602 of the California Fish and Game Code, as they pertain to Clean Water Act (CWA) permits for authorized fill of Waters of the United States (U.S.) from the Sacramento District U.S. Army Corps of Engineers (USACE). Thus, the studies carried out to date had to take into consideration CEQA, the National Environmental Policy Act (NEPA), Sections 404 and 401 of the CWA, Section 7 of the ESA, Section 1602 of the California Fish and Game Code, and the fact that development will occur over an extended period through collaboration with adjacent developments in the FPASP.

There are multiple applicants that are part of the FPASP, composed of private developers and the City, each seeking Section 404 CWA permits from USACE. The applicants, one of which is The New Home

Company, own specific properties (projects) within the FPASP. The City will have jurisdiction over the portions of the projects that will be occupied by roadways, water and sewer lines, open space, and other infrastructure, collectively referred to as the Backbone Infrastructure (Backbone). The Backbone, which forms a web-like configuration across the ±3,500-acre FPASP, is composed of portions of all the individual properties within the FPASP and is subject to separate permitting through the abovementioned regulations.

Applicants will all proceed with development under the guidelines of the FPASP and its supporting EIR/EIS, but on their own schedules and under separate individual Section 404 CWA permits from the USACE. Build-out of the entire FPASP is anticipated to occur over a period of approximately 20 years. Because the individual projects within the FPASP (including, but not limited to Russell Ranch) would affect Waters of the U.S., the applicants must meet the requirements of Section 404 of the CWA, and therefore are seeking, or have obtained, permits from the USACE.

Therefore, in accordance with 36 Code of Federal Regulations 800.14, and in consideration of the uncertainty of final Project development plans (to be finalized during the course of the 20-year build-out) and the fact that there are multiple applicants with projects on different schedules, the USACE, in consultation with the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), concluded that a Programmatic Agreement (PA) was the appropriate method for satisfying its responsibilities under Section 7 of the ESA and Section 1602 of the California Fish and Game Code. Based on initial information generated by numerous consultants over the past 30 years, the USACE concluded biological resources are located within the Area of Potential Effects (APE) for the FPASP. The USACE further concluded that, based on development plans submitted to the USACE, biological resources will be affected by these projects and additional consultation will be required to assess and resolve effects. Likewise, the EIR/EIS relied on the execution of the PA to meet the requirements of NEPA and CEQA; Mitigation Measure 3A.5-1a specifically required compliance with the PA. The PA was executed on July 6, 2011, thereby allowing certification of the EIR and issuance of a Record of Decision on the EIS. In 2013, the PA was amended by the signatories and the First Amended Programmatic Agreement (FAPA) is currently in force. Accordingly, the Project is subject to the requirements of the FAPA to meet obligations under all applicable state and federal requirements that were in place at the time of its execution.

The FAPA provides the framework for compliance and requires that each individual project (including Russell Ranch Phase 2), must comply with specific terms that include, but are not limited to the following:

- Development of a project-specific APE,
- Good-faith identification efforts including wetland delineations, threatened and endangered species surveys, and rare plant surveys, and
- mitigation for any impacts to such resources.

As an Applicant for a permit within the FPASP and an approved Specific Plan Amendment (Notice of Determination May 13, 2015), The New Home Company must meet the requirements outlined in the EIR/EIS specific to the Project (Russell Ranch EIR).

3.0 BIOLOGICAL RESOURCES

The steps taken to identify biological resources are outlined in the FAPA. These steps include wetland delineations, threatened and endangered species surveys, and rare plant surveys. The methods and results of these studies are detailed in separate technical reports, hereby incorporated by reference. Special-status species have been reviewed as of September 2017 to ensure no additions have been made to the list of species located within the Project.

Biological resources identified within the Project area (not including on- and off-site infrastructure) include 0.494 acre of purple needlegrass, 115.026 acres of Swainson’s Hawk foraging habitat, and 3.278 acres of Waters of the U.S. Specifically, Waters of the U.S. include the following: 1.525 acres of seasonal wetland swales, 1.705 acres of seep, and 0.049 acre of intermittent drainage. On-and off-site infrastructure-associated biological resources were also identified and assessed in a separate analysis.

4.0 IMPACTS TO BIOLOGICAL RESOURCES

As per Figure 4.3.1 of the Russell Ranch Draft EIR, impacts to biological resources associated with development of the Project would include the following: 0.146 acre of purple needlegrass, 104.957 acres of Swainson’s hawk foraging habitat, and 0.477 acre of Waters of the U.S. Specifically, Waters of the U.S. include the following: 0.244 acre of seasonal wetland swales, 0.185 acre of seeps, and 0.049 acre of intermittent drainage (Table 1; Attachment B). These impacts do not include on- or off-site infrastructure development.

Since completion of the Russell Ranch Draft and Final EIR, more specific project plans and additional construction details have been developed for the Russell Ranch project, and specifically this Project (Russell Ranch Phase 2). Therefore, impacts associated with development of the Project have changed. Current impacts associated with development of the Project include the following: 0.090 acre of purple needlegrass, 106.757 acres of Swainson’s hawk foraging habitat, and 0.489 acre of Waters of the U.S. Specifically, Waters of the U.S. include the following: 0.207 acre of seasonal wetland swales, 0.233 acre of seeps, and 0.049 acre of intermittent drainage (Table 1; Attachment C).

Impacts to purple needlegrass have been reduced by 0.056 acre, compared with impacts outlined in the Russell Ranch EIR. Impacts to Swainson’s hawk foraging habitat have increased by 1.800 acres. Impacts to Waters of the U.S. have increased by 0.011 acre. Specifically, impacts have decreased by 0.037 acre for seasonal wetland swales and increased by 0.048 acre for seeps (Table 1).

| Table 1. Comparison of Impacts for Phase 2 of Russell Ranch EIR and current Russell Ranch plan. | | | |
|--|--------------------------|------------------------------|----------------------|
| Resource | (Acres) | | |
| | Total EIR Impacts | Total Current Impacts | Impact Change |
| Needlegrass Grassland | 0.146 | 0.090 | -0.056 |
| SWHA Foraging Habitat | 104.957 | 106.757 | 1.800 |
| Seasonal Wetland Swale | 0.244 | 0.207 | -0.037 |
| Seep | 0.185 | 0.233 | 0.048 |
| Intermittent Drainage | 0.049 | 0.049 | 0.000 |
| Waters Total: | 0.477 | 0.489 | 0.011 |

On- and off-site infrastructure impacts have been previously analyzed as part of the Backbone Infrastructure Initial Study and Mitigated Negative Declaration (Backbone IS-MND). Impacts have not changed since this analysis.

A permit compliance letter will be submitted to USACE for approval of these acreage changes to the CWA Section 404 individual permits. Notifications will also be submitted to the Regional Water Quality Control Board for approval of CWA Section 401 certifications, and to the CDFW for Section 1602 Sub-Notification.

5.0 RUSSELL RANCH OVERALL PERMIT IMPACT UTILIZATION

Throughout development of the FPASP, more specific plans and additional construction details have been designed and implemented, resulting in minor changes to project boundaries and therefore impact areas for proposed projects. However, all impact changes have been cross-referenced to the original permits authorizing work in those areas to ensure no additional impacts are incurred, or that additional impacts are properly approved and mitigated through USACE permit modification. Total impacts within Russell Ranch Phases 1 and 2 do not exceed the total impacts authorized by the Russell Ranch EIR.

The Russell Ranch EIR authorized impacts to a total of 1.621 acres of Waters of the U.S., specifically, 0.015 acre of vernal pool, 0.271 acre of seasonal wetland swale, 0.335 acre of seep, 0.913 acre of intermittent drainage, and 0.087 acre of ditch/canal. Combined impacts from Russell Ranch Phase 1 and 2 include 1.381 acres of Waters of the U.S., including 0.014 acre of vernal pool, 0.252 acre of seasonal wetland swale, 0.235 acre of seep, and 0.880 acre of intermittent drainage. Therefore, a total of 0.240 acre of Waters of the U.S. proposed to be impacted in the EIR remain to be impacted after Phase 1 and Phase 2 are completed. These impacts include 0.001 acre of vernal pool, 0.019 acre of seasonal wetland swale, 0.100 acre of seep, 0.033 acre of intermittent drainage, and 0.087 acre of ditch/canal (Table 2).

| Table 2. Russell Ranch Phase 1 and 2 Impact Utilization | | | | | |
|--|-------------------------------------|------------------------|------------------------|-------------------------------|---------------------------------|
| Waters of the U.S. | Impacts (Acres) | | | | |
| | Covered by Russell Ranch EIR | Phase 1 Impacts | Phase 2 Impacts | Total Combined Impacts | Remaining Impacts in EIR |
| Vernal Pool | 0.015 | 0.014 | 0.000 | 0.014 | 0.001 |
| Seasonal Wetland Swale | 0.271 | 0.045 | 0.207 | 0.252 | 0.019 |
| Seep | 0.335 | 0.002 | 0.233 | 0.235 | 0.100 |
| Intermittent Drainage | 0.913 | 0.831 | 0.049 | 0.880 | 0.033 |
| Ditch/Canal | 0.087 | 0.000 | 0.000 | 0.000 | 0.087 |
| Total: | 1.621 | 0.892 | 0.489 | 1.381 | 0.240 |

6.0 FINDING OF IMPACTS

The Russell Ranch Project will have a significant impact on biological resources as defined by CEQA. Compliance with the mitigation measures specified in the Russell Ranch EIR and FAPA will reduce that level to less than significant.

7.0 MITIGATION MEASURES

As part of the FPASP, the Project is subject to compliance with mitigation measures in the EIR/EIS. However, the Project is also subject to compliance with the project-specific mitigation measures outlined in the Russell Ranch EIR to resolve adverse effects to biological resources. These project-specific mitigation measures incorporate measures from the FPASP that are applicable to this Project. The required mitigation measures for biological resources identified for this Project, as outlined in the Russell Ranch EIR, are summarized below. Full descriptions of these mitigation measures can be found in Table 2-1 of the Russell Ranch EIR.

Mitigation Measure 4.3-1: Special-status plant species.

Prior to initiation of construction activities, a qualified biologist/botanist shall consult with the appropriate regulatory agencies (CDFW and USFWS) to determine if additional plant surveys are required. If additional surveys are required, protocol-level preconstruction special-status plant surveys will be conducted for all potentially occurring species in areas that have not previously been surveyed. If special-status plant populations are found, the Project Applicant shall consult with CDFW and USFWS, as appropriate, to determine appropriate mitigation measures. If impacts are likely, a mitigation and monitoring plan shall be developed before approval of grading plans or ground-breaking activity within 250 feet of special-status plant populations.

Status: Upon approval of final proposed development plans by the USACE, a qualified biologist/botanist will consult with CDFW and USFWS to determine if additional surveys are required.

Mitigation Measure 4.3-2: Federally-listed vernal pool invertebrates.

No mitigation measures are required, as federally-listed vernal pool invertebrates were not observed in the Project area and have low potential to occur onsite.

Status: No action needed.

Mitigation Measure 4.3-3: Western spadefoot toad.

4.3-3(a) Conduct environmental awareness training for construction employees.

A qualified biologist shall conduct environmental awareness training for construction employees prior to construction activity. The training will describe the importance of onsite biological resources, including special-status wildlife habitats; potential nests of special-status birds; and roosting habitat for special-status bats. The biologist will also explain the importance of other responsibilities related to the protection of wildlife during construction, such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.

Status: Environmental awareness training will be conducted prior to construction activity.

4.3-3(b) Conduct preconstruction western spadefoot toad survey.

A qualified biologist shall conduct a preconstruction survey for western spadefoot toad within 48 hours of initiation of construction activities for each phase of development. If western spadefoot toad individuals are found, the qualified biologist shall consult with CDFW to determine appropriate avoidance measures.

Status: Preconstruction surveys will be conducted within 48 hours of initiation of construction.

Mitigation Measure 4.3-4 Northwestern Pond Turtle.

A qualified biologist shall conduct a preconstruction survey for northern western pond turtle within 48 hours of the initiation of construction activities for each phase of development. If northwestern pond turtles are found, the qualified biologist shall capture and relocate the turtles to a suitable preserved location in the vicinity of the project.

Status: Preconstruction surveys will be conducted within 48 hours before initiation of construction.

Mitigation Measure 4.3-5 Swainson's hawk foraging and nesting habitat

4.3-5(a) Swainson's hawk nesting habitat.

A qualified biologist shall conduct a preconstruction survey to identify active nests on and within 0.5 mile of the Project area 14 to 30 days before the beginning of construction. If active nests are found, impacts on nesting Swainson's hawks shall be avoided by establishing 0.25 - 0.5-mile buffers around the nests, in which no Project activity shall commence until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with CDFW that reducing the buffer would not result in nest abandonment.

Status: Preconstruction surveys will be conducted 14-30 days before initiation of construction.

4.3-5(b) Swainson's hawk foraging habitat.

The Project Applicant shall identify permanent impacts to foraging habitat and prepare and implement a Swainson's hawk mitigation plan, including 1:1 mitigation of habitat value.

Status: A Swainson's hawk mitigation plan has been prepared, including 1:1 mitigation of habitat value. Swainson's hawk foraging habitat has been mitigated by placing 94.24 acres of off-site suitable foraging habitat under a conservation easement.

Mitigation Measure 4.3-6 Burrowing owl.

4.3-6(a) Preconstruction survey.

A qualified biologist shall conduct a preconstruction survey to identify active burrows within the Project area 14-30 days before the beginning of construction activities for each phase of development.

Status: Preconstruction surveys will be conducted 14-30 days before initiation of construction.

4.3-6(b) Active burrows.

If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities commence. The City shall consult with CDFW. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged.

Status: Preconstruction surveys will be conducted 14-30 days before initiation of construction. A mitigation plan will be prepared only if active burrows are found.

Mitigation Measure 4.3-7: Tricolored blackbird.

A qualified biologist shall conduct a preconstruction survey for any Project activity that would occur during the tricolored blackbird's nesting season (March 1 - August 31) and within 500 feet of suitable nesting habitat. The survey shall be conducted within 14 days before Project activity begins. If a colony is found, the qualified biologist shall establish a 100-500-foot buffer around the nesting colony, in which no Project activity shall commence until the colony is no longer active.

Status: Preconstruction surveys will be conducted within 14 days before initiation of construction.

Mitigation Measure 4.3-8 Other raptors and migratory birds.

4.3-8(a) Nesting raptors.

A qualified biologist shall conduct a preconstruction survey to identify active nests on and within 0.5 mile of the Project area. The surveys shall be conducted 14-30 days before the beginning of construction activities for each phase of development. If active nests are found, impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests, in which no Project activity shall commence until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with CDFW that reducing the buffer would not result in nest abandonment.

Status: Preconstruction surveys will be conducted 14-30 days before initiation of construction.

4.3-8(b) Other nesting special-status and migratory birds.

A qualified biologist shall conduct a preconstruction survey for any activity that would occur in suitable nesting habitat during the avian nesting season (approximately March 1 - August 31). The preconstruction survey shall be conducted within 14 days before any activity occurring within 100 feet of suitable nesting habitat. If an active nest is found, a qualified biologist shall establish a 50- to 100-foot buffer around the nest, in which no Project activity shall commence until a qualified biologist confirms that the nest is no longer active.

Status: Preconstruction surveys will be conducted within 14 days before initiation of construction.

Mitigation Measure 4.3-9 Special-status bats.

No mitigation measures are required, as special-status bats and their roosting habitat were not observed in the Project area. Though foraging habitat is present, special-status bats have low potential to occur onsite.

Status: No action needed.

Mitigation Measure 4.3-10 American badger.

A qualified biologist shall conduct preconstruction American badger burrow surveys within 48 hours of initiation of construction activity. If potential American badger burrows are found, the qualified biologist shall consult with CDFW to determine appropriate measures.

Status: Preconstruction surveys will be conducted within 48 hours before initiation of construction.

Mitigation Measure 4.3-11 Riparian habitat or other sensitive natural community.

4.3-11(a) Clean Water Act Sections 401 and 404.

Before the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct Project phase, the Project Applicant shall secure all necessary permits obtained under Sections 401 and 404 of the CWA or the State's Porter-Cologne Act and implement all permit conditions for the proposed project.

Status: A CWA Section 401 permit was issued on June 3, 2015. A CWA Section 404 permit was issued on October 30, 2015, and modified on April 13, 2017. A permit compliance letter will be submitted to USACE for approval of final development plans of Russell Ranch Phase 2.

4.3-11(b) Master Streambed Alteration Agreement.

The Project Applicant shall amend, if necessary, and implement the original Section 1602 Master Streambed Alteration Agreement received from CDFW for all construction activities that would occur in the bed and bank of CDFW jurisdictional features within the Project site. The Project Applicant shall submit an SNF to CDFW 60 days prior to the commencement of construction to notify CDFW of the Project.

Status: A SNF will be submitted to CDFW for approval of the final development plans of Russell Ranch Phase 2 at least 60 days prior to commencement of construction.

4.3-11(c) Valley Needlegrass.

Prior to ground-breaking activities, high visibility construction fencing should be placed around all Valley needlegrass grassland to be preserved. All Valley needlegrass grassland areas slated for removal should be replaced at a 1:1 acreage onsite within preserve areas. Needlegrass plants in the areas slated for removal should be salvaged, to the extent feasible, and replanted within the preserve areas. If this is infeasible, seedlings/saplings from a local nursery should be obtained. A mitigation plan outlining methods to be used, success criteria to be met, and adaptive management strategies will be completed prior to Project construction.

Status: A mitigation plan is being developed for needlegrass transplant and/or planting within onsite preserve areas. Construction fencing shall be placed around avoided/preserved needlegrass prior to construction initiation.

Mitigation Measure 4.3-12 Movement of native, resident, or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

No mitigation measures are required. The Alder Creek corridor is not located within the Project site and other drainage features within the project site do not support sufficient riparian vegetation cover to provide valuable movement corridors.

Status: No action needed.

Mitigation Measure 4.3-13 Conflicts with any local policies or ordinances protecting biological resources.

No mitigation measures are required. The City of Folsom Tree Preservation Ordinance (Chapter 12.16 of the Municipal Code) regulates the removal of street trees and native oak trees and the encroachment of construction activities within their driplines; however, the ordinance only applies to street trees and native oak trees. The project site does not contain native oak trees or street trees.

Status: No action needed.

Mitigation Measure 4.3-14 Cumulative loss of biological resources.

No mitigation measures are required, as the Project's incremental contribution to a cumulative impact is less than significant. The several planned Projects within the region, including the FPASP, would contribute to a significant cumulative loss of biological resources. However, the Russell Ranch Project incorporates a combination of habitat preservation and project-specific mitigation to reduce all impacts to biological resources to a less-than-significant level.

Status: No action needed.

8.0 CONCLUSION

Since issuance of the Russell Ranch 404 Individual Permit, more specific plans and additional construction details have been developed for the Russell Ranch Project, and specifically this Project (Russell Ranch Phase 2). As a result, impacts to biological resources have changed from those shown in the Russell Ranch EIR. Acreages of impacts to purple needlegrass, Swainson's hawk foraging habitat, and Waters of the U.S. have changed slightly, but no new special-status species or habitat types are proposed for impact. Therefore, the biological resources mitigation measures outlined in the Russell Ranch EIR are still applicable and will be implemented. Approval of revised impacts to purple needlegrass, Swainson's hawk foraging habitat, and Waters of the U.S. will be coordinated with USACE and CDFW through a CWA Section 404 permit compliance letter and California Fish and Game Code Section 1602 Sub-Notification of Lake or Streambed Alteration.

Please contact me at your earliest convenience if you have any issues or concerns regarding this matter or if you require any additional information. I can be reached at (916) 782-9100 or via email at lgperalta@ecorpconsulting.com.

Sincerely,



Lourdes Gonzalez-Peralta, M.S.
Senior Biologist/Project Manager

LIST OF ATTACHMENTS

Attachment A – Russell Ranch Vicinity & Location Map

Attachment B – Russell Ranch Phase 2 EIR Impact Map

Attachment C – Russell Ranch Phase 2 Current Impact Map

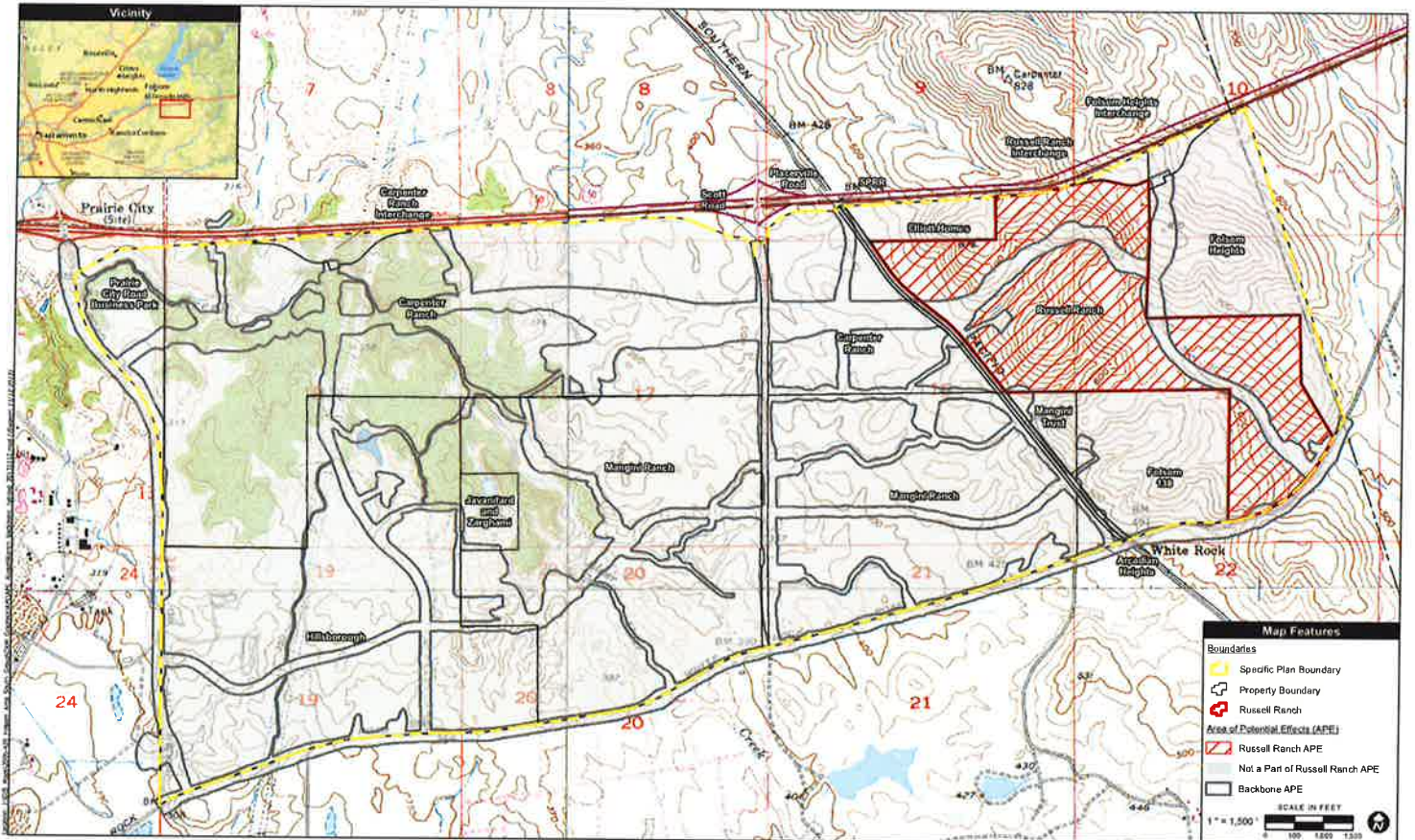
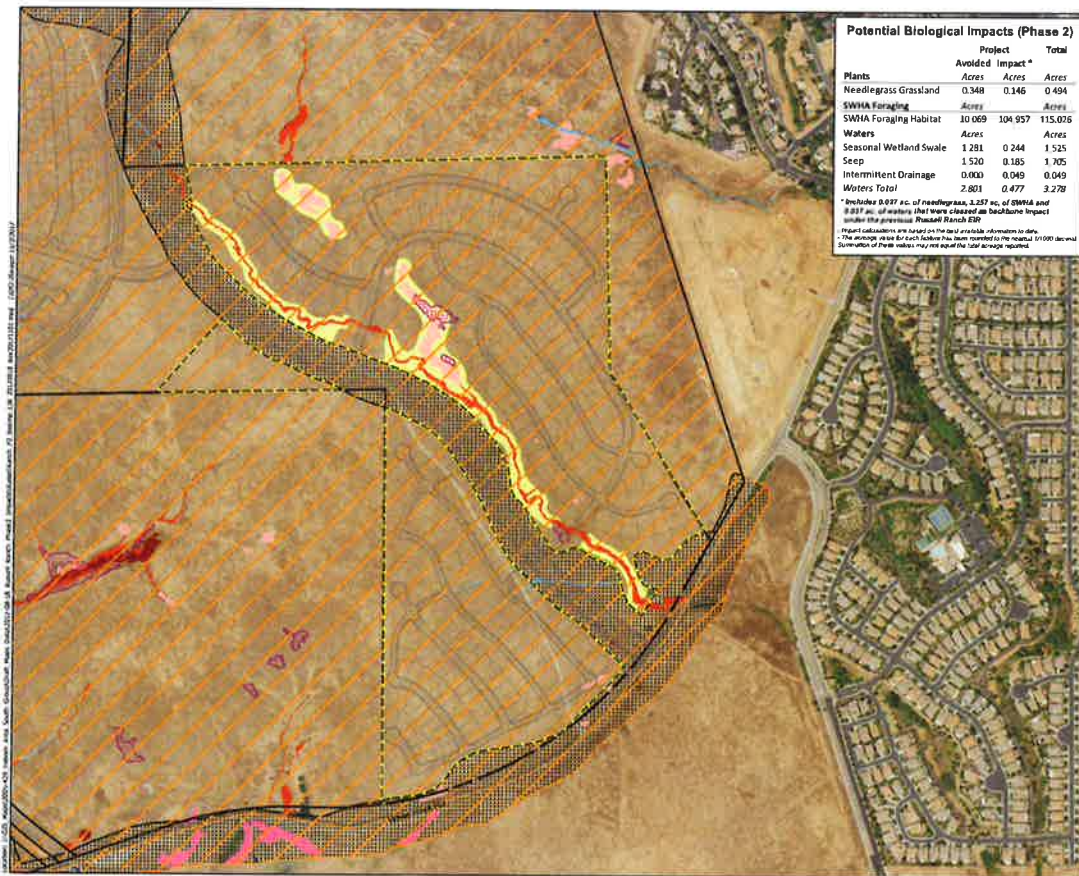


Figure 1. Area of Potential Effects for the Russell Ranch Project (SPK-2013-00488) Within the Folsom South of US Highway 50 Specific Plan Project
2013-024 Russell Promontory

**Figure 2.
Russell Ranch Phase 2
Biological Impacts - EIR**



Potential Biological Impacts (Phase 2)

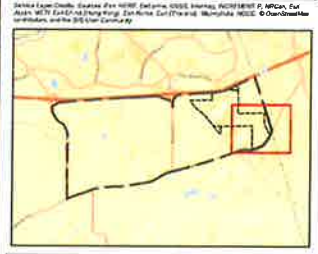
| Plants | Project | | Total |
|------------------------|------------------|------------------|---------|
| | Avoided Acres | Impact* Acres | |
| Needlegrass Grassland | 0.348 | 0.146 | 0.494 |
| SWHA Foraging | Acres | | Acres |
| SWHA Foraging Habitat | 10 669 | 104 957 | 115 626 |
| Waters | Acres | | Acres |
| Seasonal Wetland Swale | 1 281 | 0 244 | 1 525 |
| Seep | 1 520 | 0 185 | 1 705 |
| Intermittent Drainage | 0 000 | 0 049 | 0 049 |
| Waters Total | 2 801 | 0 477 | 3 278 |

* Includes 0.097 ac. of needlegrass, 2.237 ac. of SWHA and 0.017 ac. of waters that were cleared as backbone impact under the previous Russell Ranch EIR.

† Plant calculations are based on the most available information to date.

‡ The average value for each feature has been converted to the total 10 000 lbs/ac and the number of trees/ha may not equal the total average required.

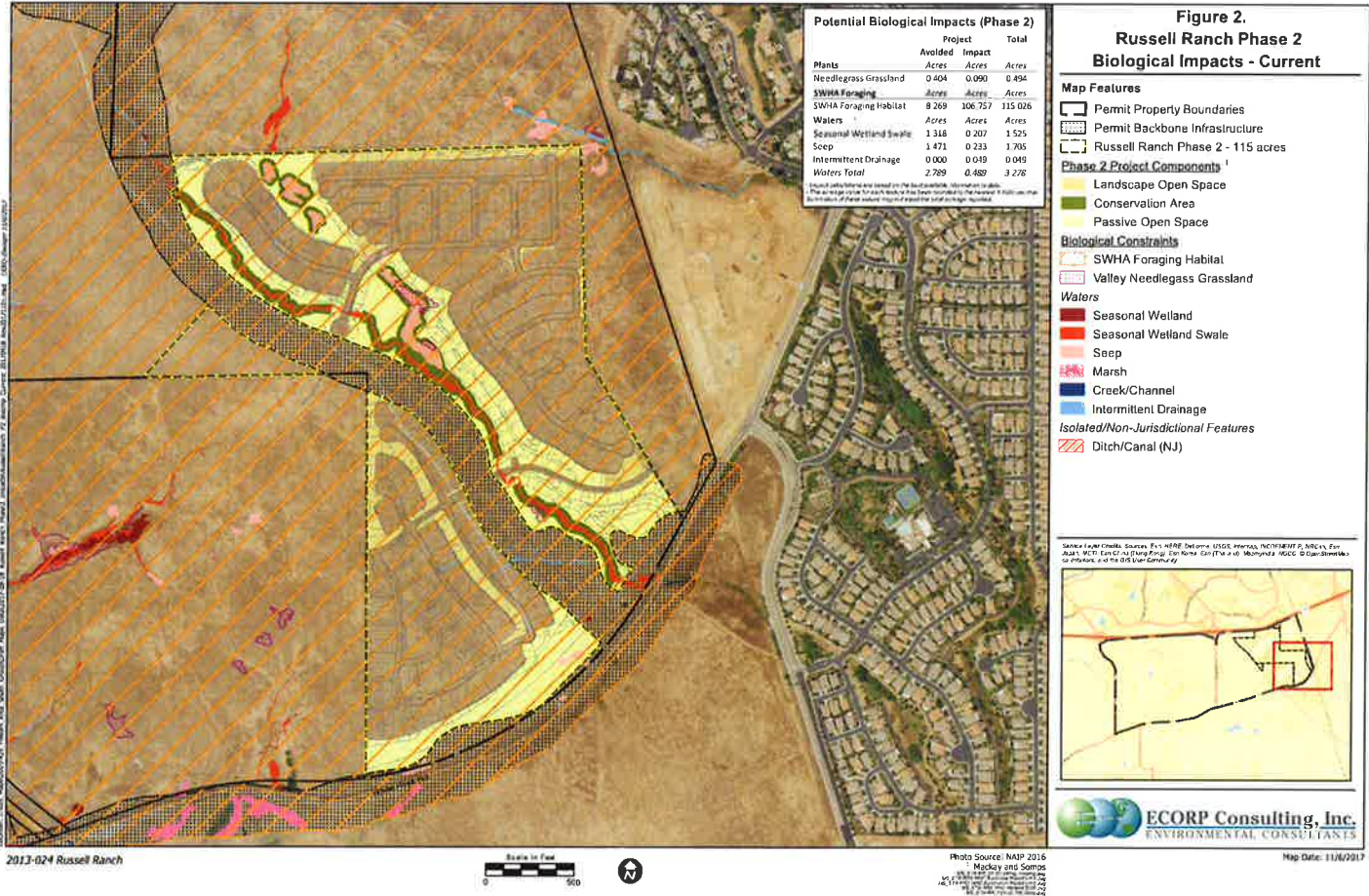
- Map Features**
- ▭ Permit Property Boundaries
 - ▭ Permit Backbone Infrastructure
 - ▭ Russell Ranch Phase 2 - 115 acres
- EIR Project Components**¹
- ▭ Avoidance Area
- Biological Constraints**
- ▭ SWHA Foraging Habitat
 - ▭ Valley Needlegrass Grassland
- Waters**
- ▭ Seasonal Wetland
 - ▭ Seasonal Wetland Swale
 - ▭ Seep
 - ▭ Marsh
 - ▭ Creek/Channel
 - ▭ Intermittent Drainage
- Isolated/Non-Jurisdictional Features**
- ▭ Ditch/Canal (NJ)



2013-024 Russell Ranch



Photo Source: Aerial 2014
1 Mackay and Spongs
2014



Potential Biological Impacts (Phase 2)

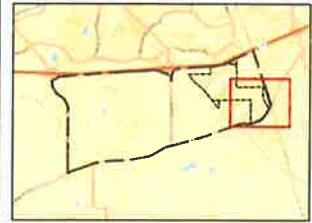
| Project | Project | | Total |
|------------------------|---------|---------|---------|
| | Avoided | Impact | |
| Plants | Acres | Acres | Acres |
| Needlegrass Grassland | 0.404 | 0.090 | 0.494 |
| SWHA Foraging Habitat | Acres | Acres | Acres |
| SWHA Foraging Habitat | 8.269 | 106.757 | 115.026 |
| Waters | Acres | Acres | Acres |
| Seasonal Wetland Swale | 1.316 | 0.203 | 1.525 |
| Seep | 1.471 | 0.233 | 1.705 |
| Intermittent Drainage | 0.000 | 0.049 | 0.049 |
| Waters Total | 2.789 | 0.582 | 3.278 |

Impact calculations are based on the best available information available. The average value for each block, or has been rounded to the nearest 0.001. The distribution of these values may not equal the total due to rounding.

Figure 2. Russell Ranch Phase 2 Biological Impacts - Current

- Map Features**
- Permit Property Boundaries
 - Permit Backbone Infrastructure
 - Russell Ranch Phase 2 - 115 acres
- Phase 2 Project Components**
- Landscape Open Space
 - Conservation Area
 - Passive Open Space
- Biological Constraints**
- SWHA Foraging Habitat
 - Valley Needlegrass Grassland
- Waters**
- Seasonal Wetland
 - Seasonal Wetland Swale
 - Seep
 - Marsh
 - Creek/Channel
 - Intermittent Drainage
- Isolated/Non-Jurisdictional Features**
- Ditch/Canal (NJ)

Source: Aerial Imagery, Google Earth, USGS National Wetlands Inventory, NJDEP, EPA, Aerial WCT, LULU, and other sources. Data is not guaranteed to be 100% accurate and is for informational purposes only.



Appendix C

Cultural Resources



September 27, 2017

Mr. Scott A. Johnson, AICP
Planning Manager
City of Folsom
Community Development Department
50 Natoma Street
Folsom, California 95630

RE: *Cultural Resources Assessment to Support an Amendment to the Folsom Plan Area Specific Plan for the Russell Ranch Project*

Dear Scott:

The City of Folsom is currently reviewing a request from The New Home Company (Applicant) to amend the Folsom Plan Area Specific Plan (FPASP) and approve Large Lot and Small Lot Tentative Subdivision Maps for the 437.6-acre Russell Ranch project (Attachment A). Included in the City's review is an assessment of impacts to Historical Resources, as defined by the California Environmental Quality Act (CEQA). To assist the City in making appropriate findings pursuant to CEQA, ECORP Consulting, Inc. prepared the following summary. Additional information, including regulatory context, a detailed historic context statement, site records, and other relevant information is provided in the various confidential technical studies prepared to date for the Project, which are already in the possession of the City and are hereby incorporated by reference.

REGULATORY CONTEXT AND OVERVIEW

The cultural resources compliance for the Russell Ranch Project was driven by a combination of compliance needs for the FPASP programmatic Environmental Impact Report/Environmental Impact Statement (EIR/EIS, approved on June 28, 2011), the 2015 final EIR for Russell Ranch (SCH # 2014062018), and Section 106 of the National Historic Preservation Act (NHPA) as it pertains to permits for authorized fill of Waters of the United States (U.S.) from the Sacramento District of the U.S. Army Corps of Engineers (USACE). As a result, the studies carried out to date had to take into consideration CEQA, the National Environmental Policy Act (NEPA), Section 106 NHPA, and the fact that development will occur over an extended period of time through collaboration with adjacent developments in the FPASP. Because this multifaceted dynamic created a complex cultural resources compliance environment, which dictated the nature of the documentation that resulted, a brief explanation of this process is warranted.

There are multiple applicants that are part of the FPASP, composed of private developers and the City of Folsom, each seeking Section 404 Clean Water Act permits from the USACE. The private applicants own specific properties (projects) within the FPASP; The New Home Company is one. The City of Folsom has jurisdiction over the portions of the projects that will be occupied by roadways, water and sewer lines, open space, and other infrastructure, collectively referred to as the Backbone Infrastructure (or, Backbone). The Backbone, which forms a web-like configuration across the ±3500-acre FPASP, is composed of portions of all of the individual properties within the FPASP and is subject to a separate individual Section 404 permit from USACE. The Backbone permit area bisects the Russell Ranch property in several locations, as illustrated in the map in Attachment A and in the Development Permit Application dated August 2017 and hereby incorporated by reference. While the developer views the Backbone and non-Backbone areas within the property as one "project," the compliance with cultural resources requirements was handled separately for each. Similarly, the 2015 annexation of a portion of the permit area known as Carr Trust was documented separately.

Because the individual projects within the FPASP (including, but not limited to Russell Ranch) would affect Waters of the U.S., the applicants must meet the requirements of Section 404 of the Clean Water Act, and therefore, are seeking, or have obtained, permits from USACE. Issuance of a federal permit is a federal undertaking for the purposes of Section 106 of the National Historic Preservation Act (NHPA) and all applicable regulations, including 36 Code of Federal Regulations (CFR) 800). As such, each applicant is also required to comply with Section 106 of the NHPA. Therefore, in accordance with 36 CFR 800.14, and in consideration of the uncertainty of final project development plans (to be finalized during the course of a 20-year build-out), the fact that there are multiple applicants with projects on different schedules, and the regional nature of the cultural resources, the USACE, in consultation with the California Office of Historic Preservation and Advisory Council on Historic Preservation, concluded that a Programmatic Agreement (PA) was the appropriate method for satisfying its responsibilities under Section 106 of the NHPA. Based on initial information generated by numerous cultural resources consultants over the past 30 years, the USACE concluded that Historic Properties, as defined in 36 CFR 800.16(l)(1), are located within the Area of Potential Effects (APE) for the Specific Plan. The USACE further concluded that, based on development plans submitted to the USACE, Historic Properties will be affected by this federal undertaking and that additional consultation will be required to assess and resolve effects. Likewise, the EIR/EIS relied on the execution of the PA to meet the requirements of NEPA and CEQA; Mitigation Measure 3A.5-1a specifically required compliance with a PA. The PA was executed on July 6, 2011, thereby allowing certification of the EIR and issuance of a Record of Decision on the EIS. In 2013, the PA was amended by the signatories and the First Amended Programmatic Agreement (FAPA) is currently in force. The City of Folsom is a concurring party to the FAPA. Accordingly, the Russell Ranch project is subject to the requirements of the FAPA to meet obligations under all applicable state and federal requirements that were in place at the time of its execution.

The FAPA provides the framework for compliance and requires that each individual project, including Russell Ranch, must comply with specific terms that include, but are not limited to, development of a

project-specific APE, a geoarchaeological investigation (Windingstad and Homburg 2011, 2012), an updated records search, good-faith identification efforts including pedestrian surveys, evaluation of significance of resources, a finding of effect, and the resolution of adverse effects to significant cultural resources. Furthermore, the FAPA requires that all work done in compliance with the FAPA be carried out in accordance with the overall research design and Preliminary Historic Properties Synthesis (PHPS) (Westwood et al. 2011), which is a cultural resources management plan that has been prepared for the FPASP. The PHPS was renamed the Historic Property Management Plan (HPMP) in conjunction with the execution of the FAPA in 2013. Therefore, The New Home Company, as an applicant for a permit within the SPA, and now pursuing a Specific Plan Amendment and associated entitlements, must meet these requirements before the respective agencies can issue appropriate approvals under their jurisdiction.

CULTURAL RESOURCES INVENTORY

The steps taken to identify cultural resources are outlined in the FAPA and HPMP. These steps included records searches, literature reviews, consultation with the Native American and historical communities, evaluations of significance using archival research and archaeological investigations, and geoarchaeological studies. All work performed under the FAPA and HPMP was carried out by or under the direction of Principal Investigator Lisa Westwood, RPA who meets the Secretary of the Interior's Standards for Professional Qualifications. The methods and results of these studies are detailed in separate technical reports, which are hereby incorporated by reference. Below is a summary of the key elements of the identification efforts.

Records searches and literature reviews to establish baseline and changing conditions in Russell Ranch were carried out multiple times since 2005. The most recent records search was completed at the North Central Information Center (NCIC) of the California Historical Resources Information System at California State University-Sacramento on 6 June 2014 (NCIC search #SAC-14-81). The purpose of the records search was to determine whether previously documented prehistoric or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area. Because ECORP has been the only cultural resources professional to carry out technical studies in the FPASP since its approval, no additional information was obtained or would have been expected.

The Russell Ranch Project area has been subjected to numerous field surveys, inventories, and archival research under the guidance of the Secretary of the Interior's Standards for the Identification of Historic Properties (National Park Service [NPS] 1983). These include the following:

- Pedestrian survey of Russell Ranch and its Annex in 2012 (Westwood et al. 2012a)
- Pedestrian survey of the Backbone in 2012 (Westwood et al. 2012b)

- Geoarchaeological sensitivity study and focused subsurface sampling in 2011 and 2012 (Windingstad and Homburg 2011, 2012)

Evaluations of eligibility of the resources identified during surveys included a combination of archaeological excavation and archival research and include:

- ❖ Evaluation plan for Russell Ranch in 2013 (Knapp and Westwood 2013a)
- ❖ Evaluations of eligibility for Russell Ranch and the Annex in 2013 (Knapp et al. 2013)
- Evaluations of eligibility for the applicable portions of the Backbone through the Backbone in 2013 (Mason et al. 2013)

Native American Consultation

To assist in the inventory and evaluations of cultural resources within the Project area and FPASP, ECORP also contacted the California Native American Heritage Commission (NAHC) numerous times between 2005 and 2017 to request an updated search of the Sacred Lands Files for the Project area. Although the searches all failed to yield information on Native American cultural resources located within or adjacent to the Project area, the NAHC provided lists of individuals and organizations in the Native American community that may be able to provide information about unrecorded sites in the Project vicinity. Subsequently, as part of individual projects and later, the development of the PA and FAPA, several series of project notification letters were sent out to the contacts. Since that time, the USACE has been consulting with tribes throughout the SPA compliance process. The United Auburn Indian Community, Shingle Springs Band of Miwok Indians, and Wilton Rancheria were ultimately invited by the USACE to be concurring parties on the FAPA, attended multiple field tours with the applicants, USACE, City, and ECORP, and have been sent copies of all technical reports prepared under the FAPA to date. Government-to-government consultation between the tribes and USACE is ongoing and will continue throughout the lifetime of the FAPA and any subsequent amendments.

In addition, because the Russell Ranch Project is seeking a Specific Plan Amendment to the FPASP, the City is also required to initiate consultation with California Native American tribes under Senate Bill (SB) 18 (Burton, Chapter 905, Statutes of 2004). On August 18, 2017, the City requested an SB 18 contact list from the California NAHC. The NAHC responded with a list on August 31, 2017, and letters to each contact were mailed by the City on September 7, 2017. Consultation will be carried out in accordance with the *Tribal Consultation Guidelines: Supplement to General Plan Guidelines* (November 14, 2005) published by the Governor's Office of Planning and Research. The consultation record for SB 18 tribal consultation will be provided under separate cover.

Total Inventory of Cultural Resources within Russell Ranch

Through the above combination of studies and consultations, the entire Russell Ranch Project area (inclusive of the non-Backbone, Backbone, and annex) has been fully inventoried for Historical

Resources, with concurrence from SHPO. As a result of the inventory and evaluations of eligibility, ECORP documented 21 cultural resources. Subsequently, one modern fire break site (ISO-1) was reclassified from a cultural resource to a modern feature. The 20 cultural resources are summarized below.

The following 18 resources were evaluated as not individually eligible:

- ☒ 1 ditch site (ISO-8)
- ☒ 1 prospecting pit/depression (ISO-14)
- ☒ 12 rock alignments/walls (P-34-1481, P-34-1484, P-34-2164, EC-12-516, ISO-3, ISO-6, ISO-7, ISO-9, EC-12-002, ISO-15, ISO-16, and ISO-18)
- ☒ 1 historic cattle watering locale (P-34-1369)
- ☒ 1 historic barbed wire fence (EC-12-517)
- ☒ 1 historic gate/fence (ISO-4)
- ☒ 1 rock pile (EC-12-518)

The following two sites were evaluated as individually eligible:

- ☒ 1 ditch (P-34-1745, Keefe-McDerby Mine Ditch)
- ☒ 1 historic archaeological site (P-34-2166, the Brooks Hotel Site; also present within the Backbone)

No cultural resources were found in the Annex. Detailed site descriptions, full statements of eligibility for each resource, cultural context, site records, and location maps are contained within the respective confidential technical studies referenced in Attachment B and are hereby incorporated by reference.

SIGNIFICANT HISTORICAL RESOURCES IN RUSSELL RANCH

Definition of Historical Resources under CEQA

CEQA requires an assessment of impacts only to those resources that are considered Historical Resources. An "Historical Resource" is a cultural resource that either: 1) meets at least one of four criteria that define eligibility for listing on either the California Register of Historical Resources (CRHR; Public Resource Code [PRC] § 5024.1, Title 14 California Code of Regulations (CCR), § 4852); or 2) is included in a local register of historical resources (as defined by PRC § 5020.1[k]); or is identified in an historical resource survey meeting the requirements of PRC § 5024.1(g) for presumption of historical significance; or 4) is determined to be historically significant by the CEQA lead agency [CCR Title 14, § 15064.5(a)]. In making this determination of eligibility to the CRHR or

local registries, the CEQA lead agency usually applies the CRHR eligibility criteria [CCR Title 14, § 4852(b)]:

1. It is 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; and/or
2. It is associated with the lives of persons important to local, California, or national history; and/or
3. It 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; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, § 4852(c)].

Resources listed on or eligible for inclusion in the CRHR are considered significant and are further considered to be Historical Resources under CEQA. In addition, cultural resources eligible for listing on the National Register of Historic Places (NRHP) are considered Historic Properties under 36 CFR Part 800 and are automatically eligible for the CRHR, and therefore are also considered Historical Resources under CEQA. The eligibility criteria for the NRHP largely mirror that of the CRHR and are as follows (36 CFR 60.4):

“The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess aspects of integrity of location, design, setting, materials, workmanship, feeling, association, and:

- A. is associated with events that have made a significant contribution to the broad patterns of our history; and/or
- B. is associated with the lives of a person or persons significance in our past; and/or
- C. embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- D. has yielded or may be likely to yield information important in prehistory or history.”

In addition, the resource must be at least 50 years old, except in exceptional circumstances (36 CFR 60.4).

Historical Resources within Russell Ranch

In applying the above considerations to the inventory of cultural resources in the Russell Ranch Project area, there are two Historical Resources present, both from the historic period, which are considered Historical Resources:

- ☒ P-34-1745, Keefe-McDerby Mine Ditch
- ☒ P-34-2166, the Brooks Hotel Site

IMPACTS TO HISTORICAL RESOURCES

The following discussion of impacts to Historical Resources is limited to those of the human cultural environment, and specifically to Historical Resources, archaeological resources, and human remains. Paleontological resources, which are not cultural resources by definition but are included in the CEQA checklist for cultural resources, are addressed by the CEQA document being prepared by Ascent Environmental, Inc. on behalf of the City.

Consistent with CCR § 15064.5(b), the City's General Plan, and the FPASP, a significant impact would occur if the proposed Project would impact an Historical Resource (as defined by CEQA), and such impacts are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired [CCR Title 14, § 15064.5(b)]. This would occur when the impacts may alter, directly or indirectly, any of the characteristics that qualify the property as a Historical Resource in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Impacts to aspects of integrity that do not contribute to or convey the significance of the resource are not typically subject to mitigation.

Impacts to Historical Resources caused by the Russell Ranch Project are largely related to its purpose and need: to construct residential, commercial, and related project components. Impacts will generally consist of clearing and grubbing of deleterious material, excavation, sub-grade compaction, fill placement, and construction. Common infrastructure, including roads, bike paths, water detention facilities, and underground utilities that will support the development, will also be required. In general, ground disturbance is the trigger for impacts to Historical Resources, although in some rare instances (not present in the current project) impacts to historic viewsheds may also occur.

Using the results of the inventory and evaluations of eligibility, ECORP's Principal Investigator Lisa Westwood met regularly with the Project applicant and engineers to assess the feasibility of modifying the Project design to avoid or reduce adverse effect to Historical Resources. In several instances, the Project applicants made modifications to project design to facilitate complete avoidance through re-routing infrastructure or extending conservation easements over sites, or to enhance public interpretation opportunities using interpretive panels along proposed bike trails. One challenge was the requirement by the City of Folsom to construct numerous Class 1 bike trails through wooded areas and open spaces, which often co-occur with Historical Resources. As a result, discussions regarding potential avoidance strategies included representatives from all of the active permit applications (project-specific APEs) and agencies.

A broader challenge with assessing and resolving adverse effects for the entire FPASP relates to the need to distinguish between direct and indirect effects. In some cases, direct effects can be reduced or avoided—such as through the shifting of Project elements to avoid eligible sites—but the indirect effect caused by public access to sites that were not previously available to them is more difficult to address. Fencing off large areas containing sites conflicts with the open development concept supported by local planning agencies and could alert the public that something important is contained within the fenced-off area.

Discussions between the applicant, USACE, City, and SHPO over the potential for adverse indirect effects were initiated during the development of the original PA in 2009. There was consensus that where feasible, preservation in place was feasible for some resources through the use of conservation easements, monitored through the implementation of a USACE-approved operations and management plan with specific measures related to cultural resources, which were designed or expanded to encompass significant sites in order to reduce or avoid both direct and indirect adverse effect. Due to the intricacy of Project development plans, created by the need to find balance between City and Specific Plan requirements, engineering constraints, biological and wetland resources, development goals and objectives, and the density of cultural resources, placing larger conservation easements over portions of the property was extremely difficult. Therefore, in most cases, direct and indirect adverse effect could be reduced, but not completely eliminated, and some of the effects were resolved in advance through the preparation of the HPMP, extensive archival research, and through detailed lidar and aerial mapping.

As required by the FAPA, a site-by-site impact assessment for all significant cultural resources was carried out through the preparation of Finding of Effect reports for the Russell Ranch (Westwood and Knapp 2013a), Annex (Westwood 2016), and Backbone (Westwood and Knapp 2013a) projects. Subsequently, Historic Property Treatment Plans (HPTPs) were prepared and submitted to the USACE, City, and SHPO for review and concurrence (Westwood and Knapp 2013a, 2013b). The HPTPs specify the appropriate mitigation to resolve adverse effect (significant impact) to the same Historical Resources above.

Subsequently, the HPTPs were implemented, all pre-construction mitigation measures carried out, and all resulting documentation was approved by the USACE, in consultation with the City, SHPO, and other parties to the FAPA. For the Backbone permit area, which bisects the Russell Ranch property, USACE verified compliance on July 9, 2015 and notified SHPO and the consulting parties to the FAPA, and requested comments by July 27, 2015. The USACE received a concurrence from SHPO on August 7, 2015. For the non-Backbone Russell Ranch permit area, the USACE verified compliance with all pre-construction requirement on February 16, 2017 and notified SHPO and the consulting parties to the FAPA, and requested comments by March 20, 2017. The USACE received concurrence from SHPO on March 24, 2017. For the portion of Carr Trust, known as the Russell Ranch Annex, the USACE verified that no Historic Properties are present in the property and notified SHPO and the parties to the FAPA on March 31, 2015.

FINDING OF IMPACT

The Russell Ranch Project was previously found to have a significant impact on Historical Resources, as defined by CEQA. As described further below, however, all pre-construction mitigation measures, as required by the applicable HPTPs, have been completed to the satisfaction of the USACE, in consultation with SHPO, the City, and the other parties to the FAPA. Compliance with the construction-related mitigation measures specified in the EIR/EIS and FAPA will further reduce that level to less-than-significant.

MITIGATION MEASURES

The measures required to mitigate for significant impacts to Historical Resources are twofold. First, as part of the FPASP, the Russell Ranch Project is subject to compliance with four mitigation measures in the EIR/EIS, from which the 2015 EIR tiers. Second, the Project is also subject to compliance with the treatment measures to resolve adverse effect to historic properties, as specified in the respective HPTPs that were prepared under the FAPA, which was required by the EIR/EIS and 2015 EIR. A reconciliation of these requirements and a list of appropriate mitigation measures for the Russell Ranch Project are provided below. The status of compliance is further summarized in Table 1.

Impact 4.4-1: Loss of Historical Resources. Based on the analysis below and with the implementation of mitigation, the impact is *less than significant*.

Based on the inventories and evaluations of eligibility performed to date, two historic resources exist within the Project area. The Brooks Hotel Ranch Complex and the Keefe-McDerby Mine Ditch are both archaeological sites from the historic period and constitute Historical Resources for the purpose of CEQA. The remaining resources, including 12 rock alignments, a rock pile, a barbed wire fence line, a concrete water trough, a prospecting pit, and a ditch, do not meet the criteria described above, and are not considered Historical Resources under CEQA.

The proposed Project, including the installation of subsurface utilities and related infrastructure, which may include trenching, grading, or jacking and boring, would impact the Brooks Hotel Ranch Complex and the Keefe-McDerby Mine Ditch within the Project site. The impact is considered to be potentially significant because the aforementioned Historical Resources would be subjected to a loss of integrity as a result of the Project activities (i.e., the resources may be destroyed and the characteristics that made the resource eligible may be materially impaired). However, the Brooks Hotel site and a segment of the Keefe-McDerby Mine Ditch would also be impacted and mitigated by the South of U.S. 50 Backbone Infrastructure project.

Preservation in place was considered for the two Historical Resources during the Project planning process. Factors weighed in the consideration included the presence of other biological or water resources and any restrictions on the flexibility of locations of engineering, roadway access, and

utilities required to service the proposed Project. The factors were weighed during the preparation of finding of effect documentation, prepared under the FAPA.

Preservation in place of the segment of the Keefe-McDerby Mine Ditch would cause a shift of residential lots into planned open space. The shift would cause an effect to biological resources habitats that are required to be preserved. Because the majority of the ditch falls outside of the Project area, preservation in place of the entire resource is neither feasible nor under the control of the Project applicant. Preservation in place of the Brooks Hotel site is not possible because avoidance would trigger new impacts to Waters of the U.S. and would affect the development of necessary backbone infrastructure. As a result, impacts to the Historical Resources could not be avoided, but the effects could be reduced to a less-than-significant level with appropriate mitigation measures. Without implementation of mitigation measures, impacts to Historical Resources would be *potentially significant*. Although the proposed Project would result in a reduction in units, removal of commercial uses, and an increase in open space as compared to the FPASP-approved land uses, the proposed Project would still include development on the same site, resulting in similar impacts to Historical Resources as the approved FPASP.

Mitigation Measures for Impact 4.4-1

Compliance with the procedures for mitigating significant impacts presented in the FAPA and HPMP for the FPASP and the HPTP would reduce any potential adverse impacts. Implementation of the following mitigation measure would reduce potentially significant impacts related to damaging or destroying historic cultural resources during ground-disturbing activities to a *less-than-significant* level.

There is one mitigation measure from the 2015 EIR that reduce the impact to less than significant:

Mitigation Measure 4.4-1: Comply with the Programmatic Agreement and Carry Out Mitigation.

The FAPA provides a management framework for identifying historic properties and Historical Resources through inventories and evaluations, determining adverse effects, and resolving those adverse effects with appropriate mitigation. Proof of compliance with the applicable procedures in the FAPA and implementation of applicable HPTP (Westwood and Knapp 2013b and 2013c) with regard to mitigation for the Keefe-McDerby Mine Ditch and Brooks Hotel Site is to be provided to the City's Community Development Department prior to authorization of any ground-disturbing activities. Proof of compliance is defined as written approval from the USACE of all applicable mitigation documentation generated from implementation of an approved HPTP and includes the following mitigation actions:

- Historic American Engineering Record (HAER) Documentation of the Keefe-McDerby Mine Ditch (P-34-1475): in consultation with the National Park Service, the USACE shall require the completion of Historic American Engineering Record program documentation.
- Data Recovery Excavations of the Brooks Hotel Site (P-34-2166): Data recovery shall follow the standards and guidelines in the HPTP. The results of excavation, laboratory analysis, artifact analysis, and archival research, shall be documented in a confidential data recovery technical report, which shall be submitted to the City's Community Development Department.
- Geoarchaeological Monitoring: Due to a potential for deeply buried archaeological resources down to a depth of 1.5m (approximately five feet) below soil formations known as the T-2 terrace, where colluvial deposits grade onto the T-2 terrace, and along the distal edge of tributary alluvial fans, all ground-disturbing activity in those areas shall be monitored by a qualified professional archaeologist with a specialization in geoarchaeology. Monitoring is no longer needed once subsurface disturbance extends beyond 1.5m below surface.

Impact 4.4-2: Loss of unique archaeological resources or human remains. Based on the analysis below and with the implementation of mitigation, the impact is *less than significant*.

As noted previously, the Brooks Hotel Ranch Complex and the Keefe-McDerby Mine Ditch are both archaeological sites from the historic period and constitute Historical Resources for the purpose of CEQA. The proposed Project would be responsible for mitigation of impacts to the Brooks Hotel Site and a segment of the Keefe-McDerby Mine Ditch that falls within the Project area. Mitigation Measures 3A.5-1a and 3A.5-1b, above, reduce the impact to less than significant for known archaeological resources.

Although the proposed Project would result in a change in land uses, the proposed Project would still include development on the same site with a similar area of disturbance, resulting in similar impacts to archaeological resources or human remains as the approved FPASP. Known human cemeteries or burials are not located within the Project area and have not been detected through subsurface excavation or through tribal consultation. However, the potential exists for archaeological resources, human cemeteries, or human burials to be discovered during construction earthwork and the potential exists for damage to or destruction of previously unknown resources during ground-disturbing activities. Without implementation of mitigation measures, impacts to archaeological resources or human remains would be *potentially significant*.

Mitigation Measures for Impact 4.4-2

Implementation of the following mitigation measures would reduce potentially significant impacts related to damaging or destroying archaeological resources or human remains during ground disturbing activities to a *less-than-significant* level.

Mitigation Measure 4.4-2(a): 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) shall retain a qualified archaeologist to conduct training for construction supervisors. Construction supervisors shall inform the workers about the possibility of encountering buried cultural resources and inform the workers of the proper procedures should cultural resources be encountered. Proof of the contractor awareness training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.

Should any cultural resources, such as structural features, bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended within 200 feet of the find and the City of Folsom and USACE shall be notified immediately. The City shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall evaluate 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 would be subject to disturbance or destruction, the actions required by the FAPA and subsequent documentation shall be implemented. The City of Folsom Community Development Department and USACE 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 and seek written approval on mitigation documentation before resuming construction activities at the archaeological site.

Mitigation Measure 4.4-2(b): Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.

In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in Mitigation Measure 3A.5-3 shall be implemented. In addition, the provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and Assembly Bill (AB) 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (§ 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC, which then designates a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning

designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).

CUMULATIVE IMPACTS AND MITIGATION MEASURES

The following discussion of impacts is based on the implementation of the proposed Project in combination with other proposed and pending projects in the region. Other proposed and pending projects in the region under the cumulative context would include build-out of the City's General Plan, as well as development of the most recent planned land uses within the vicinity of the Project area, including the FPASP.

Impact 4.4-4: Cumulative loss of cultural resources. Based on the analysis below, the Project's incremental contribution to a cumulative impact is *less than significant*.

Prehistoric and historic cultural resources are unique and non-renewable resources. Development activities continue to damage and destroy both prehistoric and historic sites and features, in many cases, before the information inherent in the site could be reviewed, recorded, and interpreted. As noted above, the potential exists for unknown subsurface prehistoric and historic cultural resources to be unearthed during site excavation. The proposed project, along with other development in the City of Folsom, could damage or destroy cultural resources particular to the Project area.

The Project would contribute to a cumulative impact to two Historical Resources, portions of which are located on the Project site – the Brooks Hotel Site and Keefe- McDerby Mine Ditch. However, implementation of Mitigation Measure 4.4-1 reduced the impact to a less-than-significant level by requiring compliance with the procedures for mitigating significant impacts presented in the FAPA.

The potential exists for cultural resources to be discovered during construction earthwork and the potential exists for damage to or destruction of previously unknown cultural resources during ground-disturbing activities. However, potentially significant impacts to unknown cultural resources as related to the cumulative regional loss of cultural resources would be less than significant with implementation of the mitigation measures above. In addition, cumulative impacts to cultural resources would be less than significant if current and future projects in the region comply with CEQA requirements for mitigation of impacts to cultural resources [CCR Title 14, § 15126.4 (b)]. As such, the proposed Project's cumulative impact to cultural resources would be *less than significant*. Although the proposed Project would result in a change to approved land uses, the proposed Project would still include development on the same site, resulting in similar cumulative impacts to cultural resources as the approved FPASP.

Mitigation Measure for Impact 4.4-4

None required.

CONCLUSION

Based on the impact analysis presented above, the Russell Ranch Project will have a significant impact on Historical Resources as defined by CEQA. In addition, the mitigation measures presented herein, which are designed to address the impacts that will result from the land use proposed as part of the Specific Plan Amendment, are consistent with the requirements of the Specific Plan EIR/EIS, the 2015 EIR, and FAPA. The implementation of mitigation measures reduces the impact to *less than significant*.

Table 1 presents a summary of all required mitigation measures for the Russell Ranch Project. Written approval from USACE, when required as proof of compliance, may take the form either of a written notice to proceed with authorized activities under the 404 permit or written approval of the applicable mitigation documentation. Proof of compliance with pre-construction mitigation measures is provided in Attachment C.

| Mitigation Measure | Proof of Compliance | Status of Compliance |
|--|--|---|
| 4.4-1: Comply with the Programmatic Agreement | <p><u>Written approval from the USACE and/or SHPO:</u></p> <ul style="list-style-type: none"> that the Russell Ranch and Backbone HPTPs have been approved; that the documentation generated by the implementation of the applicable portions of each HPTP has been prepared to the satisfaction of the USACE, including: <ul style="list-style-type: none"> proof that the inventory (survey) reports, evaluation of eligibility technical reports, determination or finding of effect reports, and HPTP reports have been accepted and approved by the USACE; a revised HPMP that incorporates the information generated through technical studies and implementation of the HPTPs for the project; that the HAER documentation of the Keefe McDerby Mine Ditch has been approved by the USACE and NPS; that the data recovery of the Brooks Hotel Site has been completed to its satisfaction. | <u>Complete.</u> Copies of correspondence between USACE and SHPO, documenting approval are included in Attachment C. |
| 4.4-2(a): Conduct Construction Personnel Education, Monitoring if Required, and Manage Unanticipated Discoveries | <ul style="list-style-type: none"> Submit to the City a copy of the completed contractor awareness training program, which is defined as a copy of the job trailer poster, unanticipated discovery documentation form, and a completed attendance roster that documents the date of training and names of all construction personnel who received the training. | <u>Complete.</u> Copies of training materials are included in Attachment C. As workers are trained during construction phases, further proof of compliance will be submitted to the City. |
| 4-4.2(b): Suspend Activities if Human Remains are Encountered | Report of findings by a qualified professional archaeologist and record of consultation with the appropriate parties, including the NAHC. | <u>Not complete/not applicable.</u> This mitigation measure will only apply in the event of a discovery during construction. |

In summary, the entire Russell Ranch Project area – inclusive of the non-backbone property, backbone infrastructure that bisects it, and the annex formerly known as Carr Trust – has been fully surveyed for Historical Resources, and all impacts to known resources have been mitigated and documentation approved by the USACE, SHPO, City, and consulting parties. Further, the changes to the land use as proposed in August 2017 do not result in any new, known impacts to Historical Resources that were not already contemplated and mitigated.

If you have any questions, you may reach me at (916) 782-9100 or by email at lwestwood@ecorpconsulting.com.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Westwood".

Lisa Westwood, RPA
Director of Cultural Resources

LIST OF ATTACHMENTS

Attachment A – Project Location Map

Attachment B – References Cited

Attachment C – Proof of Compliance

ATTACHMENT A

Project Location Map

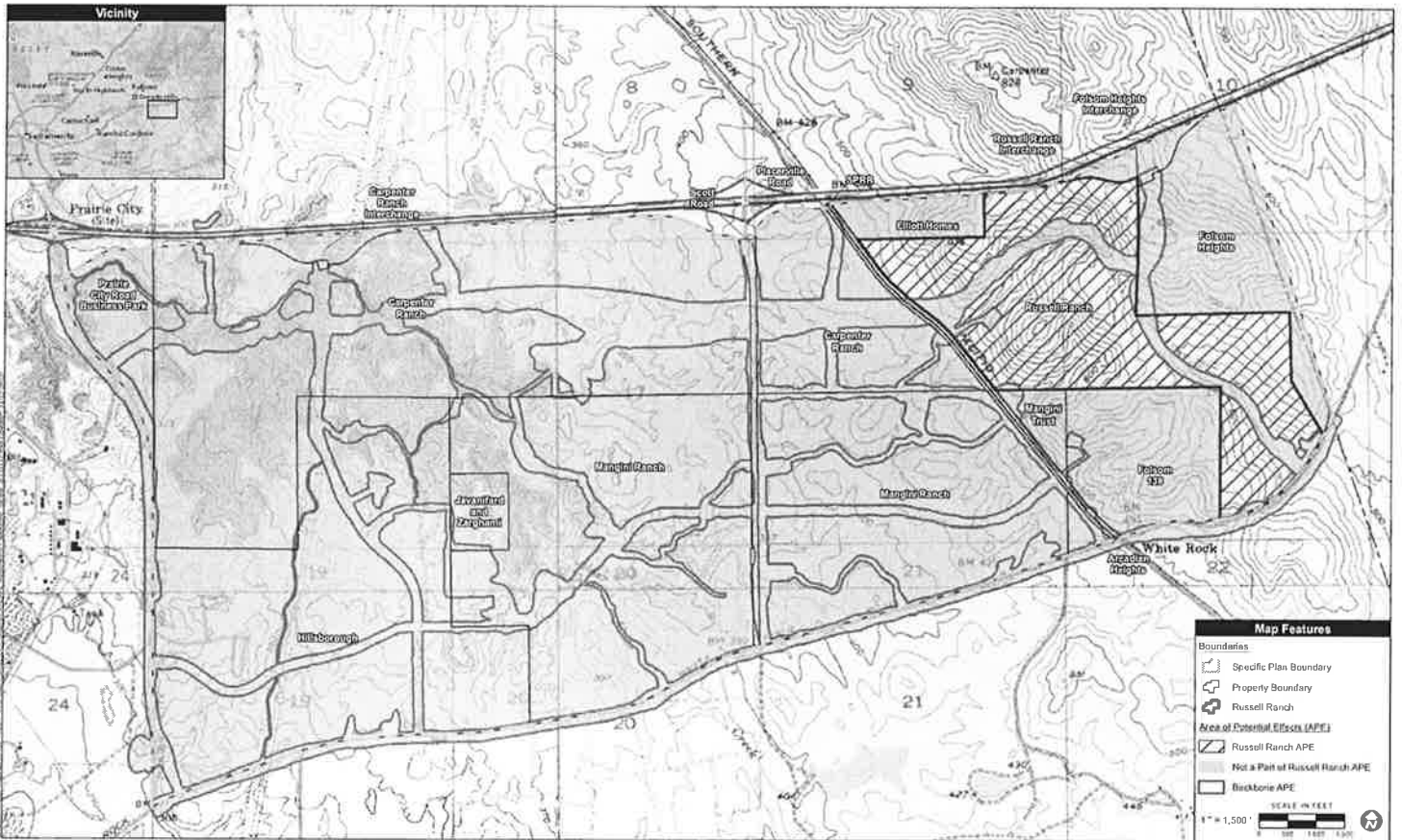


Figure 1. Area of Potential Effects for the Russell Ranch Project (SPK-2013-00488) Within the Folsom South of US Highway 50 Specific Plan Project
 2013-024 Russell Promontory

2255 1/2 Quakeridge, Buffalo Creek, Clarksville, Folsom & Folsom Hill
 Wexley, Natural Resources 35188 Blainville (SMA) Office 111122121
 No. Date: 11/12/2013
ECORP Consulting, Inc.
 ENVIRONMENTAL CONSULTANTS

ATTACHMENT B

References Cited

OVERALL PLAN AREA (APPLIES TO ALL PERMIT AREAS)

ECORP Consulting, Inc.

- 2011 Programmatic Agreement between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California.

ECORP Consulting, Inc.

- 2013 First Amended Programmatic Agreement between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California.

Westwood, L., Stephen Pappas, and Susan Lindström

- 2012 Folsom South of U.S. Highway 50 Specific Plan Project: Preliminary Historic Properties Synthesis Report. Prepared for Sacramento District, U.S. Army Corps of Engineers and California Office of Historic Preservation. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429
- 2013 Folsom South of U.S. Highway 50 Specific Plan Project: Historic Properties Management Plan. [Supersedes the Preliminary Historic Properties Synthesis Report] Prepared for Sacramento District, U.S. Army Corps of Engineers and California Office of Historic Preservation. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429

Windingstad, Jason D. and Jeffrey A. Homburg

- 2011 Geoarchaeological Assessment of the Folsom Specific Plan Project. Statistical Research, Inc. Technical Report 11-60. Tucson, Arizona.
- 2012 Geoarchaeological Testing for the Folsom Specific Plan Project. Statistical Research, Inc. Technical Report 12-71. Tucson, Arizona.

BACKBONE INFRASTRUCTURE PERMIT AREA

Westwood, Lisa, Roger D. Mason, and Stephen Pappas

- 2012 Cultural Resources Work Plan for the Folsom South of Highway 50 Specific Plan, Backbone Infrastructure Project, Sacramento County, California. Prepared for the Folsom Owners' Group and U.S. Army Corps of Engineers, Sacramento District. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.2

Lisa Westwood, RPA, Katherine Knapp, RPA, Stephen Pappas, David Quivey, and Roger Mason, RPA

- 2012 Cultural Resources Inventory Report for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. Prepared for Folsom Owner's Group and U.S. Army Corp of Engineers, Sacramento District. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.3

Knapp, Katherine and Lisa Westwood

- 2012 Cultural Resources Evaluation Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.3

Mason, Roger, Lisa Westwood, Katherine Knapp, Stephen Pappas, and David Quivey

2013 Cultural Resources Testing and Evaluation Report for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.3

Westwood, Lisa and Katherine Knapp

2013 Determination of Effect Report for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. Prepared for the Folsom Owners' Group and U.S. Army Corps of Engineers, Sacramento District. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.3

Westwood, L. and Katherine Knapp

2013 Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California. ECORP Project No. 2005-429.3. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.3

ECORP

2014 Cultural Resources Impact Assessment, Backbone Infrastructure Project Specific Plan Amendment for the Folsom South of the U.S. Highway 50 Specific Plan Project. ECORP Backbone CEQA Support

Mason, Roger, Pappas, Stephen, Westwood, Lisa, and Adams, Jeremy

2015 Data Recovery Report for Archaeological Sites in the Backbone Infrastructure Area of Potential Effects, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2005-429.6

Adams, Jeremy

2015 Addendum to Keefe McDerby Mine Ditch, Near the Overpass of U.S. Highway 50 over Placerville Road, Folsom, Sacramento County, California. HAER No. CA-195. Report on file at ECORP Consulting, Inc., Rocklin, California.

2015 Addendum to Natomas Ditch System, Rhoades' Branch Ditch, Near the Intersection of White Rock Road and Scott Road, Folsom, Sacramento County, California. HAER No. CA-144-B. Report on file at ECORP Consulting, Inc., Rocklin, California

RUSSELL RANCH PERMIT AREA (FORMERLY RUSSELL-PROMONTORY)

Westwood, L., K. Knapp, S. Pappas, D. Quivey, R. Mason

2012 Cultural Resources Inventory Report for the Mangini Ranch, Mangini Trust, Arcadian Heights, and Russell-Promontory APEs within Folsom South, Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California. Prepared for Folsom Owner's Group and U.S. Army Corp of Engineers, Sacramento District. ECORP Project No. 2005-429.3

Knapp, K. and Lisa Westwood

2013 Cultural Resources Evaluation Plan for the Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2013-024

Knapp, K., Lisa Westwood and Stephen Pappas

- 2013 Cultural Resources Testing and Evaluation Report for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2013-024.1

Westwood, L. and Katherine Knapp

- 2013 Finding of Effect Report for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California. Prepared for the Folsom Owners' Group and U.S. Army Corps of Engineers, Sacramento District. ECORP Consulting, Inc., Rocklin. ECORP Project No. 2013-024.1

Westwood, L., and K. Knapp

- 2013 Historic Property Treatment Plan for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California, ECORP Project No. 2013-024.1

MANGINI (CARR) TRUST (ANNEX)

Westwood, L., K. Knapp, S. Pappas, D. Quivey, R. Mason

- 2012 Cultural Resources Inventory Report for the Mangini Ranch, Mangini Trust, Arcadian Heights, and Russell-Promontory APEs within Folsom South, Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California. Prepared for Folsom Owner's Group and U.S. Army Corp of Engineers, Sacramento District. ECORP Project No. 2005-429.3

Lisa Westwood

- 2015 Inventory and Finding of Effect for Historic Properties in the Mangini (Carr) Trust Property, within the Folsom South of Us Highway 50 Specific Plan Area, Sacramento County, California. Section 106 Letter - TNHC portion of Carr Trust Finding of No Historic Properties Affected
- 2015 Inventory and Finding of Effect for Historic Properties in the Mangini (Carr) Trust Property, within the Folsom South of Us Highway 50 Specific Plan Area, Sacramento County, California. Section 106 Letter - RainTree portion of Carr Trust Finding of No Historic Properties Affected

ATTACHMENT C

Proof of Compliance



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

August 26, 2015

Regulatory Division (SPK-2007-02159, SPK-2006-00984, SPK-2013-00486, SPK-2013-00485, and SPK-2013-00488)

Ms. Christy Avery
Cultural Resources
National Park Service
909 1st Ave, 5th Floor
Seattle, WA 98104

Dear Ms. Avery:

We are continuing consultation regarding the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan) and the Keefe-McDerby Mine Ditch. On July 6, 2011, the U.S. Army Corps of Engineers, Sacramento District and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) and executed a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the Specific Plan. The Specific Plan is composed of multiple project proponents and developers and covers approximately 3,510 acres. The Specific Plan area is located south of Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in portions of Sections 24, 25, 26, 27, 30, 31, 34, 35, and 36 of Township 12 North, Range 7 East, Mount Diablo Meridian, in the City of Folsom, Sacramento County, California.

In accordance with the FAPA, on September 10, 2014, we requested your determination of the appropriate level of HAER documentation for the Keefe-McDerby Mine Ditch. In a letter dated December 15, 2014, Dr. Elaine Jackson-Retondo of the National Park Service (NPS), Pacific West Region, issued a stipulation letter for the Historic American Engineering Record Documentation (HAER) documentation, which provided details and guidance for the written historical and descriptive data and photographs to be included and the organization of documentation that is required. The stipulation letter further required the Corps to provide a draft copy of the HAER documentation, including photocopies of the large format photographs, to the NPS for review. On March 3, 2015, we provided you with the draft HAER documentation for the Keefe-McDerby Mine Ditch for your review and comment. In a letter dated March 30, 2015, you provided comments regarding the draft HAER documentation. The draft HAER documentation was revised accordingly.

Please find enclosed the final HAER documentation for the Keefe-McDerby Mine Ditch, including two archival copies (one for the Library of Congress and one for the State Historic Preservation Office) and one Xerox copy. Please refer to identification numbers SPK-2007-02159, SPK-2006-00984, SPK-2013-00486, SPK-2013-00485, and SPK-2013-00488 in any correspondence concerning the Keefe-McDerby Mine Ditch. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740.

Sincerely,



Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosures:

- (2) Final Archival HAER for Keefe-McDerby Ditch
- (1) Final Xerox HAER for Keefe-McDerby Ditch

cc (w/o encl):

Ms. Lisa Westwood, ECORP Consulting, Inc., lwestwood@ecorpconsulting.com



United States Department of the Interior

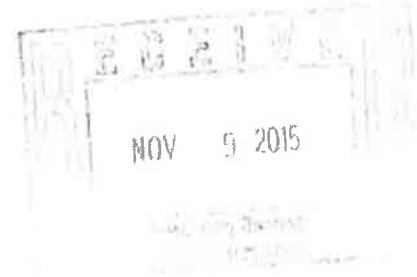
NATIONAL PARK SERVICE
Pacific West Region
333 Bush Street, Suite 500
San Francisco, CA 94104-2828



H38 (PWRO-CR)

October 20, 2015

Lisa M. Gibson
Department of the Army
U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922



Re: Final Historic American Engineering Record documentation for CA-144-B and CA-195

Dear Ms. Gibson,

The National Park Service acknowledges the receipt of and accepts the Historic American Engineering Record (HAER) documentation for the Rhoades' Branch Ditch, CA-144-B, and Keefe McDermby Mine Ditch, CA-195. The completed documentation will be transmitted to the Prints and Photographs Division of the Library of Congress. The records are in the public domain and will be accessible through the library. We will also transmit a copy of each report to the California State Historic Preservation Officer.

Sincerely,

Elaine Jackson-Retondo for

Elaine Jackson-Retondo, Ph.D.
History Program Manager
Pacific West Regional Office

TAKE PRIDE
IN AMERICA 



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

November 5, 2015

Regulatory Division (SPK-2007-02159)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, California 95816

Dear Ms. Polanco:

This letter concerns the submittal of an Annual Report of activities carried out in accordance with the *First Amended Programmatic Agreement Between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California* (FAPA). In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and the FAPA on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan).

In accordance with Stipulation 7 of the FAPA, we are providing you with an Annual Report regarding activities carried out pursuant to the FAPA. The Annual Report is to present a summary of actions, all findings and determinations, accomplishments, public objections, and inadvertent effects for individual projects within the Specific Plan area. The Annual Report is required to be submitted within 45 days of the anniversary date of the FAPA, which is on or before November 17, 2015. A copy of the FAPA was provided with the 2014 Annual Report. A reconciliation of the terms of the FAPA, by stipulation, is provided in Enclosure 1. A summary table of the circulation of all technical studies prepared under the PA or FAPA is provided in Enclosure 2.

By copy of this letter, we are also providing a copy of the Annual Report to the concurring and consulting parties to the FAPA, including the Tribes, historical society, and applicant for their review to determine the effectiveness of the FAPA as an alternative to the standard Section 106 consultation procedures. Please refer to identification number SPK-2007-02159 in any correspondence concerning this project. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, by email at Erin.E.Hess@usace.army.mil, or telephone at 916-557-6740.

Sincerely,

Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosures

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630

Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630

Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs,
CA 95682

Mr. Jason Camp, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603

Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624

Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encls)

Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com

FIRST AMENDED
PROGRAMMATIC AGREEMENT
BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS
AND
THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION
REGARDING THE
FOLSOM PLAN AREA SPECIFIC PLAN,
SACRAMENTO COUNTY, CALIFORNIA

WHEREAS, this First Amended Programmatic Agreement (FAPA) fully supersedes all provisions of the "Programmatic Agreement Between the U.S. Army Corps of Engineers (Corps) and the California State Historic Preservation Officer (SHPO) regarding the Folsom Plan Area Specific Plan, Sacramento County, California." executed on July 13, 2011; and

WHEREAS, the Sacramento District of the Corps, under the authority of Section 404 of the Clean Water Act (33 U.S.C. § 1344) may issue permits ("Section 404 Permits") (the Undertakings), for projects within the proposed Folsom Plan Area Specific Plan ("Specific Plan Area") in Sacramento County, California; and

WHEREAS, multiple project proponents and local agencies ("Applicants or Permittees") have submitted or will submit applications to the Corps for a Section 404 Permit for their respective individual projects (Project[s]) within the Specific Plan Area and serve as Concurring parties to this FAPA; and

WHEREAS, it is the intent of the Corps, the SHPO and the Applicants to provide for the uniform treatment of, and to address the cumulative effects to, Historic Properties through the implementation of this amendment; and

WHEREAS, the Folsom Historical Society, Shingle Springs Band of Miwok Indians, The Wilton Rancheria, and the United Auburn Indian Community have been contacted and afforded the opportunity to participate in the Section 106 process and this FAPA; and

WHEREAS, the Advisory Council on Historic Preservation (ACHP) was afforded an opportunity to comment or participate in the development of the PA and declined in a letter dated December 2, 2010; and

WHEREAS, in accordance with Stipulation 16 of the original PA, the PA is hereby amended by the Signatories without further consultation with the ACHP; and

WHEREAS, the individual Applicants will proceed with Project-specific development independently of one another with a potential build-out of 20 years within the Specific Plan Area; and

WHEREAS, the Corps has determined that the Projects within the Specific Plan Area may have an effect on Historic Properties that are either included in, or are eligible for inclusion in the National Register of Historic Places (NRHP) and has consulted with the SHPO, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) and its implementing regulations codified in 36 CFR Part 800 (August 2004); and

WHEREAS, the Historic Properties include, but are not limited to, several historic districts that span multiple Projects within the Specific Plan Area and are considered regional in scope; and

WHEREAS, the remaining identification, evaluation, determination of effect, and resolution of adverse effects will be carried out separately by each Applicant under the authority of the Corps, which will continue as lead federal agency for each consultation phase, and additional Historic Properties may be identified during the process; and

WHEREAS, this agreement addresses all phases and segments of the Specific Plan Area project, including off-site infrastructure; and

WHEREAS, the signatories of this FAPA commit to a cooperative relationship and timely review of documentation generated under this FAPA; and

WHEREAS, the definitions set forth in 36 CFR 800.16 are incorporated herein by reference and apply throughout this FAPA; and

WHEREAS, the definitions for signatory parties set forth in 36 CFR 800.6(c)(1), and the definitions for concurring parties set forth in 36 CFR 800.6(c)(3) are incorporated herein by reference and apply throughout this FAPA; and

WHEREAS, pursuant to Section 404 of the Clean Water Act, the Corps is responsible for the implementation of the stipulations included herein, and as signatories to this FAPA the Corps and SHPO have the authority to enforce, amend, and terminate this FAPA; and

WHEREAS, this FAPA fulfills Mitigation Measure 3A.5-1 of the Environmental Impact Statement prepared for the entire Specific Plan Area for which a Record of Decision was issued on 11 August 2011, for compliance with the National Environmental Policy Act and will be included as a condition of any Section 404 Permits issued by the Corps in the Specific Plan Area; and

WHEREAS, this FAPA and its subsequent Historic Property Treatment Plan and property-specific Treatment Plans, provide for the means by which resolution of adverse effect to Historic Properties will occur;

NOW, THEREFORE, the Corps and the SHPO agree that the proposed Undertakings shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertakings on Historic Properties and to satisfy the Corps' Section 106 responsibilities for all individual aspects of the Undertakings.

STIPULATIONS

The Corps shall ensure that the following measures are carried out.

Stipulation 1 Professional Qualifications Standards

The Corps shall ensure that historic, architectural, and archaeological work conducted pursuant to this FAPA is carried out by, or under the direct supervision of a person or persons meeting qualifications set forth in the Secretary of the Interior's Professional Qualification Standards in accordance with 36 CFR Part 61.

Stipulation 2 Specific Plan Area of Potential Effects and Pre-Project Resolution of Adverse Effects (Cultural Context)

- A. The Corps has determined and documented the Specific Plan Area of Potential Effects (APE) for the Undertakings in consultation with SHPO. SHPO concurred in a letter dated October 19, 2009. The APE is located on the Folsom, Buffalo Creek, Clarksville, and Folsom S.E. 7.5 Minute U.S.G.S. topographic quadrangle maps in T. 9 N., R. 8 E. The APE is bounded by Highway 50 to the north, Prairie City Road to the west, the Sacramento and El Dorado County line to the east, and White Rock Road to the south. In addition, the off-site water transfer alignments, off-site roads, two new interchanges, two interchange improvements, and construction of one new overcrossing along Highway 50 between the current Prairie City Road Interchange and the El Dorado and Sacramento County line are included in the APE (Appendix A). The Specific Plan Area, for which a general Section 404 Permit application (USACE ID# 2007-02159) has been filed, is comprised of several development projects for which specific Section 404 Permit applications have been submitted, or will be submitted, to the Corps. The development projects (Projects) are currently designated in Appendix B to this FAPA. As applicants are added or removed from the Specific Plan, the table in Appendix B will be modified, without having to amend the FAPA, and signatories to this PA shall be notified in writing accordingly, and new additions shall be offered an opportunity to be Concurring parties on this PA.

- B. The Specific Plan's APE includes all areas where effects could occur from construction of the Projects listed in Appendix B. Future project design changes may require redefining the APE and the development projects within it. Each Section 404 Permit application shall have its own Project-specific APE designated by the Corps and approved by SHPO. If some of the Projects are merged or segregated, a Project will be defined as the area to which a specific Section 404 Permit application applies. The Corps shall consult with SHPO in a timely manner to amend the boundaries of the APE. Amendment of the APE, by agreement of the signatories, shall not require amendment of this FAPA. Project-specific APEs shall not extend beyond the Section 404 permit area as designated by the Corps.
- C. Because each Project will require an individual Section 404 permit application and the Projects will be independent of one another, the Corps has determined that the resolution of adverse effects to Historic Properties that span more than one individual 404 permit application must be completed before the Corps makes a decision on any affected Section 404 permit applications. Therefore, the Corps will ensure that adverse effects are resolved prior to the issuance of separate Section 404 permits for each Applicant.
- D. Using the previous research conducted on historic districts to date, and where said previous research is deemed adequate by the Corps, the evaluation of significance, a portion of the resolution of adverse effect (the archival research and documentation), and the development of a Work Plan for the remaining identification and evaluation shall be carried out in advance of any Section 404 permit approval. The work will be conducted at a level (determined adequate by the Corps and SHPO) that will allow the remaining resolution of adverse effects to be carried out on a Project-specific basis by individual applicants independently of one another.
- E. The Preliminary Historic Properties Synthesis (HPS) resulting from this work shall include the following components:
 1. National Register evaluation of significance for the Rhodes' Diggings Mining District;
 2. restatement of the previous Determination of Eligibility of the Alder Creek Corridor Mining District, and a review of other districts previously documented within the Specific Plan Area APE;
 3. historic context statement for the Specific Plan Area, based on research conducted to date, supplemented with additional research, if necessary;
 4. delineation of the boundaries of historic districts, sites, and features based on research conducted to-date, supplemented with additional research, if necessary;
 5. results of previously conducted archival research for the historic mining districts;
 6. research design and work plan to guide development of property-specific HPTPs; and
 7. Professional standards and guidelines for all work carried out under the FAPA.

This Preliminary HPS will not include any analysis relative to the larger "paper districts" known as the Folsom Mining District and American River Placer Mining District.

- F. This Preliminary HPS shall also serve as a mitigation document for the Specific Plan Area (see Stipulation 6).
- G. At its discretion, or when required by Stipulation 5, the Corps shall consult with SHPO and/or the ACHP pursuant to 36 CFR Part 800 for any individual action covered by this FAPA.

Stipulation 3 Review of Preliminary Historic Properties Synthesis

- A. The Corps shall ensure that the draft Preliminary HPS is submitted to the SHPO for review and comment. SHPO shall have 30 calendar days after receipt of the draft Preliminary HPS to comment to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final HPS.
- B. The Corps, in recognizing the unique legal and political relationship between the United States and with Indian tribal governments, shall also afford the Native Americans an opportunity to review the draft Preliminary HPS in accordance with Stipulation 9. The Corps shall also make a reasonable and good-faith effort to afford other

concurring parties (such as applicants or historical societies) an opportunity to review the draft Preliminary HPS. Concurring parties shall have 30 calendar days after receipt of the draft Preliminary HPS to comment to the Corps. The Corps shall consider comments received during this time period and incorporate such comments into the draft Preliminary HPS to the extent practicable; however, the Corps is not required to revise the Preliminary HPS in response to any comments received.

- C. The Corps shall make every effort to resolve disputes that may arise from conflicting comments by SHPO, or concurring parties via telephone conversations or other informal means of communication. In the event that disputes are not easily remedied, the Corps shall resolve them in accordance with Stipulation 14. Failure by SHPO or any of the concurring parties to comment within the 30 calendar day time period shall not preclude the Corps from allowing the Preliminary HPS to be finalized.
- D. If the Preliminary HPS is revised in response to comments, the Corps shall provide the revised Preliminary HPS to SHPO and the concurring parties for review. SHPO and the concurring parties shall provide any comments on the revised Preliminary HPS to the Corps within 30 calendar days. If no comments are provided within 30 calendar days, the Corps may proceed.
- E. Once the signatories determine that the Preliminary HPS is adequate, the Corps shall authorize the Applicant(s) to proceed with the Work Plan contained within the Preliminary HPS before issuing any Section 404 Permits. Within 30 days of approving the final Preliminary HPS, the Corps shall provide a copy of the final document to SHPO and the concurring parties.

Stipulation 4 Revision of the Preliminary HPS

In conjunction with the execution of this FAPA, the Corps shall ensure that the Preliminary HPS (previously prepared under the original PA) and in accordance with Stipulations 2 and 3 is revised and renamed "Historic Property Management Plan (HPMP)" (Appendix C). The revision shall include the addition of a section on the framework and guidelines for addressing: 1) the remaining identification and evaluations of historic properties under this FAPA; 2) subsequent and related consultation and review processes; and 3) preparation of the determinations of effect and HPTPs. These additions were as previously agreed upon as part of the originally executed PA. The HPMP will also accommodate future attachments that include property-specific HPTPs and resulting technical studies. Revisions to the Preliminary HPS (HPMP) shall not require a modification or amendment to this FAPA.

Stipulation 5 Development and Review of Project-Specific Historic Property Treatment Plans

- A. The Corps shall apply the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1) to all Historic Properties within the APE that will be affected by the Project. Findings of effect (FoE) shall be made in consultation with the SHPO, affected Native American Tribes and other interested parties, subject to Stipulation 6D. Separate FoEs shall be produced for each development project listed in Attachment B.
- B. The Corps shall submit the FoE to the SHPO, affected Native American Tribes, and other interested parties for review and comment, subject to Stipulation 6D. SHPO shall have 30 calendar days after receipt of the FoE to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final FoE. If SHPO fails to respond within 30 days, the Corps may proceed.
- C. As directed by the HPMP, the Corps shall develop a property-specific HPTP for each individual APE, which provides the site-by-site actions required to resolve adverse effects to individual Historic Properties. The HPTPs shall be appended to the HPMP.
- D. The Corps shall submit each HPTP to the SHPO, affected Native American Tribes, and other interested parties, subject to Stipulation 6D, for review and comment. SHPO shall have 30 calendar days after receipt of the HPTP to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final HPTP. If SHPO fails to respond within 30 days, the Corps may proceed.

- E. If the HPTPs are revised as a result of comments, the Corps shall afford the SHPO and appropriate concurring parties 30 calendar days to review and comment on the revised documents. If no comments are received within 30 calendar days, The Corps may finalize the HPTP.
- F. Once the Signatories determine that an HPTP is adequate, the Corps shall issue authorization to proceed with the implementation of the HPTP. Project-specific Memoranda of Agreement are not required.
- G. If a specific development project includes a portion of an eligible historic district, the SHPO will not approve the HPTP for that development project until all HPTPs of other development projects containing a portion of said district have been approved unless Stipulation 2 has been satisfied.
- H. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final documents. The Corps shall make every effort to resolve disputes that may arise from conflicting comments by the signatories or concurring parties via telephone conversations or other informal means of communication. In the event that disputes are not easily remedied, the Corps shall resolve them in accordance with Stipulation 14.
- I. Final drafts of the HPTPs will be provided to SHPO, the ACHP, affected Native American tribes, and other interested parties, subject to Stipulation 6D.

**Stipulation 6
Technical Reports and Historic Properties Management Plan**

- A. The results of the implementation of the HPTPs shall be documented in a comprehensive confidential technical report(s) that follow the guidelines of the Secretary of the Interior and the California Office of Historic Preservation.
- B. As Project-specific surveys, evaluation, and data recovery studies are carried out for individual Projects, results that pertain to the historical period will be incorporated into the cultural context in the HPMP with technical reports attached as appendices in sequence. Studies that focus solely on resources from the prehistoric period will be reported separately, via project-specific technical reports. Information generated during the early planning process and as presented in the HPMP will be modified as more data are generated during mitigation. The HPMP will be a dynamic document which may require revisions throughout the course of the build-out of the Specific Plan. Revisions to the HPMP will not require amending the FAPA.
- C. The Corps shall ensure that the revised HPMP is submitted to the SHPO and appropriate concurring parties for review and comment, subject to Stipulation 6D. Reviewers shall have 30 calendar days after receipt of the draft reports to provide comment to the Corps. Review by Native American tribes or individuals shall be in accordance with Stipulation 9. The SHPO will have five additional days to consider the comments of other parties to the consultation and review. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final reports.
- D. Dissemination of technical documentation shall not conflict with Section 304 of the National Historic Preservation Act, with respect to confidentiality of data.

**Stipulation 7
Annual Reporting**

USACE shall prepare and circulate among the signatory and concurring parties to this Agreement an Annual Report documenting the activities carried out pursuant to this Agreement. USACE shall submit the Annual Report to the Agreement signatory and concurring parties within forty-five (45) days of the anniversary of this Agreement's execution. The Annual Report is to present a summary of actions taken under the Agreement, all findings and determinations, accomplishments, public objections, and inadvertent effects. The Agreement signatory and concurring parties will review the Annual Report to determine the effectiveness of the Agreement as an alternative to the standard Section 106 consultation procedures under 36 CFR Part 800. Annual reporting will be in effect until the PA has been terminated.

Stipulation 8
Permissions to Proceed With Construction

- A. The Applicants shall be allowed to proceed with construction following compliance with all other pertinent requirements of the permit conditions and under any of the following terms.
1. the Corps and SHPO have determined that there are no cultural resources within the APE for a particular construction segment; and
 2. the Corps and SHPO have determined that there are no Historic Properties within the APE for a particular construction segment; or
 3. the Corps, after consultation with the SHPO and interested persons, has implemented an adequate HPTP for the construction segment, and
 - (a) the fieldwork phase of the HPTP has been completed; and
 - (b) the Corps has accepted a summary of the fieldwork performed and a reporting schedule for that work.
- B. If any development project includes a portion of a National Register-eligible district that will be adversely affected, then construction will not proceed until Stipulation 2 has been satisfied.

Stipulation 9
Project-Specific Public and Native American Involvement

- A. In consultation with potentially interested Native American tribes, the Corps will identify Historic Properties of traditional religious and cultural importance.
- B. The Corps shall seek comments from all potentially interested Native American tribes in light of the guidance provided in National Register Bulletin 38 in making determinations of eligibility for any Traditional Cultural Properties as these are defined in Bulletin 38. Those Native American tribes or individuals need not be concurring parties to this FAPA. All reviewers shall have not less than 30 calendar days after receipt to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final survey and evaluation reports.
- C. Pursuant to 36 CFR 800.6(c)(2)-(3), the Corps shall consider requests by others to become concurring parties to this FAPA.
- D. The interested public, in addition to Native American tribes, will be invited to provide input on the identification, evaluation, and proposed treatment of Historic Properties. Depending on the specific nature of the Undertaking, this will be done through letters of notification, public meetings, and site visits.
- E. The Corps The Corps, in recognizing the unique legal and political relationship between the United States and with Indian tribal governments, shall afford the Native Americans an opportunity to participate in the development and implementation of the terms of this FAPA, including inventory reports, evaluation plans and reports, and during the resolution of adverse effect for those resources within each APE that are either exclusively or partially affiliated with prehistoric or ethnographic resources. Reviewers shall respond in a timely manner and no later than 30 calendar days from the receipt of the document. Failure by any reviewer to comment within this time period shall not preclude the Corps from proceeding or allowing draft reports to be finalized. The Corps shall ensure that all Native American reviewers shall expeditiously receive copies of all final survey and evaluation reports.

Stipulation 10
Modifications and Additions to Off-Site Infrastructure

Upon the addition or modification of the Specific Plan Area or related "off-site" infrastructure elements, the Corps and SHPO shall consult on the need to modify the APE for the Specific Plan Area. If the elements are found to be part of the APE and not under a separate Undertaking, then they shall be subject to the provisions of this FAPA. If off-site infrastructure elements are found not to be part of the APE, then the additions will be subject to 36 CFR Part 800.

Stipulation 11
Discovery of Unanticipated Historic Properties

If potentially National Register-eligible resources are discovered or inadvertently affected during construction, ground disturbing activities will cease until the provisions of 36 CFR 800.13(a) are met. The Corps will submit written notification describing the circumstances of the discovery to the SHPO within two working days (e.g., letter or email notification). The Corps will provide the SHPO, the ACHP, affected Native American Tribes, and interested parties an opportunity to review and comment on proposed treatment. The SHPO has two working days to respond by facsimile machine, telephone, and/or email following initial contact by the Corps.

Stipulation 12
Curation

The Corps will ensure that all cultural materials and associated records resulting from identification, evaluation, and treatment efforts conducted under this FAPA shall be properly maintained until analyses specified in the HPTP are complete. Should the Applicants agree to curate the cultural materials and associated records after all analysis is completed, they shall be curated in conformance with 36 CFR 79.

Stipulation 13
Treatment of Human Remains and Associated Objects

The Corps will ensure that Native American human remains, grave goods, items of cultural patrimony, and sacred objects encountered during the Undertaking are treated in accordance with the requirements of Section 7050.5 of the California State Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641).

Stipulation 14
Dispute Resolution

- A. Should the SHPO object within 30 calendar days to plans provided for review pursuant to this FAPA or to actions proposed or carried out pursuant to this FAPA, the Corps and SHPO shall consult for 30 calendar days to resolve the objection. If the objection is resolved within this time frame, the parties shall proceed in accordance with the terms of that resolution. If the Corps determines that the objection cannot be resolved, the Corps shall forward all documentation relevant to the dispute to the ACHP in accordance with procedures specified in 36 CFR 800.7. Within 30 calendar days following receipt of any ACHP comments, the Corps shall make a final decision regarding resolution of the objection and in writing notify the SHPO and the ACHP of that decision. The objection shall thereupon be resolved. In reaching a final decision regarding the objection, the Corps shall take into account any comments received from the SHPO and the ACHP pursuant to this stipulation.
- B. The Corps' responsibility to carry out all actions required by this FAPA that are not the subject of the dispute shall remain unchanged.

Stipulation 15
Amendments, Noncompliance, and Termination

- A. If any signatory believes that the terms of this FAPA cannot be carried out or are not being met, or that an amendment to its terms should be made, that signatory will immediately consult with the other Signatory to consider and develop amendments to this FAPA pursuant to 36 CFR 800.6(c)(7). The amendment process culminates in the issuance of an amended PA, which replaces the previous FAPA on its effective date. Amendments to the FAPA will only become effective upon approval of all the Signatories.
- B. If this FAPA is not amended as provided for in this stipulation, any Signatory may terminate it. The party proposing termination of the FAPA will provide the other Signatory and concurring parties with an explanation in writing of the reasons for proposing termination in accordance with 800.6(c)(8). Within seven calendar days following receipt of such notification, the parties shall consult for up to 45 days to seek alternatives to termination. Should such consultation result in agreement on an alternative to termination, the parties shall proceed in accordance with the terms of that agreement. Concurring parties may not terminate or amend this FAPA.
- C. In the event of termination of this FAPA, the Corps shall comply with the provisions of 36 CFR Part 800 for all Undertakings covered by this FAPA.

Stipulation 16
Duration of the FAPA

- A. If any Project has not been authorized under Section 404 of the Clean Water Act within ten (10) years following execution of this FAPA by the signatory parties, this FAPA shall automatically terminate and have no further force or effect. In such event, the Corps shall notify the other FAPA parties in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800. If the FAPA should be terminated because the Undertaking no longer meets the definition of an "Undertaking" set forth in 36 CFR 800.16(y), Stipulation 15c shall apply.
- B. This FAPA will be in effect through the Corps' implementation of the Undertakings, and will terminate and have no further force or effect when the Corps, in consultation with SHPO, determines that the terms of this FAPA have been fulfilled in a satisfactory manner and/or Corps involvement in the project has ended. The Corps will provide the other SHPO and concurring parties with written notice of its determination and of termination of this FAPA.
- C. The Corps shall be responsible for monitoring the work being performed under this FAPA, including ensuring that all mitigation documentation is incorporated into the HPMP, as amended. The Corps is responsible for initiating consultations with SHPO in advance of expiration of this FAPA, in accordance with Stipulation 15, above.
- D. If the FAPA has not been, or is not expected to be, fully implemented within ten (10) years of the anniversary date of the execution of this FAPA, and if the FAPA has not been terminated, then the signatories shall initiate consultation no less than 365 days prior to the expiration of this FAPA to reconsider its terms. Reconsideration may include a continuation (extension) of the FAPA as originally executed, amendment, or termination.

Stipulation 17
Effective Date

This FAPA shall take effect on the date that it has been fully executed by the Corps and the SHPO.

EXECUTION of this FAPA by the Corps and the SHPO, its transmittal to the ACHP, and subsequent implementation of its terms, evidence that the Corps has afforded the ACHP an opportunity to comment on the Undertaking and its effects on Historic Properties, that the Corps has taken into account the effects of the Undertaking on Historic Properties, and that the Corps has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and applicable implementing regulations for all aspects of the Undertaking.

SIGNATORIES:

U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT

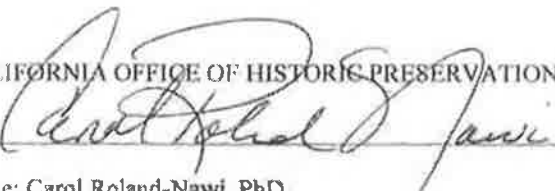
By: 

Date: 2 Oct 2013

Name: Michael S. Jewell

Title: Chief, Regulatory Division

CALIFORNIA OFFICE OF HISTORIC PRESERVATION

By: 

Date: 3 Oct 2013

Name: Carol Roland-Nawi, PhD

Title: State Historic Preservation Officer

CONCURRING PARTIES:

FOLSOM SOUTH AREA GROUP

By: 

Date: 9/30/13

Name: Jim Ray

Title: Authorized Representative

CITY OF FOLSOM

By: 

Date: 10/1/13

Name: DAVID E. MILLER

Title: DIR. PUBLIC WORKS / COMM DEV

FOLSOM HISTORICAL SOCIETY

By: _____

Date: _____

Name: Patrick Maxfield

Title: President

SHINGLE SPRINGS BAND OF MIWOK INDIANS

By: _____

Date: _____

Name: _____

Title: _____

UNITED AUBURN INDIAN COMMUNITY

By: 

Date: 10/6/13

Name: Gene Whitehouse

Title: CHAIRMAN

WILTON RANCHERIA

By: _____

Date: _____

Name: _____

Title: _____

Appendix A
Area of Potential Effects

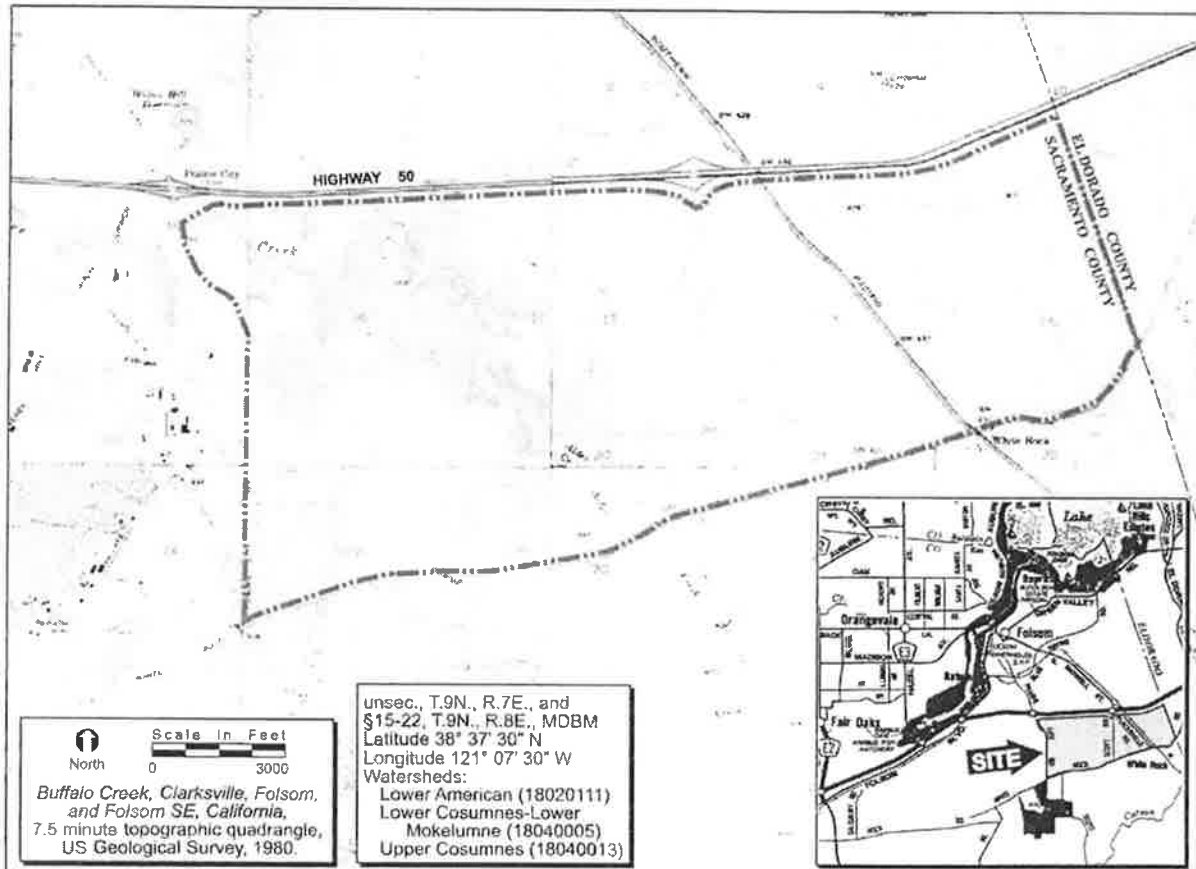


FIGURE 1. Project Site and Vicinity

Appendix B

| Development Projects (effective September 2013) |
|--|
| Folsom Heights |
| Mangini Ranch |
| Mangini Trust |
| Arcadian Heights |
| Russell Promontory |
| Folsom 138 |
| Carpenter Ranch |
| Hillsborough (Folsom 560) |
| Prairie City Road Business Park |
| Javanifard and Zhargami |
| Sacramento Country Day School |
| Backbone Infrastructure |

Appendix C
Preliminary Historic Properties Synthesis /
Historic Property Management Plan

Enclosed on CD

Second Annual Report - Reconciliation of Stipulations
for Activities Carried Out Under the FAPA Since October 30, 2014

Effective November 5, 2015

Stipulation 1: Professional Qualifications Standards

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 2: Area of Potential Effects and Pre-Project Resolution of Adverse Effects

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 3: Review of PHPS

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 4: Revision of PHPS

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 5: Project-Specific HPTPs

Since the First Annual Report was issued on October 30, 2014, one additional HPTP was developed and circulated to the parties to the FAPA. The HPTP for the Prairie City Road Business Park was circulated on November 26, 2014 for 30 days. Comments from the SHPO led to a revision, which then circulated among the parties to the FAPA for 30 days beginning on August 26, 2015. SHPO issued concurrence on September 23, 2015. No other comments had been received.

Stipulation 6: Technical Reports and HPMP

Since the First Annual Report was issued on October 30, 2014, the following technical reports have been prepared and circulated to the parties to the FAPA according to the attached table:

- Prairie City Road Business Park: Evaluation Report, Finding of Effect, and HPTP
- Hillsborough/SCDS: Finding of Effect
- Folsom Heights: Inventory, Evaluation Plan, Evaluation Report, and Finding of Effect
- Carr Trust: Inventory (courtesy copy, as no Department of the Army (DA) permit is required)
- Backbone: Data Recovery Report
- Folsom 138: Data Recovery Report

The HPMP was revised to reflect the technical studies noted above. The Corps received the revised HPMP on June 2, 2015. The revised HPMP was circulated to the SHPO and consulting parties to the FAPA on November 4, 2015.

Stipulation 7: Annual Reporting

This Annual Report represents the Second Annual Report under the FAPA and is being circulated to the parties to the FAPA. Any comments received will be taken into consideration in accordance with Stipulation 15 of the FAPA.

Stipulation 8: Permissions to Proceed

Since the time of the submission of the First Annual Report on October 30, 2014, the Corps received the following requests for a compliance verification with pre-construction requirements:

- Backbone Infrastructure Permit Area (May 6, 2015): the Corps verified compliance on July 9, 2015 and notified SHPO and the consulting parties to the FAPA, and requested comments by July 27, 2015. The Corps received a response by email from SHPO on August 7, 2015 that there were no comments on the document. The United Auburn Indian Community (UAIC) sent a boilerplate letter on August 24, 2015 to request information on the project and copies of the archaeological reports; however, because the UAIC has already received copies of reports and project information, the Corps did not respond. No other comments were received.
- Water Tank Phase of Russell Ranch Permit Area (September 1, 2015): the Corps verified compliance on September 30, 2015, but did not notify SHPO or the consulting parties to the FAPA because no DA permit is required. Compliance verification was only for the purpose of the National Environmental Policy Act (for the Specific Plan Environmental Impact Statement).
- Folsom 138 Permit Area (March 25, 2015): the Corps verified compliance and notified SHPO and the consulting parties to the FAPA on September 3, 2015. The SHPO notified the Corps by email on September 21, 2015 that it had no comments on the report. On September 28, 2015, SHPO had questions regarding the interpretive panels, which were addressed the same day, and SHPO notified the Corps that it had no further comments. No other comments were received.

The Corps determined that the above project activities may proceed. Compliance with construction-related requirements, such as contractor awareness training, will be verified after implementation and notification of compliance will be submitted to the SHPO.

Stipulation 9: Native American Consultation

Since the last Annual Report, and in accordance with the PA and FAPA, the Corps sent copies of the technical studies named under Stipulation 6 to the tribes for 30-day review and comment periods.

Stipulation 10: Modifications and Additions to Off-Site Infrastructure

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this Annual Report, no requests to modify the APE to reflect off-site infrastructure have been received by the Corps.

Stipulation 11: Discovery of Unanticipated Historic Properties

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this Annual Report, no authorized fill has occurred under the permits issued to date, and no reports of unanticipated discovery have been received by our office.

Stipulation 12: Curation

There has been no change to this status since the First Annual Report was issued on October 30, 2014. However, two sets of artifact collections from the data recovery for the Backbone Infrastructure Permit Area and Folsom 138 Permit Area are being prepared for curation at the David A. Fredrickson Archaeological Collections Facility located at Sonoma State University.

Stipulation 13: Treatment of Human Remains and Associated Objects

There has been no change to this status since the First Annual Report was issued on October 30, 2014. No human remains are known to exist within the APE, and none have been reported to our office. Should there be an unanticipated discovery of human remains or associated objects, they will be handled in accordance with Stipulations 11 and 13.

Stipulation 14: Dispute Resolution

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this report, we have not received any objections to the terms of the FAPA from the SHPO. Any future disputes shall be handled in accordance with this Stipulation.

Stipulation 15: Amendments, Noncompliance, and Termination

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this report, we have not received any notification from SHPO that the terms of the FAPA cannot be or are not being carried out. If the SHPO believes that the terms of the FAPA cannot be met, then the Corps shall implement the procedures specified in this Stipulation.

Stipulation 16: Duration of the FAPA

There has been no change to this status since the First Annual Report was issued on October 30, 2014. This FAPA will expire on October 3, 2023, or sooner, if the Corps determines, in consultation with SHPO, that all terms of this FAPA have been met or that the Corps has no further involvement in the APE. We will initiate consultation with the SHPO and concurring parties on an amendment to this FAPA, if required, no later than October 3, 2022.

Stipulation 17: Effective Date

The FAPA became effective on October 3, 2013.

Effective: 11/4/2015

| | SPK # | Inventory | | | Evaluation Plan | | | Evaluation | | | Finding of Effect | | | Treatment Plan | | |
|---------------------------------|-------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|-------------------------|--------------------------|-----------------------|
| | | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date |
| Backbone Infrastructure | 2007-02159 | 7-Dec-12 | 7-Jan-13 | no response ¹ | 10-Dec-12 | 10-Jan-13 | no response ² | 16-Jul-13 | 16-Aug-13 | no response ² | 16-Jul-13 | 16-Aug-13 | no response ³ | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Carpenter Ranch | 2006-00984 | 7-Dec-12 | 7-Jan-13 | no response ¹ | 10-Dec-12 | 10-Jan-13 | no response ² | 16-Jul-13 | 16-Aug-13 | no response ² | 16-Jul-13 | 16-Aug-13 | no response ⁴ | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Russell Ranch ¹ | 2013-00488 | 7-Dec-12 | 7-Jan-13 | no response ³ | 7/25/2013, 9/4/13 | 8/25/2013, 6/4/13 | 28-Aug-13 | 9-Oct-13 | 9-Nov-13 | 8-Nov-13 | 18-Nov-13 | 18-Jan-14 | 20-Dec-13 | 30-Jan-14 | 1-Mar-14 | 26-Feb-14 |
| Mangini Ranch ¹ | 2013-00466 | 7-Dec-12 | 7-Jan-13 | no response ³ | 10-Dec-12 | 10-Jan-13 | no response ¹ | 16-Jul-13 | 16-Aug-13 | no response ¹ | 4-Sep-13 | 16-Aug-13 | no response ² | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Folsom 138 | 2008-00326 | 18-Dec-13 | 18-Jan-14 | 8-Jan-14 | none required | none required | none required | 18-Dec-13 | 18-Jan-14 | 8-Jan-14 | 3-Mar-14 | 3-Apr-14 | 21-Apr-14 | 7/23/2014 and 9/29/2014 | 8/21/2014 and 10/29/2014 | 30-Sep-14 |
| Arcadian Heights ¹ | 2013-00485 | 7-Dec-12 | 7-Jan-13 | no response ¹ | none required | none required | none required | 7/16/2013, 9/4/13 | 8/16/2013, 10/4/13 | 1-Oct-13 | 20-Feb-14 | 28-Mar-14 | 21-May-14 | 23-May-14 | 23-Jun-14 | 30-Jun-14 |
| Prairie City Road Business Park | 2006-00538 | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | none required | none required | none required | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | 11/26/2014; 8/26/2015 | 12/31/2014; 9/24/2015 | 23-Sep-15 |
| Hillsborough | 2006-00561 | 15-Aug-14 | 15-Sep-14 | 15-Sep-14 | none required | none required | none required | 15-Aug-14 | 15-Sep-14 | 19-Sep-14 | 23-Nov-14 | 22-Dec-14 | 24-Dec-14 | pending | | |
| SCCS | 2003-00732 | 23-Apr-14 | 23-May-14 | no response ⁴ | 3-Mar-14 | 3-Apr-14 | 4/21/2014 and 6/30/2014 | 1-Jul-14 | 1-Aug-14 | 1-Aug-14 | | | | | | |
| Folsom Heights | 2008-00331 | 14-Jan-15 | 14-Feb-15 | 13-Feb-15 | 14-Jan-15 | 14-Feb-15 | 13-Feb-15 | 3/2/2015, 8/20/15 | 4/2/2015, 9/21/15 | 23-Sep-15 | 23-Sep-15 | 23-Oct-15 | pending | | | |
| Javanfar & Zarghami | 2007-01072 | | | | | | | | | | | | | | | |
| Carr Trust ¹ | Old FS 2006-00035 | 7-Dec-12 | 7-Jan-13 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |

1: formerly part of Folsom South
 2: Corps proceeded after prescribed comment period
 3: currently past end of comment period with no response
 4: pending response or circulation



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

November 4, 2015

Regulatory Division (SPK-2007-02159)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, California 95816

Dear Ms. Polanco:

This letter concerns the submittal of the revised Historic Properties Management Plan in accordance with the *First Amended Programmatic Agreement Between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California* (FAPA). In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and the FAPA on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan).

In accordance with Stipulations 6.B and 6.C of the FAPA, we are providing you with a copy of the June 2015 *Folsom South of U.S. Highway 50 Specific Plan Project Historic Properties Management Plan, Sacramento County, California* (revised HPMP), prepared by ECORP Consulting, Inc. The revised HPMP is being provided without one attachment: *Volume II: Confidential Technical Reports and Site Records*. The reports and records have been previously provided during consultation for the respective individual projects within the Folsom Plan Area Specific Plan. We request your review and comment on the revised HPMP within thirty (30) days. In accordance with Stipulations 6.C and 9 of the FAPA, by copy of this letter, we are also providing a copy of the revised HPMP to the concurring and consulting parties to the FAPA, including the Tribes and historical society. We also request these parties' review and comments on the revised HPMP within thirty (30) days.

Please refer to identification number SPK-2007-02159 in any correspondence concerning this project. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, by email at Erin.E.Hess@usace.army.mil, or telephone at 916-557-6740.

Sincerely,

Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630

Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630

Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs, CA 95682

Mr. Jason Camp, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603

Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624

Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encl)

Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

March 30, 2015

Regulatory Division (SPK-2007-02159)

Carol Roland-Nawi, PhD
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Dear Dr. Roland-Nawi:

This letter concerns the submittal of the Data Recovery Report for the Backbone Infrastructure Project (Project). Your reference number is COE090818A. In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan). Sections H and I of Stipulation 3 of the PA and Stipulation 5 of the FAPA require that each individual project, including the Project, must comply with specific terms that include, but are not limited to, evaluation of significance, determination of effect, and the resolution of adverse effects to Historic Properties.

In a letter dated October 7, 2013, you concurred the proposed August 30, 2013, *Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (HPTP), prepared by ECORP Consulting, will adequately address adverse effects to historic properties within the Project APE. In accordance with Section 4.2 of the HPTP, ECORP Consulting has prepared the enclosed February 2015 *Data Recovery Report for Archaeological Sites in the Backbone Infrastructure Area of Potential Effects, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (Enclosure 1). The results of the data recovery will be incorporated into the cultural context for the Historic Properties Management Plan (HPMP) and the data recovery report will be attached to the HPMP as an appendix in accordance with Stipulation 6.B of the FAPA.

We request your review and comment on the enclosed data recovery report. We are also providing a copy of the report by way of this letter to the concurring parties to the PA and FAPA, including the tribes, historical society, and applicants, for review and comment. Please provide any comments on the report by May 1, 2015.

Please refer to identification number SPK-2007-02159 in any correspondence concerning this Project. If you have any questions, please contact Ms. Erin Hess, at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Lisa Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630
Ms. Mary Mast, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630-2440
Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340,
Single Springs, CA 95682
Mr. Jason Camp, Tribal Historic Preservation Officer, United Auburn Indian Community,
10720 Indian Hill Road, Auburn, CA 95603
Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624
Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA
95661

cc: (w/o encl)

Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

August 26, 2015

Regulatory Division (SPK-2007-02159, SPK-2006-00984, SPK-2013-00486, SPK-2013-00485, and SPK-2013-00488)

Ms. Christy Avery
Cultural Resources
National Park Service
909 1st Ave, 5th Floor
Seattle, WA 98104

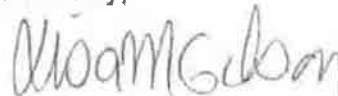
Dear Ms. Avery:

We are continuing consultation regarding the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan) and the Keefe-McDerby Mine Ditch. On July 6, 2011, the U.S. Army Corps of Engineers, Sacramento District and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) and executed a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the Specific Plan. The Specific Plan is composed of multiple project proponents and developers and covers approximately 3,510 acres. The Specific Plan area is located south of Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in portions of Sections 24, 25, 26, 27, 30, 31, 34, 35, and 36 of Township 12 North, Range 7 East, Mount Diablo Meridian, in the City of Folsom, Sacramento County, California.

In accordance with the FAPA, on September 10, 2014, we requested your determination of the appropriate level of HAER documentation for the Keefe-McDerby Mine Ditch. In a letter dated December 15, 2014, Dr. Elaine Jackson-Retondo of the National Park Service (NPS), Pacific West Region, issued a stipulation letter for the Historic American Engineering Record Documentation (HAER) documentation, which provided details and guidance for the written historical and descriptive data and photographs to be included and the organization of documentation that is required. The stipulation letter further required the Corps to provide a draft copy of the HAER documentation, including photocopies of the large format photographs, to the NPS for review. On March 3, 2015, we provided you with the draft HAER documentation for the Keefe-McDerby Mine Ditch for your review and comment. In a letter dated March 30, 2015, you provided comments regarding the draft HAER documentation. The draft HAER documentation was revised accordingly.

Please find enclosed the final HAER documentation for the Keefe-McDerby Mine Ditch, including two archival copies (one for the Library of Congress and one for the State Historic Preservation Office) and one Xerox copy. Please refer to identification numbers SPK-2007-02159, SPK-2006-00984, SPK-2013-00486, SPK-2013-00485, and SPK-2013-00488 in any correspondence concerning the Keefe-McDerby Mine Ditch. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740.

Sincerely,



Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosures:

- (2) Final Archival HAER for Keefe-McDerby Ditch
- (1) Final Xerox HAER for Keefe-McDerby Ditch

cc (w/o encl):

Ms. Lisa Westwood, ECORP Consulting, Inc., westwood@ecorpconsulting.com



United States Department of the Interior

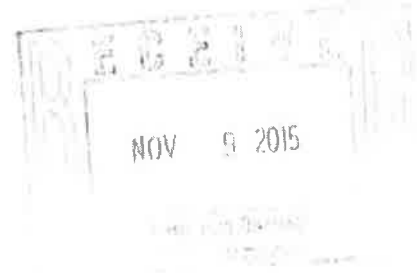
NATIONAL PARK SERVICE
Pacific West Region
333 Bush Street, Suite 500
San Francisco, CA 94104-2828



H38 (PWRO-CR)

October 20, 2015

Lisa M. Gibson
Department of the Army
U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922



Re: Final Historic American Engineering Record documentation for CA-144-B and CA-195

Dear Ms. Gibson,

The National Park Service acknowledges the receipt of and accepts the Historic American Engineering Record (HAER) documentation for the Rhoades' Branch Ditch, CA-144-B, and Keefe McDerby Mine Ditch, CA-195. The completed documentation will be transmitted to the Prints and Photographs Division of the Library of Congress. The records are in the public domain and will be accessible through the library. We will also transmit a copy of each report to the California State Historic Preservation Officer.

Sincerely,

Elaine Jackson-Retondo, Ph.D.
History Program Manager
Pacific West Regional Office

TAKE PRIDE
IN AMERICA 



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

November 5, 2015

Regulatory Division (SPK-2007-02159)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, California 95816

Dear Ms. Polanco:

This letter concerns the submittal of an Annual Report of activities carried out in accordance with the *First Amended Programmatic Agreement Between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California* (FAPA). In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and the FAPA on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan).

In accordance with Stipulation 7 of the FAPA, we are providing you with an Annual Report regarding activities carried out pursuant to the FAPA. The Annual Report is to present a summary of actions, all findings and determinations, accomplishments, public objections, and inadvertent effects for individual projects within the Specific Plan area. The Annual Report is required to be submitted within 45 days of the anniversary date of the FAPA, which is on or before November 17, 2015. A copy of the FAPA was provided with the 2014 Annual Report. A reconciliation of the terms of the FAPA, by stipulation, is provided in Enclosure 1. A summary table of the circulation of all technical studies prepared under the PA or FAPA is provided in Enclosure 2.

By copy of this letter, we are also providing a copy of the Annual Report to the concurring and consulting parties to the FAPA, including the Tribes, historical society, and applicant for their review to determine the effectiveness of the FAPA as an alternative to the standard Section 106 consultation procedures. Please refer to identification number SPK-2007-02159 in any correspondence concerning this project. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, by email at Erin.E.Hess@usace.army.mil, or telephone at 916-557-6740.

Sincerely,

Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosures

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630

Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630

Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs,
CA 95682

Mr. Jason Camp, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603

Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624

Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encls)

Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com

FIRST AMENDED
PROGRAMMATIC AGREEMENT
BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS
AND
THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION
REGARDING THE
FOLSOM PLAN AREA SPECIFIC PLAN,
SACRAMENTO COUNTY, CALIFORNIA

WHEREAS, this First Amended Programmatic Agreement (FAPA) fully supersedes all provisions of the "Programmatic Agreement Between the U.S. Army Corps of Engineers (Corps) and the California State Historic Preservation Officer (SHPO) regarding the Folsom Plan Area Specific Plan, Sacramento County, California." executed on July 13, 2011; and

WHEREAS, the Sacramento District of the Corps, under the authority of Section 404 of the Clean Water Act (33 U.S.C. § 1344) may issue permits ("Section 404 Permits") (the Undertakings), for projects within the proposed Folsom Plan Area Specific Plan ("Specific Plan Area") in Sacramento County, California; and

WHEREAS, multiple project proponents and local agencies ("Applicants or Permittees") have submitted or will submit applications to the Corps for a Section 404 Permit for their respective individual projects (Project[s]) within the Specific Plan Area and serve as Concurring parties to this FAPA; and

WHEREAS, it is the intent of the Corps, the SHPO and the Applicants to provide for the uniform treatment of, and to address the cumulative effects to, Historic Properties through the implementation of this amendment; and

WHEREAS, the Folsom Historical Society, Shingle Springs Band of Miwok Indians, The Wilton Rancheria, and the United Auburn Indian Community have been contacted and afforded the opportunity to participate in the Section 106 process and this FAPA; and

WHEREAS, the Advisory Council on Historic Preservation (ACHP) was afforded an opportunity to comment or participate in the development of the PA and declined in a letter dated December 2, 2010; and

WHEREAS, in accordance with Stipulation 16 of the original PA, the PA is hereby amended by the Signatories without further consultation with the ACHP; and

WHEREAS, the individual Applicants will proceed with Project-specific development independently of one another with a potential build-out of 20 years within the Specific Plan Area; and

WHEREAS, the Corps has determined that the Projects within the Specific Plan Area may have an effect on Historic Properties that are either included in, or are eligible for inclusion in the National Register of Historic Places (NRHP) and has consulted with the SHPO, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) and its implementing regulations codified in 36 CFR Part 800 (August 2004); and

WHEREAS, the Historic Properties include, but are not limited to, several historic districts that span multiple Projects within the Specific Plan Area and are considered regional in scope; and

WHEREAS, the remaining identification, evaluation, determination of effect, and resolution of adverse effects will be carried out separately by each Applicant under the authority of the Corps, which will continue as lead federal agency for each consultation phase, and additional Historic Properties may be identified during the process; and

WHEREAS, this agreement addresses all phases and segments of the Specific Plan Area project, including off-site infrastructure; and

WHEREAS, the signatories of this FAPA commit to a cooperative relationship and timely review of documentation generated under this FAPA; and

WHEREAS, the definitions set forth in 36 CFR 800.16 are incorporated herein by reference and apply throughout this FAPA; and

WHEREAS, the definitions for signatory parties set forth in 36 CFR 800.6(c)(1), and the definitions for concurring parties set forth in 36 CFR 800.6(c)(3) are incorporated herein by reference and apply throughout this FAPA; and

WHEREAS, pursuant to Section 404 of the Clean Water Act, the Corps is responsible for the implementation of the stipulations included herein, and as signatories to this FAPA the Corps and SHPO have the authority to enforce, amend, and terminate this FAPA; and

WHEREAS, this FAPA fulfills Mitigation Measure 3A.5-1 of the Environmental Impact Statement prepared for the entire Specific Plan Area for which a Record of Decision was issued on 11 August 2011, for compliance with the National Environmental Policy Act and will be included as a condition of any Section 404 Permits issued by the Corps in the Specific Plan Area; and

WHEREAS, this FAPA and its subsequent Historic Property Treatment Plan and property-specific Treatment Plans, provide for the means by which resolution of adverse effect to Historic Properties will occur;

NOW, THEREFORE, the Corps and the SHPO agree that the proposed Undertakings shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertakings on Historic Properties and to satisfy the Corps' Section 106 responsibilities for all individual aspects of the Undertakings.

STIPULATIONS

The Corps shall ensure that the following measures are carried out.

Stipulation 1 Professional Qualifications Standards

The Corps shall ensure that historic, architectural, and archaeological work conducted pursuant to this FAPA is carried out by, or under the direct supervision of a person or persons meeting qualifications set forth in the Secretary of the Interior's Professional Qualification Standards in accordance with 36 CFR Part 61.

Stipulation 2 Specific Plan Area of Potential Effects and Pre-Project Resolution of Adverse Effects (Cultural Context)

- A. The Corps has determined and documented the Specific Plan Area of Potential Effects (APE) for the Undertakings in consultation with SHPO. SHPO concurred in a letter dated October 19, 2009. The APE is located on the Folsom, Buffalo Creek, Clarksville, and Folsom S.E. 7.5 Minute U.S.G.S. topographic quadrangle maps in T. 9 N., R. 8 E. The APE is bounded by Highway 50 to the north, Prairie City Road to the west, the Sacramento and El Dorado County line to the east, and White Rock Road to the south. In addition, the off-site water transfer alignments, off-site roads, two new interchanges, two interchange improvements, and construction of one new overcrossing along Highway 50 between the current Prairie City Road Interchange and the El Dorado and Sacramento County line are included in the APE (Appendix A). The Specific Plan Area, for which a general Section 404 Permit application (USACE ID# 2007-02159) has been filed, is comprised of several development projects for which specific Section 404 Permit applications have been submitted, or will be submitted, to the Corps. The development projects (Projects) are currently designated in Appendix B to this FAPA. As applicants are added or removed from the Specific Plan, the table in Appendix B will be modified, without having to amend the FAPA, and signatories to this PA shall be notified in writing accordingly, and new additions shall be offered an opportunity to be Concurring parties on this PA.

- B. The Specific Plan's APE includes all areas where effects could occur from construction of the Projects listed in Appendix B. Future project design changes may require redefining the APE and the development projects within it. Each Section 404 Permit application shall have its own Project-specific APE designated by the Corps and approved by SHPO. If some of the Projects are merged or segregated, a Project will be defined as the area to which a specific Section 404 Permit application applies. The Corps shall consult with SHPO in a timely manner to amend the boundaries of the APE. Amendment of the APE, by agreement of the signatories, shall not require amendment of this FAPA. Project-specific APEs shall not extend beyond the Section 404 permit area as designated by the Corps.
- C. Because each Project will require an individual Section 404 permit application and the Projects will be independent of one another, the Corps has determined that the resolution of adverse effects to Historic Properties that span more than one individual 404 permit application must be completed before the Corps makes a decision on any affected Section 404 permit applications. Therefore, the Corps will ensure that adverse effects are resolved prior to the issuance of separate Section 404 permits for each Applicant.
- D. Using the previous research conducted on historic districts to date, and where said previous research is deemed adequate by the Corps, the evaluation of significance, a portion of the resolution of adverse effect (the archival research and documentation), and the development of a Work Plan for the remaining identification and evaluation shall be carried out in advance of any Section 404 permit approval. The work will be conducted at a level (determined adequate by the Corps and SHPO) that will allow the remaining resolution of adverse effects to be carried out on a Project-specific basis by individual applicants independently of one another.
- E. The Preliminary Historic Properties Synthesis (HPS) resulting from this work shall include the following components:
1. National Register evaluation of significance for the Rhodes' Diggings Mining District;
 2. restatement of the previous Determination of Eligibility of the Alder Creek Corridor Mining District, and a review of other districts previously documented within the Specific Plan Area APE;
 3. historic context statement for the Specific Plan Area, based on research conducted to date, supplemented with additional research, if necessary;
 4. delineation of the boundaries of historic districts, sites, and features based on research conducted to-date, supplemented with additional research, if necessary;
 5. results of previously conducted archival research for the historic mining districts;
 6. research design and work plan to guide development of property-specific HPTPs; and
 7. Professional standards and guidelines for all work carried out under the FAPA.

This Preliminary HPS will not include any analysis relative to the larger "paper districts" known as the Folsom Mining District and American River Placer Mining District.

- F. This Preliminary HPS shall also serve as a mitigation document for the Specific Plan Area (see Stipulation 6).
- G. At its discretion, or when required by Stipulation 5, the Corps shall consult with SHPO and/or the ACHP pursuant to 36 CFR Part 800 for any individual action covered by this FAPA.

Stipulation 3 Review of Preliminary Historic Properties Synthesis

- A. The Corps shall ensure that the draft Preliminary HPS is submitted to the SHPO for review and comment. SHPO shall have 30 calendar days after receipt of the draft Preliminary HPS to comment to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final HPS.
- B. The Corps, in recognizing the unique legal and political relationship between the United States and with Indian tribal governments, shall also afford the Native Americans an opportunity to review the draft Preliminary HPS in accordance with Stipulation 9. The Corps shall also make a reasonable and good-faith effort to afford other

concurring parties (such as applicants or historical societies) an opportunity to review the draft Preliminary HPS. Concurring parties shall have 30 calendar days after receipt of the draft Preliminary HPS to comment to the Corps. The Corps shall consider comments received during this time period and incorporate such comments into the draft Preliminary HPS to the extent practicable; however, the Corps is not required to revise the Preliminary HPS in response to any comments received.

- C. The Corps shall make every effort to resolve disputes that may arise from conflicting comments by SHPO, or concurring parties via telephone conversations or other informal means of communication. In the event that disputes are not easily remedied, the Corps shall resolve them in accordance with Stipulation 14. Failure by SHPO or any of the concurring parties to comment within the 30 calendar day time period shall not preclude the Corps from allowing the Preliminary HPS to be finalized.
- D. If the Preliminary HPS is revised in response to comments, the Corps shall provide the revised Preliminary HPS to SHPO and the concurring parties for review. SHPO and the concurring parties shall provide any comments on the revised Preliminary HPS to the Corps within 30 calendar days. If no comments are provided within 30 calendar days, the Corps may proceed.
- E. Once the signatories determine that the Preliminary HPS is adequate, the Corps shall authorize the Applicant(s) to proceed with the Work Plan contained within the Preliminary HPS before issuing any Section 404 Permits. Within 30 days of approving the final Preliminary HPS, the Corps shall provide a copy of the final document to SHPO and the concurring parties.

Stipulation 4 Revision of the Preliminary HPS

In conjunction with the execution of this FAPA, the Corps shall ensure that the Preliminary HPS (previously prepared under the original PA) and in accordance with Stipulations 2 and 3 is revised and renamed "Historic Property Management Plan (HPMP)" (Appendix C). The revision shall include the addition of a section on the framework and guidelines for addressing: 1) the remaining identification and evaluations of historic properties under this FAPA; 2) subsequent and related consultation and review processes; and 3) preparation of the determinations of effect and HPTPs. These additions were as previously agreed upon as part of the originally executed PA. The HPMP will also accommodate future attachments that include property-specific HPTPs and resulting technical studies. Revisions to the Preliminary HPS (HPMP) shall not require a modification or amendment to this FAPA.

Stipulation 5 Development and Review of Project-Specific Historic Property Treatment Plans

- A. The Corps shall apply the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1) to all Historic Properties within the APE that will be affected by the Project. Findings of effect (FoE) shall be made in consultation with the SHPO, affected Native American Tribes and other interested parties, subject to Stipulation 6D. Separate FoEs shall be produced for each development project listed in Attachment B.
- B. The Corps shall submit the FoE to the SHPO, affected Native American Tribes, and other interested parties for review and comment, subject to Stipulation 6D. SHPO shall have 30 calendar days after receipt of the FoE to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final FoE. If SHPO fails to respond within 30 days, the Corps may proceed.
- C. As directed by the HPMP, the Corps shall develop a property-specific HPTP for each individual APE, which provides the site-by-site actions required to resolve adverse effects to individual Historic Properties. The HPTPs shall be appended to the HPMP.
- D. The Corps shall submit each HPTP to the SHPO, affected Native American Tribes, and other interested parties, subject to Stipulation 6D, for review and comment. SHPO shall have 30 calendar days after receipt of the HPTP to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and incorporated into the final HPTP. If SHPO fails to respond within 30 days, the Corps may proceed.

- E. If the HPTPs are revised as a result of comments, the Corps shall afford the SHPO and appropriate concurring parties 30 calendar days to review and comment on the revised documents. If no comments are received within 30 calendar days, The Corps may finalize the HPTP.
- F. Once the Signatories determine that an HPTP is adequate, the Corps shall issue authorization to proceed with the implementation of the HPTP. Project-specific Memoranda of Agreement are not required.
- G. If a specific development project includes a portion of an eligible historic district, the SHPO will not approve the HPTP for that development project until all HPTPs of other development projects containing a portion of said district have been approved unless Stipulation 2 has been satisfied.
- H. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final documents. The Corps shall make every effort to resolve disputes that may arise from conflicting comments by the signatories or concurring parties via telephone conversations or other informal means of communication. In the event that disputes are not easily remedied, the Corps shall resolve them in accordance with Stipulation 14.
- I. Final drafts of the HPTPs will be provided to SHPO, the ACHP, affected Native American tribes, and other interested parties, subject to Stipulation 6D.

**Stipulation 6
Technical Reports and Historic Properties Management Plan**

- A. The results of the implementation of the HPTPs shall be documented in a comprehensive confidential technical report(s) that follow the guidelines of the Secretary of the Interior and the California Office of Historic Preservation.
- B. As Project-specific surveys, evaluation, and data recovery studies are carried out for individual Projects, results that pertain to the historical period will be incorporated into the cultural context in the HPMP with technical reports attached as appendices in sequence. Studies that focus solely on resources from the prehistoric period will be reported separately, via project-specific technical reports. Information generated during the early planning process and as presented in the HPMP will be modified as more data are generated during mitigation. The HPMP will be a dynamic document which may require revisions throughout the course of the build-out of the Specific Plan. Revisions to the HPMP will not require amending the FAPA.
- C. The Corps shall ensure that the revised HPMP is submitted to the SHPO and appropriate concurring parties for review and comment, subject to Stipulation 6D. Reviewers shall have 30 calendar days after receipt of the draft reports to provide comment to the Corps. Review by Native American tribes or individuals shall be in accordance with Stipulation 9. The SHPO will have five additional days to consider the comments of other parties to the consultation and review. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final reports.
- D. Dissemination of technical documentation shall not conflict with Section 304 of the National Historic Preservation Act, with respect to confidentiality of data.

**Stipulation 7
Annual Reporting**

USACE shall prepare and circulate among the signatory and concurring parties to this Agreement an Annual Report documenting the activities carried out pursuant to this Agreement. USACE shall submit the Annual Report to the Agreement signatory and concurring parties within forty-five (45) days of the anniversary of this Agreement's execution. The Annual Report is to present a summary of actions taken under the Agreement, all findings and determinations, accomplishments, public objections, and inadvertent effects. The Agreement signatory and concurring parties will review the Annual Report to determine the effectiveness of the Agreement as an alternative to the standard Section 106 consultation procedures under 36 CFR Part 800. Annual reporting will be in effect until the PA has been terminated.

Stipulation 8
Permissions to Proceed With Construction

- A. The Applicants shall be allowed to proceed with construction following compliance with all other pertinent requirements of the permit conditions and under any of the following terms.
1. the Corps and SHPO have determined that there are no cultural resources within the APE for a particular construction segment; and
 2. the Corps and SHPO have determined that there are no Historic Properties within the APE for a particular construction segment; or
 3. the Corps, after consultation with the SHPO and interested persons, has implemented an adequate HPTP for the construction segment, and
 - (a) the fieldwork phase of the HPTP has been completed; and
 - (b) the Corps has accepted a summary of the fieldwork performed and a reporting schedule for that work.
- B. If any development project includes a portion of a National Register-eligible district that will be adversely affected, then construction will not proceed until Stipulation 2 has been satisfied.

Stipulation 9
Project-Specific Public and Native American Involvement

- A. In consultation with potentially interested Native American tribes, the Corps will identify Historic Properties of traditional religious and cultural importance.
- B. The Corps shall seek comments from all potentially interested Native American tribes in light of the guidance provided in National Register Bulletin 38 in making determinations of eligibility for any Traditional Cultural Properties as these are defined in Bulletin 38. Those Native American tribes or individuals need not be concurring parties to this FAPA. All reviewers shall have not less than 30 calendar days after receipt to provide comments to the Corps. The Corps shall ensure that any comments received during this time period are taken into account and, where feasible, incorporated into the final survey and evaluation reports.
- C. Pursuant to 36 CFR 800.6(c)(2)-(3), the Corps shall consider requests by others to become concurring parties to this FAPA.
- D. The interested public, in addition to Native American tribes, will be invited to provide input on the identification, evaluation, and proposed treatment of Historic Properties. Depending on the specific nature of the Undertaking, this will be done through letters of notification, public meetings, and site visits.
- E. The Corps, in recognizing the unique legal and political relationship between the United States and with Indian tribal governments, shall afford the Native Americans an opportunity to participate in the development and implementation of the terms of this FAPA, including inventory reports, evaluation plans and reports, and during the resolution of adverse effect for those resources within each APE that are either exclusively or partially affiliated with prehistoric or ethnographic resources. Reviewers shall respond in a timely manner and no later than 30 calendar days from the receipt of the document. Failure by any reviewer to comment within this time period shall not preclude the Corps from proceeding or allowing draft reports to be finalized. The Corps shall ensure that all Native American reviewers shall expeditiously receive copies of all final survey and evaluation reports.

Stipulation 10
Modifications and Additions to Off-Site Infrastructure

Upon the addition or modification of the Specific Plan Area or related "off-site" infrastructure elements, the Corps and SHPO shall consult on the need to modify the APE for the Specific Plan Area. If the elements are found to be part of the APE and not under a separate Undertaking, then they shall be subject to the provisions of this FAPA. If off-site infrastructure elements are found not to be part of the APE, then the additions will be subject to 36 CFR Part 800.

Stipulation 11
Discovery of Unanticipated Historic Properties

If potentially National Register-eligible resources are discovered or inadvertently affected during construction, ground disturbing activities will cease until the provisions of 36 CFR 800.13(a) are met. The Corps will submit written notification describing the circumstances of the discovery to the SHPO within two working days (e.g., letter or email notification). The Corps will provide the SHPO, the ACHP, affected Native American Tribes, and interested parties an opportunity to review and comment on proposed treatment. The SHPO has two working days to respond by facsimile machine, telephone, and/or email following initial contact by the Corps.

Stipulation 12
Curation

The Corps will ensure that all cultural materials and associated records resulting from identification, evaluation, and treatment efforts conducted under this FAPA shall be properly maintained until analyses specified in the HPTP are complete. Should the Applicants agree to curate the cultural materials and associated records after all analysis is completed, they shall be curated in conformance with 36 CFR 79.

Stipulation 13
Treatment of Human Remains and Associated Objects

The Corps will ensure that Native American human remains, grave goods, items of cultural patrimony, and sacred objects encountered during the Undertaking are treated in accordance with the requirements of Section 7050.5 of the California State Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641.

Stipulation 14
Dispute Resolution

- A. Should the SHPO object within 30 calendar days to plans provided for review pursuant to this FAPA or to actions proposed or carried out pursuant to this FAPA, the Corps and SHPO shall consult for 30 calendar days to resolve the objection. If the objection is resolved within this time frame, the parties shall proceed in accordance with the terms of that resolution. If the Corps determines that the objection cannot be resolved, the Corps shall forward all documentation relevant to the dispute to the ACHP in accordance with procedures specified in 36 CFR 800.7. Within 30 calendar days following receipt of any ACHP comments, the Corps shall make a final decision regarding resolution of the objection and in writing notify the SHPO and the ACHP of that decision. The objection shall thereupon be resolved. In reaching a final decision regarding the objection, the Corps shall take into account any comments received from the SHPO and the ACHP pursuant to this stipulation.
- B. The Corps' responsibility to carry out all actions required by this FAPA that are not the subject of the dispute shall remain unchanged.

Stipulation 15
Amendments, Noncompliance, and Termination

- A. If any signatory believes that the terms of this FAPA cannot be carried out or are not being met, or that an amendment to its terms should be made, that signatory will immediately consult with the other Signatory to consider and develop amendments to this FAPA pursuant to 36 CFR 800.6(c)(7). The amendment process culminates in the issuance of an amended PA, which replaces the previous FAPA on its effective date. Amendments to the FAPA will only become effective upon approval of all the Signatories.
- B. If this FAPA is not amended as provided for in this stipulation, any Signatory may terminate it. The party proposing termination of the FAPA will provide the other Signatory and concurring parties with an explanation in writing of the reasons for proposing termination in accordance with 800.6(c)(8). Within seven calendar days following receipt of such notification, the parties shall consult for up to 45 days to seek alternatives to termination. Should such consultation result in agreement on an alternative to termination, the parties shall proceed in accordance with the terms of that agreement. Concurring parties may not terminate or amend this FAPA.
- C. In the event of termination of this FAPA, the Corps shall comply with the provisions of 36 CFR Part 800 for all Undertakings covered by this FAPA.

Stipulation 16
Duration of the FAPA

- A. If any Project has not been authorized under Section 404 of the Clean Water Act within ten (10) years following execution of this FAPA by the signatory parties, this FAPA shall automatically terminate and have no further force or effect. In such event, the Corps shall notify the other FAPA parties in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800. If the FAPA should be terminated because the Undertaking no longer meets the definition of an "Undertaking" set forth in 36 CFR 800.16(y), Stipulation 15c shall apply.
- B. This FAPA will be in effect through the Corps' implementation of the Undertakings, and will terminate and have no further force or effect when the Corps, in consultation with SHPO, determines that the terms of this FAPA have been fulfilled in a satisfactory manner and/or Corps involvement in the project has ended. The Corps will provide the other SHPO and concurring parties with written notice of its determination and of termination of this FAPA.
- C. The Corps shall be responsible for monitoring the work being performed under this FAPA, including ensuring that all mitigation documentation is incorporated into the HPMP, as amended. The Corps is responsible for initiating consultations with SHPO in advance of expiration of this FAPA, in accordance with Stipulation 15, above.
- D. If the FAPA has not been, or is not expected to be, fully implemented within ten (10) years of the anniversary date of the execution of this FAPA, and if the FAPA has not been terminated, then the signatories shall initiate consultation no less than 365 days prior to the expiration of this FAPA to reconsider its terms. Reconsideration may include a continuation (extension) of the FAPA as originally executed, amendment, or termination.

Stipulation 17
Effective Date

This FAPA shall take effect on the date that it has been fully executed by the Corps and the SHPO.

EXECUTION of this FAPA by the Corps and the SHPO, its transmittal to the ACHP, and subsequent implementation of its terms, evidence that the Corps has afforded the ACHP an opportunity to comment on the Undertaking and its effects on Historic Properties, that the Corps has taken into account the effects of the Undertaking on Historic Properties, and that the Corps has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and applicable implementing regulations for all aspects of the Undertaking.

SIGNATORIES:

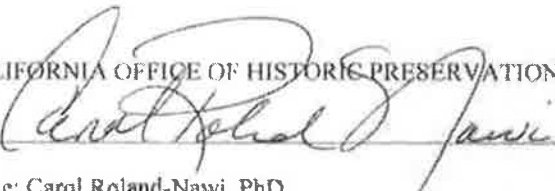
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT

By: 
for
Name: Michael S. Jewell

Date: 2 Oct 2013

Title: Chief, Regulatory Division

CALIFORNIA OFFICE OF HISTORIC PRESERVATION

By: 
Name: Carol Roland-Nawi, PhD

Date: 3 Oct 2013

Title: State Historic Preservation Officer

CONCURRING PARTIES:

FOLSOM SOUTH AREA GROUP

By: 

Date: 9/30/13

Name: Jim Ray

Title: Authorized Representative

CITY OF FOLSOM

By: 

Date: 10/1/13

Name: DAVID E. MILLER

Title: DIR. PUBLIC WORKS / COMM. DEV

FOLSOM HISTORICAL SOCIETY

By: _____

Date: _____

Name: Patrick Maxfield

Title: President

SHINGLE SPRINGS BAND OF MIWOK INDIANS

By: _____

Date: _____

Name: _____

Title: _____

UNITED AUBURN INDIAN COMMUNITY

By: 

Date: 10/6/13

Name: Gene Whitehouse

Title: CHAIRMAN

WILTON RANCHERIA

By: _____

Date: _____

Name: _____

Title: _____

Appendix A
Area of Potential Effects

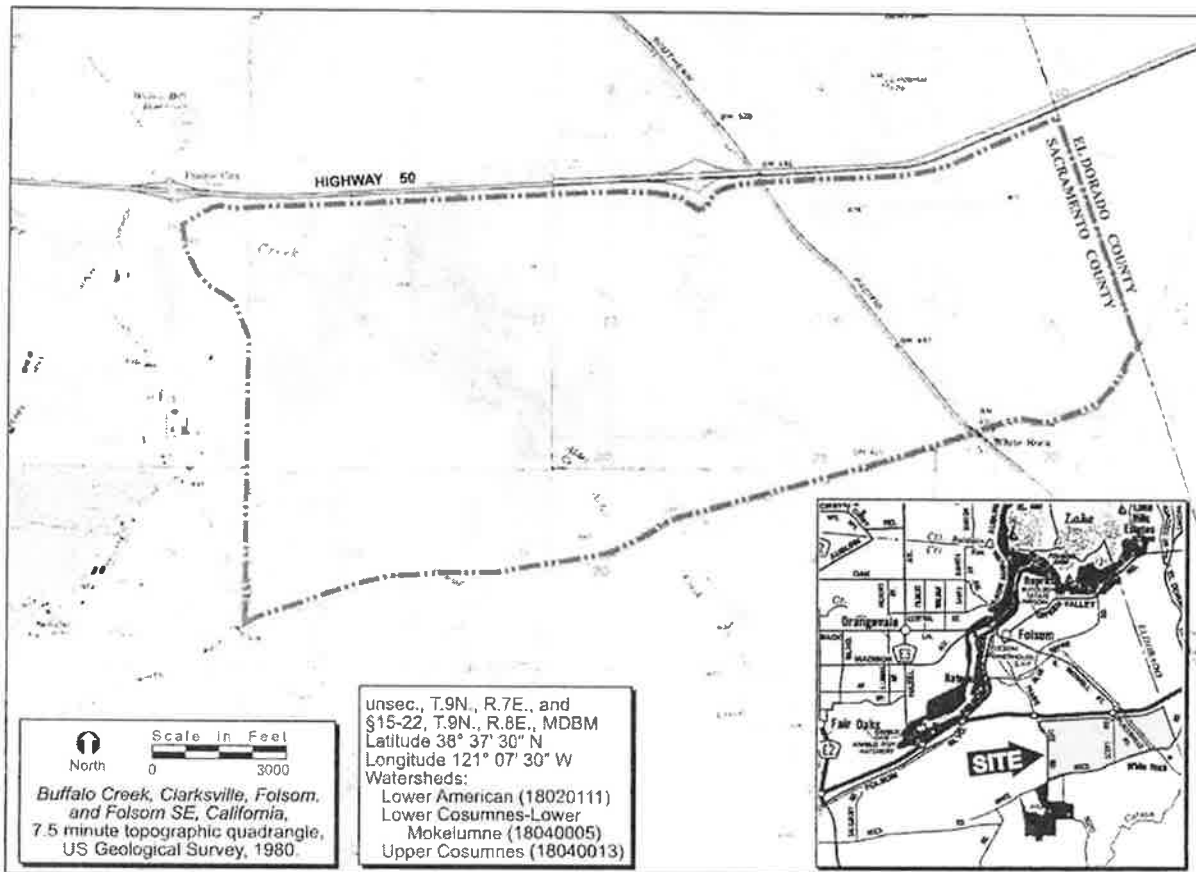


FIGURE 1. Project Site and Vicinity

Appendix B

| Development Projects (effective September 2013) |
|---|
| Folsom Heights |
| Mangini Ranch |
| Mangini Trust |
| Arcadian Heights |
| Russell Promontory |
| Folsom 138 |
| Carpenter Ranch |
| Hillsborough (Folsom 560) |
| Prairie City Road Business Park |
| Javanifard and Zhargami |
| Sacramento Country Day School |
| Backbone Infrastructure |

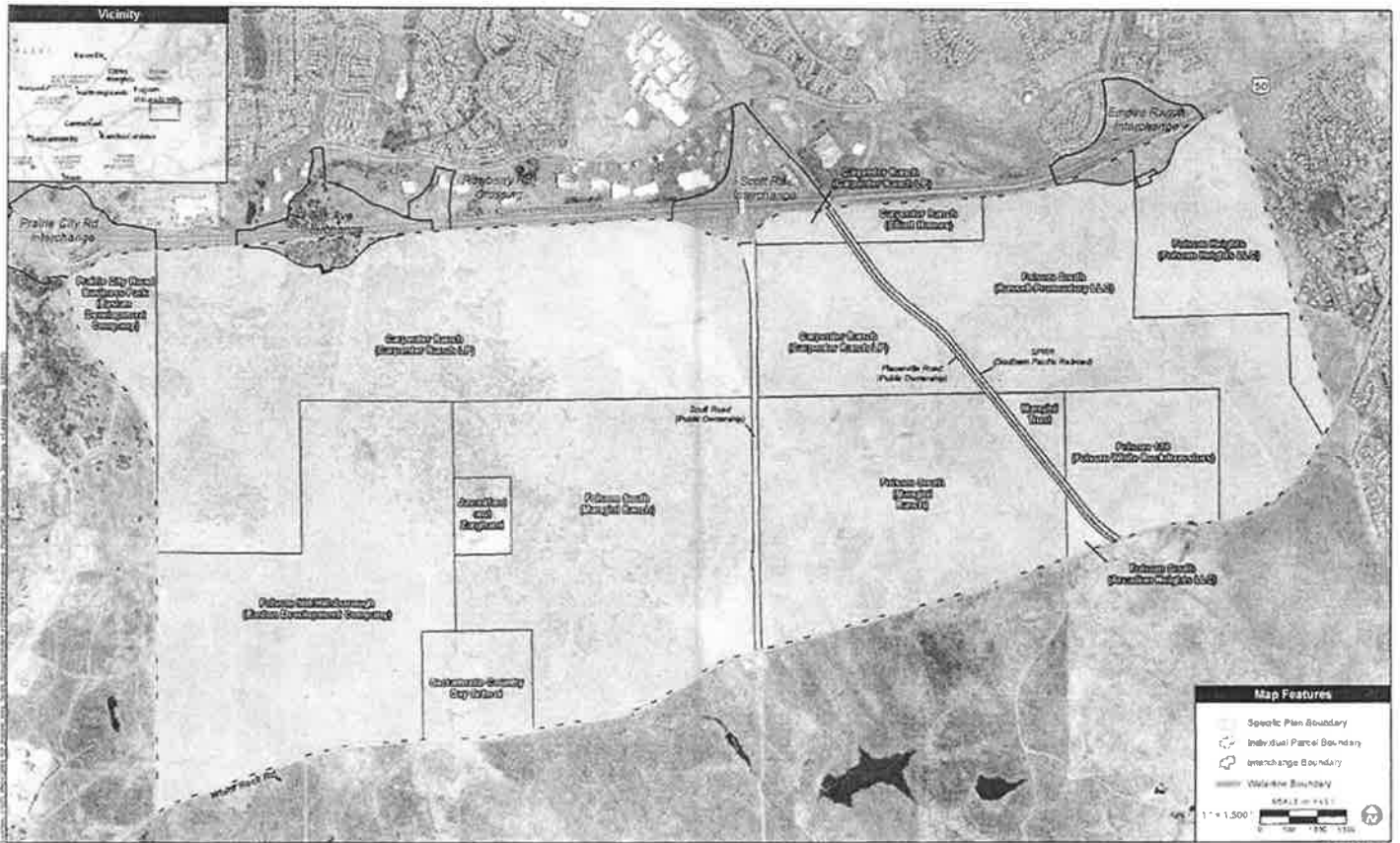


Figure 2. Folsom Plan Area Components
 2005-429 Folsom Plan Area Specific Plan

Appendix C
Preliminary Historic Properties Synthesis /
Historic Property Management Plan

Enclosed on CD

Second Annual Report - Reconciliation of Stipulations
for Activities Carried Out Under the FAPA Since October 30, 2014

Effective November 5, 2015

Stipulation 1: Professional Qualifications Standards

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 2: Area of Potential Effects and Pre-Project Resolution of Adverse Effects

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 3: Review of PHPS

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 4: Revision of PHPS

There has been no change to this status since the First Annual Report was issued on October 30, 2014.

Stipulation 5: Project-Specific HPTPs

Since the First Annual Report was issued on October 30, 2014, one additional HPTP was developed and circulated to the parties to the FAPA. The HPTP for the Prairie City Road Business Park was circulated on November 26, 2014 for 30 days. Comments from the SHPO led to a revision, which then circulated among the parties to the FAPA for 30 days beginning on August 26, 2015. SHPO issued concurrence on September 23, 2015. No other comments had been received.

Stipulation 6: Technical Reports and HPMP

Since the First Annual Report was issued on October 30, 2014, the following technical reports have been prepared and circulated to the parties to the FAPA according to the attached table:

- Prairie City Road Business Park: Evaluation Report, Finding of Effect, and HPTP
- Hillsborough/SCDS: Finding of Effect
- Folsom Heights: Inventory, Evaluation Plan, Evaluation Report, and Finding of Effect
- Carr Trust: Inventory (courtesy copy, as no Department of the Army (DA) permit is required)
- Backbone: Data Recovery Report
- Folsom 138: Data Recovery Report

The HPMP was revised to reflect the technical studies noted above. The Corps received the revised HPMP on June 2, 2015. The revised HPMP was circulated to the SHPO and consulting parties to the FAPA on November 4, 2015.

Stipulation 7: Annual Reporting

This Annual Report represents the Second Annual Report under the FAPA and is being circulated to the parties to the FAPA. Any comments received will be taken into consideration in accordance with Stipulation 15 of the FAPA.

Stipulation 8: Permissions to Proceed

Since the time of the submission of the First Annual Report on October 30, 2014, the Corps received the following requests for a compliance verification with pre-construction requirements:

- Backbone Infrastructure Permit Area (May 6, 2015): the Corps verified compliance on July 9, 2015 and notified SHPO and the consulting parties to the FAPA, and requested comments by July 27, 2015. The Corps received a response by email from SHPO on August 7, 2015 that there were no comments on the document. The United Auburn Indian Community (UAIC) sent a boilerplate letter on August 24, 2015 to request information on the project and copies of the archaeological reports; however, because the UAIC has already received copies of reports and project information, the Corps did not respond. No other comments were received.
- Water Tank Phase of Russell Ranch Permit Area (September 1, 2015): the Corps verified compliance on September 30, 2015, but did not notify SHPO or the consulting parties to the FAPA because no DA permit is required. Compliance verification was only for the purpose of the National Environmental Policy Act (for the Specific Plan Environmental Impact Statement).
- Folsom 138 Permit Area (March 25, 2015): the Corps verified compliance and notified SHPO and the consulting parties to the FAPA on September 3, 2015. The SHPO notified the Corps by email on September 21, 2015 that it had no comments on the report. On September 28, 2015, SHPO had questions regarding the interpretive panels, which were addressed the same day, and SHPO notified the Corps that it had no further comments. No other comments were received.

The Corps determined that the above project activities may proceed. Compliance with construction-related requirements, such as contractor awareness training, will be verified after implementation and notification of compliance will be submitted to the SHPO.

Stipulation 9: Native American Consultation

Since the last Annual Report, and in accordance with the PA and FAPA, the Corps sent copies of the technical studies named under Stipulation 6 to the tribes for 30-day review and comment periods.

Stipulation 10: Modifications and Additions to Off-Site Infrastructure

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this Annual Report, no requests to modify the APE to reflect off-site infrastructure have been received by the Corps.

Stipulation 11: Discovery of Unanticipated Historic Properties

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this Annual Report, no authorized fill has occurred under the permits issued to date, and no reports of unanticipated discovery have been received by our office.

Stipulation 12: Curation

There has been no change to this status since the First Annual Report was issued on October 30, 2014. However, two sets of artifact collections from the data recovery for the Backbone Infrastructure Permit Area and Folsom 138 Permit Area are being prepared for curation at the David A. Fredrickson Archaeological Collections Facility located at Sonoma State University.

Stipulation 13: Treatment of Human Remains and Associated Objects

There has been no change to this status since the First Annual Report was issued on October 30, 2014. No human remains are known to exist within the APE, and none have been reported to our office. Should there be an unanticipated discovery of human remains or associated objects, they will be handled in accordance with Stipulations 11 and 13.

Stipulation 14: Dispute Resolution

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this report, we have not received any objections to the terms of the FAPA from the SHPO. Any future disputes shall be handled in accordance with this Stipulation.

Stipulation 15: Amendments, Noncompliance, and Termination

There has been no change to this status since the First Annual Report was issued on October 30, 2014. As of the date of this report, we have not received any notification from SHPO that the terms of the FAPA cannot be or are not being carried out. If the SHPO believes that the terms of the FAPA cannot be met, then the Corps shall implement the procedures specified in this Stipulation.

Stipulation 16: Duration of the FAPA

There has been no change to this status since the First Annual Report was issued on October 30, 2014. This FAPA will expire on October 3, 2023, or sooner, if the Corps determines, in consultation with SHPO, that all terms of this FAPA have been met or that the Corps has no further involvement in the APE. We will initiate consultation with the SHPO and concurring parties on an amendment to this FAPA, if required, no later than October 3, 2022.

Stipulation 17: Effective Date

The FAPA became effective on October 3, 2013.

Effective: 11/4/2015

| | SPX # | Inventory | | | Evaluation Plan | | | Evaluation | | | Finding of Effect | | | Treatment Plan | | |
|---------------------------------|-------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|------------------------|----------------------|--------------------------|-------------------------|--------------------------|-----------------------|
| | | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date | Circulation Start Date | Circulation End Date | SHPO Concurrence Date |
| Backbone Infrastructure | 2007-02159 | 7-Dec-12 | 7-Jan-13 | no response ² | 10-Dec-12 | 10-Jan-13 | no response ² | 16-Jul-13 | 16-Aug-13 | no response ¹ | 16-Jul-13 | 16-Aug-13 | no response ¹ | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Carpenter Ranch | 2006-00984 | 7-Dec-12 | 7-Jan-13 | no response ¹ | 10-Dec-12 | 10-Jan-13 | no response ¹ | 16-Jul-13 | 16-Aug-13 | no response ¹ | 16-Jul-13 | 16-Aug-13 | no response ¹ | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Russell Ranch ¹ | 2013-00488 | 7-Dec-12 | 7-Jan-13 | no response ² | 7/25/2013, 9/4/13 | 8/25/2013, 6/4/13 | 26-Aug-13 | 9-Oct-13 | 9-Nov-13 | 8-Nov-13 | 18-Nov-13 | 18-Jan-14 | 20-Dec-13 | 30-Jan-14 | 1-Mar-14 | 26-Feb-14 |
| Mangini Ranch ¹ | 2013-00466 | 7-Dec-12 | 7-Jan-13 | no response ¹ | 10-Dec-12 | 10-Jan-13 | no response ¹ | 16-Jul-13 | 16-Aug-13 | no response ¹ | 4-Sep-13 | 16-Aug-13 | no response ¹ | 6-Sep-13 | 6-Oct-13 | 7-Oct-13 |
| Folsom 138 | 2008-00326 | 18-Dec-13 | 18-Jan-14 | 8-Jan-14 | none required | none required | none required | 18-Dec-13 | 18-Jan-14 | 8-Jan-14 | 3-Mar-14 | 5-Apr-14 | 21-Apr-14 | 7/21/2014 and 9/29/2014 | 8/21/2014 and 10/29/2014 | 30-Sep-14 |
| Arcadian Heights ¹ | 2013-00485 | 7-Dec-12 | 7-Jan-13 | no response ¹ | none required | none required | none required | 7/16/2013, 9/4/13 | 8/19/2013, 10/4/13 | 1-Oct-13 | 28-Feb-14 | 28-Mar-14 | 21-May-14 | 23-May-14 | 23-Jun-14 | 30-Jun-14 |
| Prairie City Road Business Park | 2006-00538 | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | none required | none required | none required | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | 7-Aug-14 | 7-Nov-14 | 29-Oct-14 | 11/26/2014; 8/26/2015 | 12/31/2014; 9/24/2015 | 23-Sep-15 |
| Hillsborough | 2006-00563 | 15-Aug-14 | 15-Sep-14 | 15-Sep-14 | none required | none required | none required | 15-Aug-14 | 15-Sep-14 | 19-Sep-14 | 21-Nov-14 | 22-Dec-14 | 24-Dec-14 | pending | | |
| SCDS | 2003-00732 | 23-Apr-14 | 23-May-14 | no response ¹ | 2-Mar-14 | 3-Apr-14 | 4/21/2014 and 5/30/2014 | 1-Jul-14 | 1-Aug-14 | 1-Aug-14 | | | | | | |
| Folsom Heights | 2008-00333 | 14-Jan-15 | 14-Feb-15 | 13-Feb-15 | 14-Jan-15 | 14-Feb-15 | 13-Feb-15 | 3/2/2015, 8/20/15 | 4/2/2015, 9/21/15 | 23-Sep-15 | 23-Sep-15 | 23-Oct-15 | pending | | | |
| Javanifard & Zarghani | 2007-01072 | | | | | | | | | | | | | | | |
| Carr Trust ¹ | Old FS 2006-00035 | 7-Dec-12 | 7-Jan-13 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |

1: formerly part of Folsom South
 2: Corps proceeded after prescribed comment period
 currently past end of comment period with no response
 pending response or circulation



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

November 4, 2015

Regulatory Division (SPK-2007-02159)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, California 95816

Dear Ms. Polanco:

This letter concerns the submittal of the revised Historic Properties Management Plan in accordance with the *First Amended Programmatic Agreement Between the U.S. Army Corps of Engineers and the California Office of Historic Preservation Regarding the Folsom Plan Area Specific Plan, Sacramento County, California* (FAPA). In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and the FAPA on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan).

In accordance with Stipulations 6.B and 6.C of the FAPA, we are providing you with a copy of the June 2015 *Folsom South of U.S. Highway 50 Specific Plan Project Historic Properties Management Plan, Sacramento County, California* (revised HPMP), prepared by ECORP Consulting, Inc. The revised HPMP is being provided without one attachment: *Volume II: Confidential Technical Reports and Site Records*. The reports and records have been previously provided during consultation for the respective individual projects within the Folsom Plan Area Specific Plan. We request your review and comment on the revised HPMP within thirty (30) days. In accordance with Stipulations 6.C and 9 of the FAPA, by copy of this letter, we are also providing a copy of the revised HPMP to the concurring and consulting parties to the FAPA, including the Tribes and historical society. We also request these parties' review and comments on the revised HPMP within thirty (30) days.

Please refer to identification number SPK-2007-02159 in any correspondence concerning this project. If you have any questions, please contact Ms. Erin Hess at our Regulatory Division, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, by email at Erin.E.Hess@usace.army.mil, or telephone at 916-557-6740.

Sincerely,

Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630
Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630
Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs,
CA 95682
Mr. Jason Camp, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603
Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624
Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encl)

Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

March 30, 2015

Regulatory Division (SPK-2007-02159)

Carol Roland-Nawi, PhD
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Dear Dr. Roland-Nawi:

This letter concerns the submittal of the Data Recovery Report for the Backbone Infrastructure Project (Project). Your reference number is COE090818A. In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan). Sections H and I of Stipulation 3 of the PA and Stipulation 5 of the FAPA require that each individual project, including the Project, must comply with specific terms that include, but are not limited to, evaluation of significance, determination of effect, and the resolution of adverse effects to Historic Properties.

In a letter dated October 7, 2013, you concurred the proposed August 30, 2013, *Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (HPTP), prepared by ECORP Consulting, will adequately address adverse effects to historic properties within the Project APE. In accordance with Section 4.2 of the HPTP, ECORP Consulting has prepared the enclosed February 2015 *Data Recovery Report for Archaeological Sites in the Backbone Infrastructure Area of Potential Effects, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (Enclosure 1). The results of the data recovery will be incorporated into the cultural context for the Historic Properties Management Plan (HPMP) and the data recovery report will be attached to the HPMP as an appendix in accordance with Stipulation 6.B of the FAPA.

We request your review and comment on the enclosed data recovery report. We are also providing a copy of the report by way of this letter to the concurring parties to the PA and FAPA, including the tribes, historical society, and applicants, for review and comment. Please provide any comments on the report by May 1, 2015.

Please refer to identification number SPK-2007-02159 in any correspondence concerning this Project. If you have any questions, please contact Ms. Erin Hess, at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Lisa Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630
Ms. Mary Mast, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630-2440
Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340,
Single Springs, CA 95682
Mr. Jason Camp, Tribal Historic Preservation Officer, United Auburn Indian Community,
10720 Indian Hill Road, Auburn, CA 95603
Mr. Steven Hutchason, Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624
Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA
95661

cc: (w/o encl)

Ms. Lisa Westwood, ECORP Consulting, westwood@ecorpconsulting.com

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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www.ohp.parks.ca.gov

October 7, 2013

In Reply Refer To: COE090818A

Richard Perry
Archaeologist
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for Backbone Infrastructure Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2007-02159)

Dear Mr. Perry:

Thank you for your letter of September 12, 2013 continuing consultation for the above referenced project to comply with the Programmatic Agreement (PA) between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. Pursuant to 36 CFR Part 800 (as amended 8-05-04), and Stipulations 3 and 4 of the PA, Army Corps of Engineers (COE) is seeking my comments on their proposed resolution to adverse effects for the undertaking.

The proposed undertaking would issue a Clean Water Act Section 404 permit to the Folsom Owners Group (applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California.

The applicant is proposing to develop within their project-specific APE, referred to as the Backbone Infrastructure Permit Area (Backbone) over the course of a 20-year build-out. The Backbone project-specific APE is the permit area (approximately 1,100 acres) and is a result of the configuration of the proposed roadways, utilities, and open space areas that will eventually connect each of the permit areas to one another. The APE consists of the vertical and horizontal limits of the project including the area within which adverse effects to Historic Properties could occur as a result of the project. The vertical APE is described as the maximum depth below the surface to which excavations for project foundations and facilities will extend, as well as the height of proposed facilities and buildings and extends from 15 feet below ground surface to 30 feet above the ground surface. The horizontal APE consists of all areas where ground-disturbing activities associated with the project are proposed.

- *Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California ECORP Project No. 2005-429.3 (ECORP, 2013).*

The criteria of adverse effect were applied to the 17 individually eligible sites and the 63 contributing elements to historic districts. Alternatives to avoid these adverse effects were

considered, and were either adopted or rejected based on their feasibility in the larger scope of the project. Of the 17 individually eligible sites, you determined that 10 will be adversely and directly affected by the project and that all of the 63 contributing elements will be adversely affected, either directly or indirectly. Therefore, the COE developed a Historic Property Treatment Plan in accordance with Stipulation 5 of the existing PA in order to resolve the adverse effects caused by the undertaking.

Resolution of Adverse effects for the Rhoades' Branch Ditch and the Keefe-McDerby Mine Ditch will be resolved in the form of Historic American Engineering Record (HAER) documentation in conjunction with the National Park Service (NPS). Resolution of adverse effects to the mills, foundations, campsites, and residential features will be addressed through data recovery excavation and detailed documentation. Resolution of adverse effect to White Rock Road and Lincoln Highway will occur through focused archival research and field documentation along with an expanded cultural context statement that will be included in the Historic Property Synthesis Report. Resolution of adverse effect to the RDMD and ACCMD historic districts will be addressed through landscape level documentation including aerial photography, LIDAR mapping, archival research, cultural contexts, and public interpretation using interpretive panels along adjacent trails and at trailheads. Potential adverse effects to inadvertent discoveries will be managed through measures to include geoarchaeological monitoring, contractor awareness training and the development of unanticipated discovery protocol between the contractors and the archaeological monitors. After reviewing your letter and supporting documentation, I have the following comments:

1. According to Stipulation 5 of the existing Programmatic Agreement between the COE and myself, I agree that the Historic Property Treatment Plan will adequately address the adverse effects that this undertaking will have on historic properties within the Backbone Infrastructure Permit Area APE.

Thank you for seeking my comments and for considering historic properties in planning your project. Please be advised that the COE has additional future responsibilities for this undertaking, as outlined in the aforementioned Programmatic Agreement. If you require further information, please contact Jessica Tudor of my staff at phone 916-445-7016 or email jessica.tudor@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

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DEPARTMENT OF PARKS AND RECREATION**

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February 26, 2014

In Reply Refer To: COE090818A

Lisa M. Gibson
Senior Project Manager
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for the Historic Property Treatment Plan for the Russell-Ranch Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2013-00488)

Dear Ms. Gibson:

Thank you for your letter dated January 30, 2014 continuing consultation for the above referenced project to comply with the Programmatic Agreement between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. The Army Corps of Engineers (COE) is seeking my comments on its Testing and Evaluation Report prepared under the Programmatic Agreement for the above referenced project pursuant to 800.14 (b).

The proposed undertaking would issue a Clean Water Act Section 404 permit to Russell-Promontory, LLC (applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California.

In addition to your letter, you have submitted the following document:

- *Historic Property Treatment Plan for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California (ECORP, 2013).*

You previously submitted a determination of effects report for the Russell-Promontory (now Russell Ranch) APE finding that two individually eligible properties (P-34-2166 - The Brooks Hotel Site/Ranch Complex; and P-34-1745 - The Keefe-McDerby Mine Ditch) would be adversely affected by the proposed undertaking. The Brooks Hotel Site/Ranch Complex will be adversely affected by the Backbone Infrastructure Project (COE090818A) and therefore the resolution of adverse effects for this property will be addressed separately, by the Historic Properties Treatment Plan (HPTP) that was

prepared for the Backbone Infrastructure Project. The Keefe-McDerby Mine Ditch will be adversely affected by the proposed Russell Ranch Project, and resolution of adverse effects for this resource were included in the current document. The HPTP for the Russell Ranch proposes that resolution of adverse effects to the Keefe-McDerby Mine Ditch shall take the form of Historic American Engineering Record (HAER) documentation. Furthermore, the HPTP included a map of the areas of archaeological sensitivity for the project area, and indicates that qualified professional archaeologists will monitor all ground disturbing activities in the areas of high archaeological sensitivity during construction. Documentation and storage standards will follow the standards and guidelines provided by the PA and HPMP for the larger project. The unanticipated discovery protocol outlined in these documents will be followed as well.

After reviewing your letter and supporting documentation, I have the following comments:

- I concur with your proposal to resolve adverse effects to the Keefe-McDerby Mine Ditch through the preparation of HAER documentation and with the terms of the archaeological monitoring and inadvertent discovery plans.

Thank you for seeking my comments and for considering historic properties in planning your project. Please be advised that the COE has additional future responsibilities for this undertaking, as outlined in the aforementioned Programmatic Agreement. If you require further information, please contact Jessica Tudor of my staff at phone (916) 445-7016 or email jessica.tudor@parks.ca.gov concerning archaeological issues, and Tristan Tozer of my staff at (916) 445-7027 or Tristan.tozer@parks.ca.gov for built environment concerns.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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www.ohp.parks.ca.gov

March 24, 2017

In Reply Refer To: COE090818A

Lisa M. Gibson
Senior Project Manager
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for Permission to Proceed with Construction for the Russell-Ranch Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2013-00488)

Dear Ms. Gibson:

The California Office of Historic Preservation (OHP) received your letter on February 21, 2017 continuing consultation for the above referenced project to comply with the First Amended Programmatic Agreement (FAPA) between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. The Army Corps of Engineers (COE) is review and comment on the completion of compliance with the Historic Properties Treatment Plan (HPTP) for this undertaking and the Applicant's permission to proceed pursuant to Stipulation 8.A. 3 of the FAPA.

The proposed undertaking would issue a Clean Water Act Section 404 permit to Russell-Promontory, LLC (Applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California. In addition to their letter, the COE has submitted the following document:

- *Request for Compliance Verification for the Non-Backbone Russell Ranch Project (SPK 2013-00488) within the Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County (ECORP 2017)*

The COE previously consulted on the identification of historic properties, determination of effects, and the development of a Historic Properties Treatment Plan (HPTP) for the Russel Ranch APE. In compliance with the HPTP, the Historic American Engineering Record (HAER) documentation was submitted to the National Park Service (NPS) in August, 2015 and the draft data recovery report was circulated among the signatories of the FAPA for review and comment. No comments were received and the report has been finalized and dispersed to the required parties. Additionally, the curation of the representative artifacts has been completed. The geoarchaeological monitoring will be completed during ground disturbance for the undertaking and contractor awareness training will be performed when construction begins. Documentation of this training will satisfy this mitigation measure after construction has begun. Finally, the Historic Properties Management Plan was updated in 2015 and circulated among the signatories. As such, the Applicant has requested that the USACE accept the implementation of the pre-construction mitigation measures for the construction segment defined as non-Backbone Russell Ranch as complete and to receive permission to proceed with construction. The COE's letter indicates that they have reviewed this documentation and agreed that the required work has been completed in compliance with the HPTP.

Therefore, the COE has requested SHPO review and comment on the HPTP compliance reconciliation provided. After reviewing your letter and supporting documentation, I have the following comments:

- I do not object to the COE's determination that the required pre-construction mitigation measures for the construction segment defined as non-Backbone Russell Ranch have been completed and the intention of the Applicant to proceed to construction pursuant to Stipulation 8.A.3 of the FAPA.

If you require further information, please contact Jessica Tudor of my staff at phone (916) 445-7016 or email jessica.tudor@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

ARCHAEOLOGY / PALEONTOLOGY

Discovery Response Procedures



Disturbance of archaeological or paleontological sites, artifacts, fossils, or features is a violation of State law.

If you encounter anything that could be part of an archaeological site, appears to be fossilized bone, or is anything that looks non-natural, the following procedures must be followed immediately.

IT IS STRICTLY FORBIDDEN TO PROVIDE ANY INFORMATION (VERBAL, WRITTEN, OR OTHERWISE) ABOUT ARCHAEOLOGICAL OR PALEONTOLOGICAL DISCOVERIES TO THE MEDIA OR ANY OTHER OUTSIDE SOURCE. DO NOT TAKE OR POST PHOTOS/COMMENTS ON SOCIAL MEDIA SITES.

- ✓ **Step 1.** Immediately stop all work within 100 feet of the discovery and first call the project archaeologist, Lisa Westwood, at 916-316-1456. If determined to be a cultural or paleontological resource, she will proceed with further management measures. If the discovery includes bone, or material that could potentially be bone, then the project archaeologist will call the County Coroner immediately. Be prepared for the arrival of the Coroner, should potential bone be found. If the project archaeologist cannot be reached, call Erin Hess at the US Army Corps of Engineers at 916-557-6740.
- ✓ **Step 2.** Take reasonable measures to protect the discovery from disturbance or looting.
- ✓ **Step 3.** Briefly document compliance with these requirements by completing the unanticipated discovery form, and provide it to the project archaeologist upon arrival.

These procedures comply with permit conditions and Mitigation Measures for this project. Implementation of additional mitigation measures may be required.





CONFIDENTIAL

UNANTICIPATED DISCOVERY DOCUMENTATION FORM

IT IS STRICTLY FORBIDDEN TO PROVIDE ANY INFORMATION (VERBAL, WRITTEN, OR OTHERWISE) ON ARCHAEOLOGICAL OR PALEONTOLOGICAL DISCOVERIES TO THE MEDIA OR ANY OTHER OUTSIDE SOURCE.

Folsom Specific Plan Projects, Sacramento County

Date of Unanticipated Discovery: _____ Time: _____

Name of Construction Supervisor or Foreman: _____

Cell Number: _____

Step 1. STOP ALL WORK WITHIN 100 FEET OF DISCOVERY. For all unanticipated discoveries, **first call the project archaeologist, Lisa Westwood, at 916-316-1456.** If the discovery includes potentially human bone, she will call the County Coroner. During the call, reference the project name and specific construction segment or activity and inform her that workers discovered something that could be an archaeological or paleontological artifact or feature. Provide her with this completed form upon her arrival.

Date and Time Called Project Archaeologist: _____ Caller: _____

Step 2. Take reasonable measures to protect the discovery from disturbance or looting. Briefly describe the measures taken.

Step 3. Briefly document the basic information of the discovery.

What was the nature of the construction activity that was taking place when the discovery was made?

Describe the location of the find, or draw a sketch map on the reverse, showing identifying landmarks or features, and construction locations, nearby. Include depth of the find:

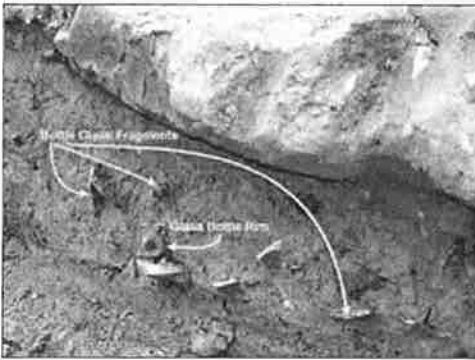
Briefly list the artifacts or features that were discovered:



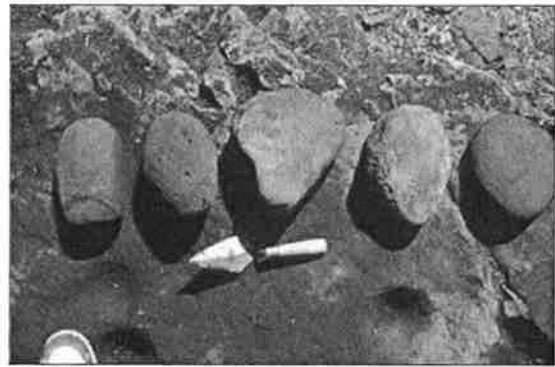
Above: bones in a midden deposit



Above: flaked stone ("debitage") pieces



Above: artifacts protruding from trench wall



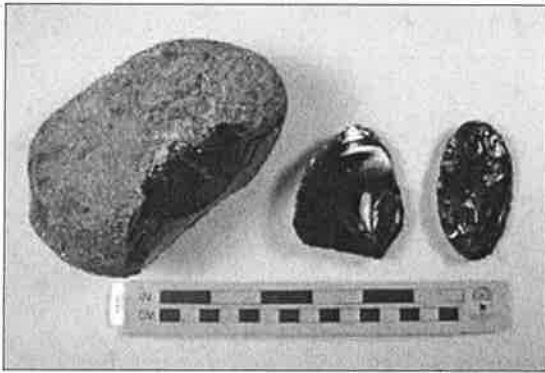
Above: hand stone artifacts



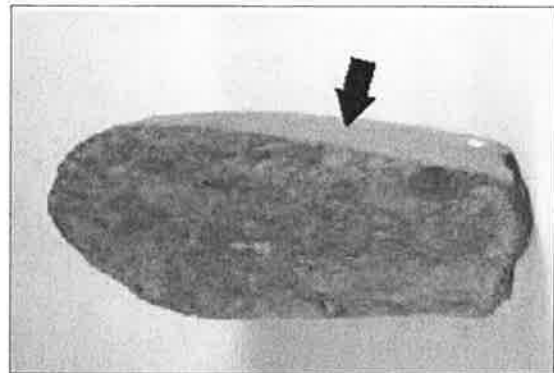
Above: dark soil layer (midden) in cut bank



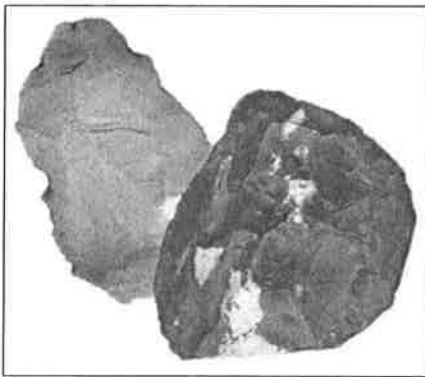
Above: mano and metate



Above: obsidian artifacts



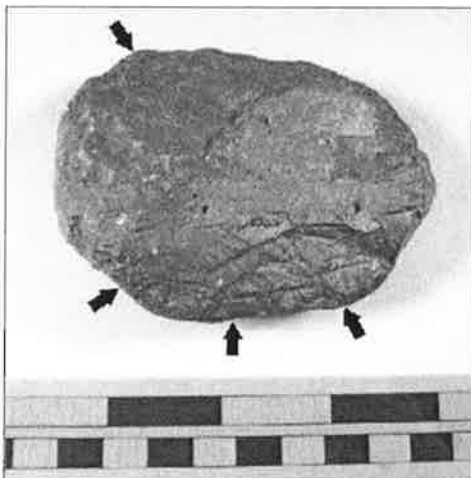
Above: Millingstone (grinding stone fragment)



Above: flaked stone tools (chert; can be any color)



Above: bone fragments



Above: hammerstone



Above: square nails, bottle glass

ATTENDANCE RECORD
Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects

Date of Training: _____ Trainer: _____

| Name (Print Clearly) | Company | Title/Role | Signature |
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ATTENDANCE RECORD

**Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects**

| Name (Print Clearly) | Company | Title/Role | Signature |
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ATTENDANCE RECORD
Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects

| Name (Print Clearly) | Company | Title/Role | Signature |
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ATTENDANCE RECORD
Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects

| Date of Video Training | Name (Print Clearly) | Company | Signature |
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When this form has been completed, please mail it to Lisa Westwood at ECORP Consulting, Inc., 2525 Warren Drive, Rocklin, CA 95677 or fax to 916-782-9134 or photograph and text it to 916-316-1456 so that it can be submitted as proof of compliance. Use multiple forms as needed.



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

February 16, 2017

Regulatory Division (SPK-2013-00488)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Dear Ms. Polanco:

This letter concerns compliance verification for the Russell Ranch Project (Project). Your reference number is COE090818A. In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 8, 2011, and a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan). Sections H and I of Stipulation 3 of the PA and Stipulation 5 of the FAPA require that each individual project, including the Russell-Promontory Project (Project), must comply with specific terms that include, but are not limited to, evaluation of significance, determination of effect, and the resolution of adverse effects to Historic Properties.

In a letter dated February 26, 2014, you concurred the proposed November 21, 2013, *Historic Property Treatment Plan for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (HPTP), prepared by ECORP Consulting, will adequately address adverse effects to historic properties, namely the Keefe-McDerby Mine Ditch (P-34-1745), within the Project APE. As previously discussed, the Brooks Hotel Site (P-34-2166) extends into the Russell Ranch APE and would also be impacted by the Backbone Infrastructure Project (SPK-2007-02159; COE090818A), therefore, resolution of adverse effects to the Brooks Hotel Site was addressed by the Historic Properties Treatment Plan prepared for the Backbone Infrastructure Project (Backbone HPTP).

ECORP Consulting has prepared the enclosed January 26, 2017, *Request for Compliance Verification for the Non-Backbone Russell Ranch Project (SPK 2013-00488) within the Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County* letter report (Enclosure 1), to summarize and reconcile the work completed in compliance with the HPTP. In accordance with the HPTP, the final Historic American Engineering Record (HAER) documentation for the Keefe-McDerby Mine Ditch was provided to the National Park Service on August 26, 2015. Previous compliance regarding the fieldwork phase of the data recovery at the Brooks Hotel Site and circulation of the draft data recovery report was provided to your office in a letter dated July 9, 2015. Your office did not have any comments per an email received on August 7, 2015. Subsequently, the final data recovery report was circulated to the appropriate parties, including the North Central Information Center of the California Historical Resources Information System, and representative artifacts were curated at the David A. Fredrickson Archaeological Collections Facility in accordance with the Backbone HPTP. Documentation regarding these transmittals is provided in Enclosure 1.

The applicant has requested to be allowed to proceed with construction within the Project APE in accordance with Stipulation 8.A.3 of the FAPA. We have determined the work summarized in Enclosure 1 has been completed in compliance with the HPTP. We request your review and comment on the enclosed HPTP compliance reconciliation letter report. We are also providing a copy of Enclosure 1 by way of this letter to the concurring parties to the PA and FAPA, including the tribes, historical society, and applicants, for review and comment. Please provide any comments on the report by March 20, 2017.

Please refer to identification number SPK-2013-00488 in any correspondence concerning this Project. If you have any questions, please contact Ms. Erin Hess, at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630
Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630
Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs, CA 95682
Mr. Matthew Moore, Tribal Historic Preservation Officer, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603
Mr. Antonio Ruiz, Jr., Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624
Mr. Jim Ray, MacKay & Somps Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encl)

Ms. Bonnie Chiu, The New Home Company, bchiu@nwhm.com
Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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October 7, 2013

In Reply Refer To: COE090818A

Richard Perry
Archaeologist
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for Backbone Infrastructure Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2007-02159)

Dear Mr. Perry:

Thank you for your letter of September 12, 2013 continuing consultation for the above referenced project to comply with the Programmatic Agreement (PA) between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. Pursuant to 36 CFR Part 800 (as amended 8-05-04), and Stipulations 3 and 4 of the PA, Army Corps of Engineers (COE) is seeking my comments on their proposed resolution to adverse effects for the undertaking.

The proposed undertaking would issue a Clean Water Act Section 404 permit to the Folsom Owners Group (applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California.

The applicant is proposing to develop within their project-specific APE, referred to as the Backbone Infrastructure Permit Area (Backbone) over the course of a 20-year build-out. The Backbone project-specific APE is the permit area (approximately 1,100 acres) and is a result of the configuration of the proposed roadways, utilities, and open space areas that will eventually connect each of the permit areas to one another. The APE consists of the vertical and horizontal limits of the project including the area within which adverse effects to Historic Properties could occur as a result of the project. The vertical APE is described as the maximum depth below the surface to which excavations for project foundations and facilities will extend, as well as the height of proposed facilities and buildings and extends from 15 feet below ground surface to 30 feet above the ground surface. The horizontal APE consists of all areas where ground-disturbing activities associated with the project are proposed.

- *Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California ECORP Project No. 2005-429.3 (ECORP, 2013).*

The criteria of adverse effect were applied to the 17 individually eligible sites and the 63 contributing elements to historic districts. Alternatives to avoid these adverse effects were

considered, and were either adopted or rejected based on their feasibility in the larger scope of the project. Of the 17 individually eligible sites, you determined that 10 will be adversely and directly affected by the project and that all of the 63 contributing elements will be adversely affected, either directly or indirectly. Therefore, the COE developed a Historic Property Treatment Plan in accordance with Stipulation 5 of the existing PA in order to resolve the adverse effects caused by the undertaking.

Resolution of Adverse effects for the Rhoades' Branch Ditch and the Keefe-McDerby Mine Ditch will be resolved in the form of Historic American Engineering Record (HAER) documentation in conjunction with the National Park Service (NPS). Resolution of adverse effects to the mills, foundations, campsites, and residential features will be addressed through data recovery excavation and detailed documentation. Resolution of adverse effect to White Rock Road and Lincoln Highway will occur through focused archival research and field documentation along with an expanded cultural context statement that will be included in the Historic Property Synthesis Report. Resolution of adverse effect to the RDMD and ACCMD historic districts will be addressed through landscape level documentation including aerial photography, LIDAR mapping, archival research, cultural contexts, and public interpretation using interpretive panels along adjacent trails and at trailheads. Potential adverse effects to inadvertent discoveries will be managed through measures to include geoarchaeological monitoring, contractor awareness training and the development of unanticipated discovery protocol between the contractors and the archaeological monitors. After reviewing your letter and supporting documentation, I have the following comments:

1. According to Stipulation 5 of the existing Programmatic Agreement between the COE and myself, I agree that the Historic Property Treatment Plan will adequately address the adverse effects that this undertaking will have on historic properties within the Backbone Infrastructure Permit Area APE.

Thank you for seeking my comments and for considering historic properties in planning your project. Please be advised that the COE has additional future responsibilities for this undertaking, as outlined in the aforementioned Programmatic Agreement. If you require further information, please contact Jessica Tudor of my staff at phone 916-445-7016 or email jessica.tudor@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

February 26, 2014

In Reply Refer To: COE090818A

Lisa M. Gibson
Senior Project Manager
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for the Historic Property Treatment Plan for the Russell-Ranch Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2013-00488)

Dear Ms. Gibson:

Thank you for your letter dated January 30, 2014 continuing consultation for the above referenced project to comply with the Programmatic Agreement between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. The Army Corps of Engineers (COE) is seeking my comments on its Testing and Evaluation Report prepared under the Programmatic Agreement for the above referenced project pursuant to 800.14 (b).

The proposed undertaking would issue a Clean Water Act Section 404 permit to Russell-Promontory, LLC (applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California.

In addition to your letter, you have submitted the following document:

- *Historic Property Treatment Plan for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California (ECORP, 2013).*

You previously submitted a determination of effects report for the Russell-Promontory (now Russell Ranch) APE finding that two individually eligible properties (P-34-2166 - The Brooks Hotel Site/Ranch Complex; and P-34-1745 - The Keefe-McDerby Mine Ditch) would be adversely affected by the proposed undertaking. The Brooks Hotel Site/Ranch Complex will be adversely affected by the Backbone Infrastructure Project (COE090818A) and therefore the resolution of adverse effects for this property will be addressed separately, by the Historic Properties Treatment Plan (HPTP) that was

prepared for the Backbone Infrastructure Project. The Keefe-McDerby Mine Ditch will be adversely affected by the proposed Russell Ranch Project, and resolution of adverse effects for this resource were included in the current document. The HPTP for the Russell Ranch proposes that resolution of adverse effects to the Keefe-McDerby Mine Ditch shall take the form of Historic American Engineering Record (HAER) documentation. Furthermore, the HPTP included a map of the areas of archaeological sensitivity for the project area, and indicates that qualified professional archaeologists will monitor all ground disturbing activities in the areas of high archaeological sensitivity during construction. Documentation and storage standards will follow the standards and guidelines provided by the PA and HPMP for the larger project. The unanticipated discovery protocol outlined in these documents will be followed as well.

After reviewing your letter and supporting documentation, I have the following comments:

- I concur with your proposal to resolve adverse effects to the Keefe-McDerby Mine Ditch through the preparation of HAER documentation and with the terms of the archaeological monitoring and inadvertent discovery plans.

Thank you for seeking my comments and for considering historic properties in planning your project. Please be advised that the COE has additional future responsibilities for this undertaking, as outlined in the aforementioned Programmatic Agreement. If you require further information, please contact Jessica Tudor of my staff at phone (916) 445-7016 or email jessica.tudor@parks.ca.gov concerning archaeological issues, and Tristan Tozer of my staff at (916) 445-7027 or Tristan.tozer@parks.ca.gov for built environment concerns.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

March 24, 2017

In Reply Refer To: COE090818A

Lisa M. Gibson
Senior Project Manager
Department of the Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, CA 95814-2922

Re: Section 106 Consultation for Permission to Proceed with Construction for the Russell-Ranch Permit Area of the Folsom South of U.S. Highway 50 Specific Plan Project (USACE SPK-2013-00488)

Dear Ms. Gibson:

The California Office of Historic Preservation (OHP) received your letter on February 21, 2017 continuing consultation for the above referenced project to comply with the First Amended Programmatic Agreement (FAPA) between the US Army Corps of Engineers (COE) and the California State Historic Preservation Officer (SHPO) prepared in compliance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. The Army Corps of Engineers (COE) is review and comment on the completion of compliance with the Historic Properties Treatment Plan (HPTP) for this undertaking and the Applicant's permission to proceed pursuant to Stipulation 8.A. 3 of the FAPA.

The proposed undertaking would issue a Clean Water Act Section 404 permit to Russell-Promontory, LLC (Applicant) to develop a portion (Specific Plan Area) of a larger proposed residential and commercial development located south of U.S. Highway 50, east of Prairie City Road, north of White Rock Road, and west of the El Dorado County line in the city of Folsom, California. In addition to their letter, the COE has submitted the following document:

- *Request for Compliance Verification for the Non-Backbone Russell Ranch Project (SPK 2013-00488) within the Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County (ECORP 2017)*

The COE previously consulted on the identification of historic properties, determination of effects, and the development of a Historic Properties Treatment Plan (HPTP) for the Russel Ranch APE. In compliance with the HPTP, the Historic American Engineering Record (HAER) documentation was submitted to the National Park Service (NPS) in August, 2015 and the draft data recovery report was circulated among the signatories of the FAPA for review and comment. No comments were received and the report has been finalized and dispersed to the required parties. Additionally, the curation of the representative artifacts has been completed. The geoarchaeological monitoring will be completed during ground disturbance for the undertaking and contractor awareness training will be performed when construction begins. Documentation of this training will satisfy this mitigation measure after construction has begun. Finally, the Historic Properties Management Plan was updated in 2015 and circulated among the signatories. As such, the Applicant has requested that the USACE accept the implementation of the pre-construction mitigation measures for the construction segment defined as non-Backbone Russell Ranch as complete and to receive permission to proceed with construction. The COE's letter indicates that they have reviewed this documentation and agreed that the required work has been completed in compliance with the HPTP.

Therefore, the COE has requested SHPO review and comment on the HPTP compliance reconciliation provided. After reviewing your letter and supporting documentation, I have the following comments:

- I do not object to the COE's determination that the required pre-construction mitigation measures for the construction segment defined as non-Backbone Russell Ranch have been completed and the intention of the Applicant to proceed to construction pursuant to Stipulation 8.A.3 of the FAPA.

If you require further information, please contact Jessica Tudor of my staff at phone (916) 445-7016 or email jessica.tudor@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

ARCHAEOLOGY / PALEONTOLOGY

Discovery Response Procedures



Disturbance of archaeological or paleontological sites, artifacts, fossils, or features is a violation of State law.

If you encounter anything that could be part of an archaeological site, appears to be fossilized bone, or is anything that looks non-natural, the following procedures must be followed immediately.

IT IS STRICTLY FORBIDDEN TO PROVIDE ANY INFORMATION (VERBAL, WRITTEN, OR OTHERWISE) ABOUT ARCHAEOLOGICAL OR PALEONTOLOGICAL DISCOVERIES TO THE MEDIA OR ANY OTHER OUTSIDE SOURCE. DO NOT TAKE OR POST PHOTOS/COMMENTS ON SOCIAL MEDIA SITES.

- ✓ **Step 1.** Immediately stop all work within 100 feet of the discovery and first call the project archaeologist, Lisa Westwood, at 916-316-1456. If determined to be a cultural or paleontological resource, she will proceed with further management measures. If the discovery includes bone, or material that could potentially be bone, then the project archaeologist will call the County Coroner immediately. Be prepared for the arrival of the Coroner, should potential bone be found. If the project archaeologist cannot be reached, call Erin Hess at the US Army Corps of Engineers at 916-557-6740.
- ✓ **Step 2.** Take reasonable measures to protect the discovery from disturbance or looting.
- ✓ **Step 3.** Briefly document compliance with these requirements by completing the unanticipated discovery form, and provide it to the project archaeologist upon arrival.

These procedures comply with permit conditions and Mitigation Measures for this project. Implementation of additional mitigation measures may be required.





CONFIDENTIAL

UNANTICIPATED DISCOVERY DOCUMENTATION FORM

**IT IS STRICTLY FORBIDDEN TO PROVIDE ANY INFORMATION (VERBAL, WRITTEN, OR OTHERWISE) ON
ARCHAEOLOGICAL OR PALEONTOLOGICAL DISCOVERIES TO THE MEDIA OR ANY OTHER OUTSIDE SOURCE.**

Folsom Specific Plan Projects, Sacramento County

Date of Unanticipated Discovery: _____ Time: _____

Name of Construction Supervisor or Foreman: _____

Cell Number: _____

Step 1. STOP ALL WORK WITHIN 100 FEET OF DISCOVERY. For all unanticipated discoveries, **first call the project archaeologist, Lisa Westwood, at 916-316-1456.** If the discovery includes potentially human bone, she will call the County Coroner. During the call, reference the project name and specific construction segment or activity and inform her that workers discovered something that could be an archaeological or paleontological artifact or feature. Provide her with this completed form upon her arrival.

Date and Time Called Project Archaeologist: _____ Caller: _____

Step 2. Take reasonable measures to protect the discovery from disturbance or looting. Briefly describe the measures taken.

Step 3. Briefly document the basic information of the discovery.

What was the nature of the construction activity that was taking place when the discovery was made?

Describe the location of the find, or draw a sketch map on the reverse, showing identifying landmarks or features, and construction locations, nearby. Include depth of the find:

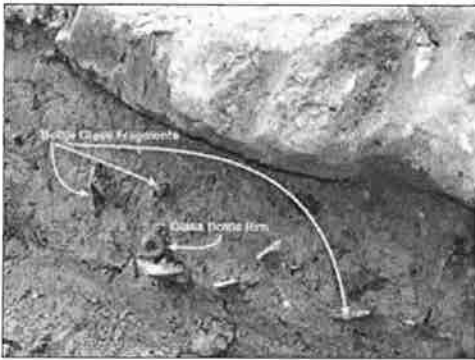
Briefly list the artifacts or features that were discovered:



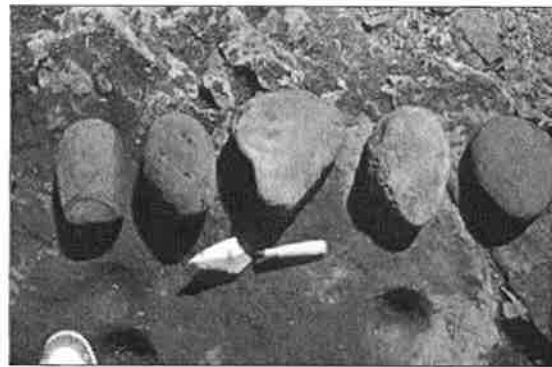
Above: bones in a midden deposit



Above: flaked stone ("debitage") pieces



Above: artifacts protruding from trench wall



Above: hand stone artifacts



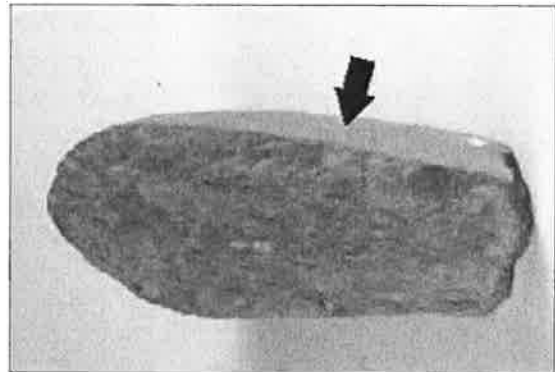
Above: dark soil layer (midden) in cut bank



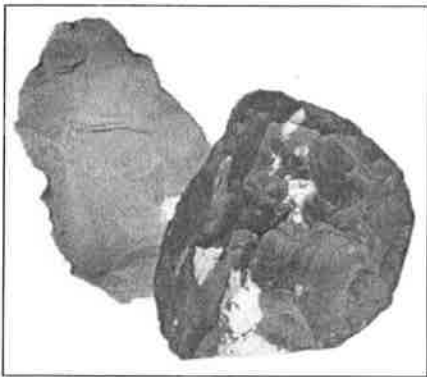
Above: mano and metate



Above: obsidian artifacts



Above: Millingstone (grinding stone fragment)



Above: flaked stone tools (chert; can be any color)



Above: bone fragments



Above: hammerstone



Above: square nails, bottle glass

ATTENDANCE RECORD
Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects

Date of Training: _____ Trainer: _____

| Name (Print Clearly) | Company | Title/Role | Signature |
|----------------------|---------|------------|-----------|
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ATTENDANCE RECORD

**Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects**

| Name (Print Clearly) | Company | Title/Role | Signature |
|-----------------------------|----------------|-------------------|------------------|
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ATTENDANCE RECORD

**Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects**

| Name (Print Clearly) | Company | Title/Role | Signature |
|----------------------|---------|------------|-----------|
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ATTENDANCE RECORD
Contractor Sensitivity Training for Archaeological Resources
Folsom Specific Plan Projects

| Date of Video Training | Name (Print Clearly) | Company | Signature |
|------------------------|----------------------|---------|-----------|
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When this form has been completed, please mail it to Lisa Westwood at ECORP Consulting, Inc., 2525 Warren Drive, Rocklin, CA 95677 or fax to 916-782-9134 or photograph and text it to 916-316-1456 so that it can be submitted as proof of compliance. Use multiple forms as needed.



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

February 16, 2017

Regulatory Division (SPK-2013-00488)

Ms. Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95818

Dear Ms. Polanco:

This letter concerns compliance verification for the Russell Ranch Project (Project). Your reference number is COE090818A. In accordance with the 36 CFR 800.4 (b)(2) and 36 CFR 800.14, the U.S. Army Corps of Engineers and the California State Historic Preservation Officer executed a Programmatic Agreement (PA) on July 6, 2011, and a First Amended Programmatic Agreement (FAPA) on October 3, 2013, to meet the requirements of Section 106 of the National Historic Preservation Act for the proposed Folsom South of U.S. Highway 50 Specific Plan (Specific Plan). Sections H and I of Stipulation 3 of the PA and Stipulation 5 of the FAPA require that each individual project, including the Russell-Promontory Project (Project), must comply with specific terms that include, but are not limited to, evaluation of significance, determination of effect, and the resolution of adverse effects to Historic Properties.

In a letter dated February 26, 2014, you concurred the proposed November 21, 2013, *Historic Property Treatment Plan for the Non-Backbone Russell Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California* (HPTP), prepared by ECORP Consulting, will adequately address adverse effects to historic properties, namely the Keefe-McDerby Mine Ditch (P-34-1745), within the Project APE. As previously discussed, the Brooks Hotel Site (P-34-2166) extends into the Russell Ranch APE and would also be impacted by the Backbone Infrastructure Project (SPK-2007-02159; COE090818A), therefore, resolution of adverse effects to the Brooks Hotel Site was addressed by the Historic Properties Treatment Plan prepared for the Backbone Infrastructure Project (Backbone HPTP).

ECORP Consulting has prepared the enclosed January 26, 2017, *Request for Compliance Verification for the Non-Backbone Russell Ranch Project (SPK 2013-00488) within the Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County* letter report (Enclosure 1), to summarize and reconcile the work completed in compliance with the HPTP. In accordance with the HPTP, the final Historic American Engineering Record (HAER) documentation for the Keefe-McDerby Mine Ditch was provided to the National Park Service on August 26, 2015. Previous compliance regarding the fieldwork phase of the data recovery at the Brooks Hotel Site and circulation of the draft data recovery report was provided to your office in a letter dated July 9, 2015. Your office did not have any comments per an email received on August 7, 2015. Subsequently, the final data recovery report was circulated to the appropriate parties, including the North Central Information Center of the California Historical Resources Information System, and representative artifacts were curated at the David A. Fredrickson Archaeological Collections Facility in accordance with the Backbone HPTP. Documentation regarding these transmittals is provided in Enclosure 1.

The applicant has requested to be allowed to proceed with construction within the Project APE in accordance with Stipulation 8.A.3 of the FAPA. We have determined the work summarized in Enclosure 1 has been completed in compliance with the HPTP. We request your review and comment on the enclosed HPTP compliance reconciliation letter report. We are also providing a copy of Enclosure 1 by way of this letter to the concurring parties to the PA and FAPA, including the tribes, historical society, and applicants, for review and comment. Please provide any comments on the report by March 20, 2017.

Please refer to identification number SPK-2013-00488 in any correspondence concerning this Project. If you have any questions, please contact Ms. Erin Hess, at our Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California, 95814-2922, erin.e.hess@usace.army.mil, or telephone (916) 557-6740. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Lisa M. Gibson
Regulatory Permit Specialist
Regulatory Division

Enclosure

cc:

Mr. David Miller, City of Folsom, 50 Natoma Street, Folsom, CA 95630
Mr. Anthony Ikeda Kolar, Folsom Historical Society, 823 Sutter Street, Folsom, CA 95630
Mr. Daniel Fonseca, Shingle Springs Band of Miwok Indians, Post Office Box 1340, Shingle Springs, CA 95682
Mr. Matthew Moore, Tribal Historic Preservation Officer, United Auburn Indian Community, 10720 Indian Hill Road, Auburn, CA 95603
Mr. Antonio Ruiz, Jr., Wilton Rancheria, 9728 Kent Street, Elk Grove, CA 95624
Mr. Jim Ray, MacKay & Soms Engineers, 1552 Eureka Road, Suite 100, Roseville, CA 95661

cc: (w/o encl)

Ms. Bonnie Chiu, The New Home Company, bchiu@nwhm.com
Ms. Lisa Westwood, ECORP Consulting, lwestwood@ecorpconsulting.com

Appendix D

Noise Mitigations Analysis Memo



September 29, 2017

Elizabeth Boyd, AICP
Ascent Environmental
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Subject: Review of Noise Mitigation for the Russell Ranch Project Entitlements

Dear Ms. Boyd,

j.c. brennan & associates, Inc. has reviewed the mitigation measures contained in the Russell Ranch EIR, as they apply to Phases 3 and 4. The format of this letter / review will be to quote each mitigation measure and provide any supplemental mitigation measures, or provide a discussion on the mitigation.

Impact 4.6-1 - 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:

- ▶ 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 offsite instead of on-site).

- ▶ 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.

The proposed mitigation measures 3A.11-1 are consistent with best management practices for reducing potential annoyance and exceeding any pertinent noise level standards. These are consistent with the mitigation measures provided in the noise analysis prepared by j.c. brennan & associates for the EIR.

Impact 4.6-2

This impact continues to be less than significant.

Impact 4.6-3 - Mitigation Measure 4.6-3(a)

Barrier heights as described in this mitigation measure and in Table 4.6-12, and Figure 4.6-2 of the Russell Ranch EIR are appropriate based upon the grading plans.

Impact 4.6-3 - Mitigation Measure 4.6-3(b)

This mitigation measure does not apply to Phases 3 and 4, due to distance from U.S. 50 and intervening residential development.

Impact 4.6-3 - Mitigation Measure 4.6-3(c)

This mitigation measure is still valid as described in the Russell Ranch EIR

Impact 4.6-4

This impact continues to be less than significant.

Impact 4.6-5 - Cumulative Impacts

Continued implementation of Mitigation Measures 4.6-3(a) and 4.6-3(c) described above.

If you or the City / County staff have questions, please contact me at 530-823-0960, or jbrennan@jcbrennanassoc.com.

Respectfully submitted,

j.c. brennan & associates, Inc.

A handwritten signature in blue ink that reads "Jim Brennan". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

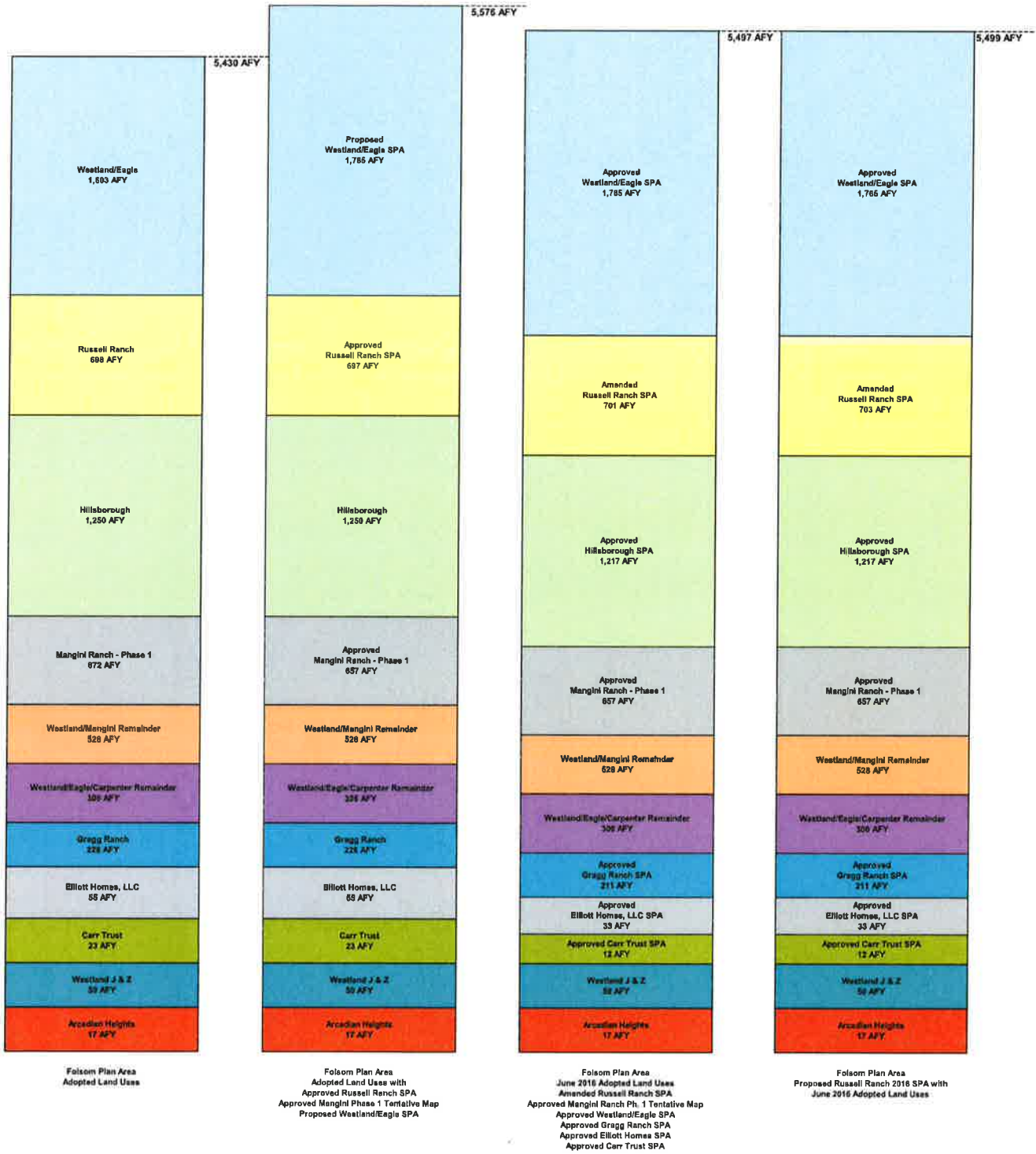
Jim Brennan
President
Member: Institute of Noise Control Engineering

File: 2017-172 Mitigation Measures Analysis for the Project Entitlements - September 29 2017

Folsom Plan Area
Proposed Specific Plan Amendment
Potable Water Demand Chart

2/10/17 PH2
Date: January 17, 2016

Water Supply Agreement - 5,600 AFY



Folsom Plan Area
Russell Ranch Specific Plan Amendment
Potable Water Demand Comparison

Date: January 17, 2018

| Russell Ranch Potable Water Demands - Approved Land Uses | | | | | | |
|---|--------------------|------------------------------------|--|---|--------------------------------|----------------------------------|
| Land Use Summary | | | | | | |
| Land Use | Gross Area (Acres) | Number of Allocated Dwelling Units | Normal Indoor Demand Factor (ac-ft/yr) | Normal Outdoor Demand Factor (ac-ft/yr) | Total Normal Demand (ac-ft/yr) | Total Dry-Year Demand (ac-ft/yr) |
| Residential | | | | | | |
| Single Family (SF) | 33.9 | 92 | 0.2100 | 0.3800 | 60 | 62 |
| Single Family High Density (SFHD) | 38.2 | 173 | 0.2061 | 0.1550 | 69 | 71 |
| Residential Total | 72.1 | 265 | | | 130 | 133 |
| Open Space | | | | | | |
| Open Space (OS) | 28.6 | | 0.00 | - | 0 | 0 |
| Open Space - Landscape Corridor (OS-LC) | 7.4 | | 0.00 | 1.95 | 16 | 17 |
| Open Space - Community Slopes (OS-CS) | 5.0 | | 0.00 | 1.93 | 11 | 11 |
| Open Space Total | 40.9 | | | | 27 | 28 |
| Non-Residential | | | | | | |
| Public/Quasi-Public (P/QP) | 0.1 | | 0.00 | - | 0 | 0 |
| Open Space - Residential Slopes(OS-RS) | 11.3 | | 0.00 | 1.95 | 24 | 26 |
| Major Road Right-of-Way (ROW) | 10.7 | | 0.00 | 0.37 | 4 | 5 |
| Non-Residential Total | 22.1 | | | | 29 | 30 |
| Project Total | 135.1 | 265 | | | 185 | 191 |

| Russell Ranch Potable Water Demands - Specific Plan Amendment Land Uses | | | | | | |
|--|--------------------|------------------------------------|--|---|--------------------------------|----------------------------------|
| Land Use Summary | | | | | | |
| Land Use | Gross Area (Acres) | Number of Allocated Dwelling Units | Normal Indoor Demand Factor (ac-ft/yr) | Normal Outdoor Demand Factor (ac-ft/yr) | Total Normal Demand (ac-ft/yr) | Total Dry-Year Demand (ac-ft/yr) |
| Residential | | | | | | |
| Single Family High Density (SFHD) Active Adult | 42.3 | 208 | See Note 3 | 0.1550 | 65-68 | 67-69 |
| Single Family High Density (SFHD) | 13.5 | 63 | 0.2061 | 0.1550 | 25 | 26 |
| Multi-Family Low Density (MLD) | 9.6 | 118 | 0.1369 | 0.0925 | 30 | 31 |
| Private Recreation Facility(PRF)*(SFHD) | 2.2 | | 0.41 | 2.35 | 7 | 7 |
| Open Space - Residential Slopes(OS-RS)(SFHD) | 3.8 | | 0.00 | 1.93 | 8 | 9 |
| Open Space - Residential Slopes(OS-RS)(MLD) | 2.3 | | 0.00 | 1.93 | 5 | 5 |
| Residential Total | 73.7 | 389 | | | 140 | 144 |
| Open Space | | | | | | |
| Open Space (OS) | 21.6 | | 0.00 | - | 0 | 0 |
| Open Space - Landscape Corridor (OS-LC) | 7.1 | | 0.00 | 1.95 | 15 | 16 |
| Open Space - Community Slopes (OS-CS) | 12.2 | | 0.00 | 1.93 | 26 | 27 |
| Open Space Total | 40.9 | | | | 42 | 44 |
| Non-Residential | | | | | | |
| Public/Quasi-Public (P/QP) | 0.05 | | 0.00 | - | 0 | 0 |
| Major Road Right-of-Way (ROW) | 7.7 | | 0.00 | 0.37 | 3 | 3 |
| White Rock Road Intersection Right-of-Way (ROW-WRR) | 8.8 | | 0.00 | - | 0 | 0 |
| White Rock Road Interchange Right-of-Way (ROW-WRR) | 3.9 | | 0.00 | - | 0 | 0 |
| Non-Residential Total | 20.5 | | | | 3 | 3 |
| Project Total | 135.1 | 389 | | | 185 | 191 |

Notes:

- 1.) Total water demands have been increased 11.11% pursuant to footnote 56 on page 30 of the Folsom Plan Area Water Supply Assessment prepared
 - 2.) Outdoor water demands have been increased by 5% in dry years pursuant to the Water Supply Assessment prepared by Tully and Young.
 - 3.) Indoor demand reduced to reflect smaller household size using a range of 1.8 - 2.0 persons per household was used for Active Adult Residential.
 Indoor demand would range between 0.1278 and 0.1380 acre foot per year.
- * Denotes that Private Recreation Facility indoor demand is based on twice the SF indoor demand and outdoor demand is 67% of Park outdoor demand

Appendix H

Wastewater and Sewer Analysis Memo

Russell Ranch Lots 24 thru 32

Folsom, California

Tech Memo Waste Water and Sewer Transmission Analysis

The New Home Company filed an application, Russell Ranch Lots 24 thru 32 to modify the land use on a portion of the Russell Ranch. The project includes a component of both Active Adult dwelling units for residents 55 years and older as well as a component of market rate traditional dwelling units. The attached table compares the waste water generation and sewer flow estimates for both the existing approved entitlements and the proposed land use changes.

The Average Dry Weather generation and flow rate the City uses is of 400 gallons per day (gpd) per dwelling unit for single family units and 300 gallons per day per dwelling unit for multi-family units. There numerous studies that demonstrate the average population per dwelling unit for an Active Adult project is smaller than a traditional residential project. Numerous jurisdictions across the Sacramento Region has accepted these studies in formulating a population projection for Active Adult communities and used a range of 1.8 – 2.0 persons per household in calculating demand for various services including wastewater and sewer generation. The City of Folsom uses a person per household size of 2.92 for single family units and 1.94 persons per household for multi-family units.

The ratio of population of an Active Adult unit and a single family unit is a range of 0.62 – 0.68 and for a multi-family unit is 0.93. Applying these to the wastewater generation and sewer flow rated, an Active Adult unit would generate between 247 gpd and 279 gpd. wastewater and sewer flow depend on the number of residents. We have chosen 275 gpd to analyze the single family lots within the proposed project.

The attached table compares the existing entitlement and the proposed amendments. The analysis shows that the proposed project generates 0.1165 million gallons a day (mgd) Average Dry Weather Flow of effluent compared to the existing entitlements of 0.1060 mgd. The minor difference of 0.0105 mgd is considered insignificant.

A Sewer Master Plan (Water Works September 2014) was prepared for the entire Folsom Plan Area Specific Plan which assumed the 1,119 units originally allocated to the Russell Ranch development that includes Lots 24 thru 32. It shows at the Regional Folsom South Lift Station located just east of Prairie City Road and south of Highway 50 where the flow is pumped across Highway 50 into the Sacramento Regional County Sanitation District (SRCSD) system the flow is 6.23 mgd (an increase of only 0.2%) for the Average Dry Weather condition. This corresponds to Peak Wet Weather Flow of 11.1 mgd (using

the SRCSD methodology). The SRCSD Interceptor Master Plan prepared in 2000 provided for a flow excess of this demand.

All the pipelines conveying the flow from the site to the regional Folsom South Lift Station have been planned and constructed to date at a capacity (maximum depth of flow to diameter of pipe) of not to exceed 0.7 full. The Master Plan analyzes all the pipelines within the Plan Area and determines that flow in all pipelines is substantially less than 0.7 full. Thus, the minor increase can be accommodated from the project site to the connection with SRCSD.

**Folsom Plan Area
Russell Ranch
Specific Plan Amendment
Sanitary Sewer
Demand Comparison**

27107.PH2
Date: January 17, 2018

| Currently Approved Russell Ranch Phase II Sewer Demands - Approved Specific Plan Land Uses | | | | |
|---|---------------------------|--|---|--|
| Land Use Summary | | | | |
| Land Use | Gross Area (Acres) | Number of Allocated Dwelling Units/Assigned ESD's | Average Daily Sewer Demand (gal./day) or (gal/ac.) | Average Daily Sewer Flow (Million gal./day) |
| •SF | 33.9 | 92 | 400 | 0.0368 |
| • SFHD | 38.2 | 173 | 400 | 0.0692 |
| PQP - Sewer | 0.1 | 0 | | |
| •OS / Landscape Slopes | 52.2 | 0 | | |
| •ROW | 10.7 | 0 | | |
| Total | 135.1 | 265 | | 0.1060 |

| Russell Ranch Phase II Sewer Demands - Specific Plan Amendment Land Uses | | | | |
|---|---------------------------|--|---|--|
| Land Use Summary | | | | |
| Land Use | Gross Area (Acres) | Number of Allocated Dwelling Units/Assigned ESD's | Average Daily Sewer Demand (gal./day) or (gal/ac.) | Average Daily Sewer Flow (Million gal./day) |
| SFHD | 17.5 | 63 | 400 | 0.0252 |
| SFHD (Active Adult) ⁽²⁾ | 41.6 | 208 | 275 | 0.0572 |
| MLD | 12.4 | 118 | 275 | 0.0325 |
| Rec Center ⁽¹⁾ | 2.2 | 4 | 400 | 0.0016 |
| PQP-Sewer | 0.1 | 0 | | |
| •OS (Dry / Landscape Slopes) | 44.8 | 0 | | |
| ROW | 16.4 | 0 | | |
| Total | 135.0 | 393 | | 0.1165 |

Notes:

(1) Rec Center is allocated 4 ESD.

(2) SFHD (Active Adult) allocated 275 GPD to account for reduced population range of 1.8 to 2.0 pph.